

FIRST DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 11, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
Commissioner Kathryn Alder
Commissioner Craig L. Hanson
Deputy Clerk Monica Reeves

FILE IN MINUTES

The Board filed the 2014 Annual Assessed Value by Taxing District (A2) and Category as well as the Treasurer's Monthly Report for June 2014 in this day's minutes.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Facilities Management in the amount of \$3,800.00 to Northwest Elevator and Contracting.

APPROVED PURCHASE ORDER

The Board approved purchase orders for the In-House Public Defender Department in the amounts of \$11,191.00 to Boise Office Equipment and \$6,149.35 to VLCM.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:30 a.m. for an office staff meeting. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Facilities Manager Paul Navarro, PIO Joe Decker, Deputy Clerk Kelly Martinez, and Deputy Clerk Monica Reeves. The items discussed were general in nature. Ms. Martinez left at 8:34 a.m. Joe Decker reported on the following communication issues: he will have the comment regarding the waters of the United States done this week; finished one brochure for the Prosecutor but he has a few more to work on; KBOI talking points; tomorrow he will attend the adoption day planning meeting; getting information on the website regarding changes for the Passports Office; and a luncheon meeting with Kevin Miller from KIDO Radio. Paul Navarro reported on the following facilities issues: parking lot paving update; today the last lot across from the administration building will be paved and the one located at 12th and Albany is ready for landscaping but they are struggling without SILD workers. The temporary certificate of occupancy is expiring soon so he contacted the City of Caldwell to explain the loss of SILD workers and they were kind

enough to grant a 30-day extension. The Board wants the lots opened as soon as possible. Once the last of the lots is striped Mr. Navarro will physically count the spaces and report on the total number of spaces which he estimates to be around a couple of hundred. The Caldwell Urban Renewal Agency used the meeting room in the administration building and they would like to continue using it on a monthly basis for their meetings that are typically held from 12:00 p.m. to 1:00 p.m. The Board has no problem with the request as long as it doesn't interfere with County meetings. Mr. Navarro's staff is still moving old furniture from the second and third floors of the courthouse; he has contacted agencies to see if they can use the furniture. He hopes to start the HR Department construction project in the next couple of weeks once he receives the building permit. Commissioner Rule wants to make sure the public defender's construction work stays on schedule. Mr. Navarro said it's actively going right now and the three offices will be done on Tuesday. A contractor was hired to do the drywall and stud work and his staff is doing the painting, carpeting, baseboard, electrical and data. He has hired a company to supply and install the glass. Commissioner Alder asked if the items that were stored in the new HR space have been relocated. Mr. Navarro said the space is now empty and he reported that the Board of Commissioners' minutes that were stored in old Recorder's Office vault have been boxed and relocated to the vault in the administration building. He gave a brief update on the plans for the remodel of the old maintenance shop. Four of five misdemeanor probation employees will be located in that space along with the problem solving courts. It won't be a permanent solution but it will get us up and running. He will work with the Prosecutor's Office on the process to get a contractor selected for that project. A firm has been hired to install the audio/visual system for the meeting room in the administration building and it should be completed in time for the August 27 budget hearing. The meeting concluded at 8:46 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Note for the record: As properly noticed the Board met today at 9:21 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Hanson made a motion to go into Executive Session at 9:22 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (i). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy

Alder and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:34 a.m. with no decision being called for in open session.

MEETING WITH MARK MIMURA TO DISCUSS AGREEMENTS WITH CONFLICT COUNSEL

The Board met today at 9:34 a.m. for a meeting with Mark Mimura to discuss agreements with conflict counsel. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Public Defender Mark Mimura, Trial Court Administrator Dan Kessler, and Deputy Clerk Kelly Martinez. Commissioner Rule thanked Mr. Mimura for all of his hard work and service as Public Defender and also said Mr. Mimura has a tough job right now and there are issues that affect Mr. Mimura's ability to perform. Commissioner Alder said Mr. Mimura's support has been amazing and she compliments him on the excellent job that he has done. Mr. Mimura said he has tried to locate a copy of the agreements he has with his conflict counselors but he was unable to find a copy in his files. Mr. Mimura believes that some of the terms in the contracts include: the rate, malpractice insurance, and a "hold harmless" clause for both the Public Defender and the County. Commissioner Hanson said we need to work with our legal staff to get some documents prepared. Commissioner Rule said the County desires to contract separately with the attorneys who are handling cases that go beyond Mr. Mimura's contract. Commissioner Rule said we realize it is not within Mr. Mimura's scope of pay to finish those cases so this looks like a good solution. Mr. Mimura asked where the Board wants to draw the line in regard to pre-trial and jury trials. Commissioner Alder suggested Tera Harden should be consulted. Commissioner Rule said Ms. Harden has made it clear she would like to begin October 1. Commissioner Alder said this is much better for the clients. Commissioner Rule asked Mr. Mimura what his thoughts are on how to continue the transition. Mr. Mimura said the expense is going to be huge because of the administrative order from Judge Culet many years ago that requires the County to pay out conflict counsel at \$70 per hour. Commissioner Rule said some continuity is best for everyone involved. Commissioner Alder asked if Mr. Mimura carries a case load himself. Mr. Mimura said he takes the big cases because the other attorneys do not have the time to dedicate to large cases on top of their regular case load. Commissioner Rule asked Mr. Mimura if he could continue to try to locate a copy of the conflict counsel agreements he currently has in place. Mr. Mimura said he can contact those attorneys and see if they have a copy of the agreement. Commissioner Rule asked Mr. Mimura to email the Board a list of the current conflict counsel attorneys. Commissioner Rule asked when the County should pick up the files from Mr. Mimura's office. Mr. Mimura said probably the last week of September, they can pull the files that they need and send the rest. Mr. Mimura said there are hundreds and hundreds of boxes. The items discussed were general in

nature and did not require Board action. The meeting concluded at 9:48 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

BIWEEKLY MEETING WITH THE DEVELOPMENT SERVICES DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 10:00 a.m. for a biweekly meeting with the Development Services Director to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, DSD Director Tricia Nilsson, and Deputy Clerk Kelly Martinez. Topics of discussion included the following: permit and budget status update; the coalition's application to change the text of the zoning ordinance information; COMPASS agenda review. Director Nilsson also reviewed the Building Division Staff Report for July 2014 which is on file with this day's minute entry. Commissioner Rule asked if code enforcement has become more effective and if Director Nilsson feels they have the tools to handle code enforcement. Director Nilsson said it seems like it has changed over the years however code enforcement has limited authority because they only have jurisdiction on zoning cases. Director Nilsson would like to have a more direct chain of command if they are going to send out code enforcement on nuisance or weed abatement because they have no authority over that. The County's Weed Department has authority for weed abatement and nuisance falls under the Sheriff's Office in the County Code. Our Code Enforcement Officer can't write violations because he doesn't have that authority. Commissioner Rule said he believes in property rights more than anything, but he believes some people are abusing in this realm and there should be some code enforcement when it reaches that level. Commissioner Rule asked Director Nilsson to gather some information and then proceed with a meeting with the Prosecutor and the Board to figure this out. Commissioner Alder said we need to have the Weed Control Department and Sheriff's Office involved because all of those present a problem that have nothing to do with zoning, this is nuisance and weed control. Commissioner Rule said code enforcement is under DSD. Commissioner Alder said it is only under DSD for zoning violations. Director Nilsson said her department is happy to help but they don't always have legal jurisdiction. Director Nilsson said the goal of code enforcement is compliance; they do not turn it over to the Prosecutor's Office until all resources have been exhausted. Director Nilsson will review the current process and make some suggestions to the Board going forward. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:23 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

BIWEEKLY MEETING WITH THE FLEET DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 10:34 a.m. for a biweekly meeting with the Fleet Director to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule and Kathy Alder, Fleet Director Mark Tolman, and Deputy Clerk Kelly Martinez. Commissioner Craig Hanson arrived at 10:41 a.m. Topics of discussion included the following: Director Tolman is working on the SOP for the GPS tracking system; updating the list of non-exempt commuter vehicles; discussion about management training; Director Tolman is requesting funding for PFMA training and CAFM/CAFS Boot Camp; budget discussion for Fiscal Year 2015. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:43 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

EXECUTIVE SESSION - PERSONNEL MATERS

Note for the record: As properly noticed the Board met today at 10:45 a.m. for a biweekly meeting with the Director of Misdemeanor Probation to discuss general issues, set policy, and give direction. A request was made to go into Executive Session to discuss personnel matters. The Executive Session was held as follows:

Commissioner Alder made a motion to go into Executive Session at 10:46 a.m. pursuant to Idaho Code, Section 67-2345(1) (b). (Trial Court Administrator Dan Kessler left at 10:46 a.m.) The motion was seconded by Commissioner Hanson. A roll call vote was taken on the motion with Commissioners Alder, Hanson and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Director of Misdemeanor Probation Jeff Breach, and Deputy Clerk Kelly Martinez. The Executive Session concluded at 10:58 a.m. with no decision being called for in open session. Commissioner Hanson thanked Director Breach for all of his assistance over the past week, he appreciates it and said Director Breach does a good job. Commissioners Alder and Rule echoed those sentiments as well.

The meeting concluded at 10:58 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

CONTINUE THE SIGNING OF THE FISCAL YEAR 2015 TENTATIVE BUDGET

The Board met today at 11:01 a.m. to continue the signing of the Fiscal Year 2015 Tentative Budget. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Clerk Chris Yamamoto, Controller Zach Wagoner, and Deputy Clerk Monica

Reeves. Due to some developments beyond the scope of the Board's control we need to postpone the meeting to tomorrow afternoon at 3:30 p.m. in order to address some critical last-minute details that need to be addressed. Commissioner Alder made a motion to continue the signing of the tentative budget to August 12, 2014 at 3:30 p.m. The motion was seconded by Commissioner Hanson and carried unanimously. The proceeding concluded at 11:02 a.m. An audio recording is on file in the Commissioners' Office.

SECOND DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 12, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
 Commissioner Kathryn Alder
 Commissioner Craig L. Hanson
 Deputy Clerk Monica Reeves

APPROVED KEY REQUEST

The Board approved a key request for Sheri McCain.

APPROVED CLAIMS ORDER NO. 8-12-14

The Board of Commissioners approved payment of County claims in the amount of \$12,605.34 for accounts payable.

BIWEEKLY MEETING WITH THE CHIEF PROBATION OFFICER TO DISCUSS
GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 8:30 a.m. for a biweekly meeting with the Chief Probation Officer to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Probation Officer Elda Catalano, Trial Court Administrator Dan Kessler, and Deputy Clerk Kelly Martinez. Ms. Catalano attended a meeting with the Caldwell School District, specifically the alternative school Canyon Springs, to discuss the creation of a youth court program. The school district would like to handle more cases at the school level. Ms. Catalano said all these folks want to commit to handling juvenile cases when appropriate, to keep them out of the system because the fewer juveniles we have in the system for petty offenses, the better. Ms. Catalano also met with a gentleman who

created "Idaho Homes" who is developing a gang intervention program which includes a vocational and educational program for the adults. Ms. Catalano said while she doesn't deal primarily with adults, there are a lot of juveniles on probation between the ages of 18 and 21. Commissioner Alder said that is really a step in the right direction. Ms. Catalano said she has been working to develop a Memorandum of Understanding to better work with the staff at all of the schools. Ms. Catalano said her office is holding a school supply drive, so anything related to school will be accepted and is appreciated. Commissioner Hanson said he appreciates that Ms. Catalano reaches out in the community beyond the probation scope. Ms. Catalano said Mike Davidson is organizing a fundraising golf tournament event on September 13. Ms. Catalano also gave a personnel update. The items discussed were general in nature and did not require Board action. The meeting concluded at 8:41 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

BIWEEKLY MEETING WITH THE HUMAN RESOURCES DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 8:49 a.m. for a biweekly meeting with the Human Resources Director to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Human Resources Director Jeannine Eiband, and Deputy Clerk Kelly Martinez. Topics of discussion included the following: Ms. Eiband is working on the job description project; once the budget is finalized she will create new salary grades within ADP and get them assigned; the change to GEM Plan is going well and the County will be using a company out of Oregon called PBS for the administration of the HRA and FSA; it is going to be a very rough end of the year because of the change in insurance. Ms. Eiband said anything that happens in September may not reach Meritain by October 1, so there may be some duplication of coverage in terms of accumulators. Ms. Eiband said hiring is steady; there are currently five open positions with two more to post tomorrow. Ms. Eiband will be working on another turnover analysis this year. Commissioner Alder said decisions need to be made on the other types of insurance, outside of medical, that the County offers. Commissioner Hanson said there are some legalities to work out with that as well. Ms. Eiband said she would not recommend getting rid of life insurance, long term disability, short term disability and supplemental life insurance policies. The other types of accident and illness policies are the ones that could be looked at to terminate. Commissioner Hanson said he would like to cut those back if possible. Ms. Eiband said the current company the County uses went through a competitive process so she is comfortable with that. Ms. Eiband will make a list of what companies the County uses, what they offer, and how many people are currently getting that benefit. Commissioner Hanson said as soon as we approve a publishable budget he would like to send something out to all employees with the salary information. Ms. Eiband said she has had directors and managers ask when they are able to communicate the

changes to their employees. Commissioner Alder said to let the department heads inform their employees and if someone wants more than that, they can request it. Ms. Eiband said she will prepare "total compensation" information sheets showing not just salary but all of the benefits that are paid out to employees and what their total compensation is. The items discussed were general in nature and did not require Board action. The meeting concluded at 9:00 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

EXECUTIVE SESSION - PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Note for the record: As properly noticed the Board met today at 9:00 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Hanson made a motion to go into Executive Session at 9:01 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (i). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves. Chief Civil Deputy P.A. Sam Laugheed arrived at 9:03 a.m. Mr. Blocksom left at 9:08 a.m. The Executive Session concluded at 9:50 a.m. While in open session Commissioner Alder made a motion to continue the legal staff update to this afternoon at 1:00 p.m. The motion was seconded by Commissioner Hanson and carried unanimously. An audio recording of the open portion of the discussion is on file in the Commissioners' Office.

MONTHLY MEETING WITH THE WEED CONTROL SUPERINTENDENT AND GOPHER DISTRICT DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 9:51 a.m. for a monthly meeting with the Weed Control Superintendent and Gopher District Director to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Weed Control Superintendent and Gopher District Director Jim Martell, and Deputy Clerk Kelly Martinez. Topics of discussion included the following: update on budget numbers including Weed Department has used 64% of the B budget and Pest Department has used 30% of the B budget; the newly hired Senior Administrative

Specialist begins August 18; Governor Otter has sent a request for Purple Loosetrife Beetles so Mr. Martell will deliver some of the beetles to the Governor's residence in Star tomorrow. Mr. Martell reported that there has been an outbreak of "medsage", which is a noxious tumbling weed that seems to have arrived from Adam's County. He believes it would be a really good fit to have SILD workers go out and collect these plants and get them bagged up before they roll down from the Payette County line. Mr. Martell will be gone for two weeks beginning August 28. The items discussed were general in nature and did not require Board action. The meeting concluded at 9:59 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

VETERANS' SERVICE OFFICER MEETING AND FUNDING REQUEST FOR CALDWELL VETERAN'S MEMORIAL HALL

The Board met today at 10:03 a.m. to discuss a Veterans' Service Officer (VSO), and a funding request for the Caldwell Veteran's Memorial Hall. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson; Clerk Chris Yamamoto; Controller Zach Wagoner; Terry Harrell, Chairman of Caldwell Veterans Council; John Muirhead, Vice-Chairman of the Caldwell Veterans Council; and Deputy Clerk Monica Reeves. The old Carnegie Library will be renovated into a hall for use by veterans from all of Canyon County, including groups from Middleton, Nampa, and Parma as well as Homedale. In addition to a meeting place for veterans, the hall will also be used to offer free programs and services to veterans and their families. Mr. Harrell spoke of the need for these services in the west end of the valley so veterans do not have to travel to Boise for assistance. The group is receiving attention from other organizations and foundations to help with programs and to preserve the building but they haven't received any help with the operational costs. The Caldwell Veterans' Council is requesting \$16,800 from the County to cover the estimated annual operating costs that would include insurance, gas, electricity, water, telephone, office supplies, security, internet access, website hosting, printing, advertising and marketing. Mr. Harrell said most counties have a VSO and with salary, benefits and office space the typical cost is around \$60,000, so the \$16,800 they are requesting from the County would be a significant savings. The City of Caldwell bought the building for the council at a cost of \$193,000 and it is leased on a 100 year lease at a rate of one dollar (\$1.00) per year. Commissioner Hanson said Canyon County has already contributed \$13,000 in historical society funds to the council, and it has awarded \$11,000 to the American Legion group in Nampa. Mr. Harrell said the \$13,000 will be used for preserving the building and the \$16,800 would allow them to offer programs and services to veterans and their families. He has met with the Disabled American Veterans and the Veterans of Foreign Wars groups and they are in support of what the council is doing. Mr. Muirhead said the other groups are excited about the prospect of having a place that offers services because they don't currently have any of that. He said the memorial hall will not be in competition with other groups because they do not have the resources or

personnel to create a service center like this. Mr. Harrell said there are distinct differences in the funding requests: The \$13,000 will be used to preserve the building through the historical funding, and the requested \$16,800 will allow them to establish programs that meet the needs of the veterans in the west end of the valley. Clerk Yamamoto said Canyon County does not have a VSO, but we should and we have an opportunity to have four volunteers fill that vacancy at a reduced cost as opposed to hiring a VSO. He said the \$16,800 would not fit with a levy situation; if we were to do that it would come out of the current expense fund and he strongly suggests we provide the funding because statutorily we are supposed to do it and it's an opportunity for the County to have a VSO at a fraction of the normal cost. He asked Mr. Harrell which of the two funding sources he would rather have. Mr. Harrell said the utility costs are important, but some of the historical preservation foundations are providing matching funds so the council has to get cash from some place in order for them to match it. The building has to be restored and maintained so those dollars are extremely important but to get to the point of opening the doors they need operating dollars. It's hard to say. Commissioner Alder said perhaps the Board could reduce the historical society levy fund by \$13,000 and instead take the cash from the current expense fund so the council can use it for operations if they feel that is more important. Mr. Harrell said the \$13,000 needs to stay on the historical side and he will pursue funding through other entities for a VSO. He said the VA spends \$87 million on veterans who live in Canyon County but in order to receive some of that funding they would have to hire fulltime auditors to prepare reports and to answer the federal government's needs. Commissioner Hanson said there is a history with the historical funds that were given to one group and it caused controversy and he doesn't want that to occur with the funding for our veterans. He fully supports veterans and what they have sacrificed, but he wants the process to be thoroughly vetted and he wants buy-in from the other veterans groups in the County. Mr. Harrell said many of the groups have sought them out and he will obtain certificates and signed letters of endorsement. With regard to when the hall will open, Mr. Harrell said they don't know yet because they didn't know the full extent of the hazardous materials until they opened it up and the costs have expanded from \$170,000 to \$600,000. It's also dependent upon the donating foundations' funding cycles. Commissioner Hanson said because there is a good faith process he would consider a onetime influx of \$8,000 for utilities to help solidify the process for this year. Commissioner Alder supports the funding of \$8,000 until the group can prove that the other organizations are in agreement with what the council is trying to do. She said in other circumstances the Board has listened to groups say they represent the entire County when they asked for funding and then the Board found out that wasn't true. Clerk Yamamoto said the Board has a valid point and he suggests that the \$8,000 is contingent on some validation that all of the veterans groups in the County are supportive of the council's efforts. Commissioner Rule said if the groups are not united next year the funding will go away. Commissioner Hanson made a motion to fund the Caldwell Veterans Memorial Hall at \$8,000 in operating expenses for Fiscal Year 2015. The motion was seconded by Commissioner Alder. Clerk

Yamamoto proposed that the motion be amended to state that the \$8,000 is to be used for utility expenses for a County veterans' service officer. Commissioner Hanson accepted the amendment. Commissioner Alder seconded the amendment. The motion carried unanimously. Commissioner Rule told Mr. Harrell and Mr. Muirhead to bring unity next year and the Board may be able to offer more help. The meeting concluded at 10:43 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUED LEGAL STAFF UPDATE; EXECUTIVE SESSION: PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS; AND SIGN MOU WITH THE SHERIFF RELATING TO A COMMUNICATION PROTOCOL ON MATTERS OF COMMON CONCERN

As announced this morning, the Board met today at 1:00 p.m. for a continued legal staff update. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, and Deputy Clerk Monica Reeves. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and to communicate with the County's risk manager regarding pending/imminently likely claims. The 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 Alder made a motion to go into Executive Session at 1:01 p.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (i). The motion was seconded by Commissioner Hanson. A roll call vote was taken on the motion with Commissioners Alder, Rule and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, and Deputy Clerk Monica Reeves. The Executive Session concluded at 1:22 p.m.

While in open session, Mr. Laugheed asked the Board to amend the meeting agenda to include within the legal staffing a sub-point to consider signing an MOU between the Board and the Sheriff relating to communication protocol on matters of common concern. The good faith reason that this wasn't included in the original agenda notice was that it is a fast-evolving legal issue that delay on alerting the media and giving the 48 hours' notice could negatively affect the budget process and increase the County's overall liability exposure. Commissioner Hanson made a motion to amend the agenda

to sign the MOU. The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Hanson, Alder and Rule voting in favor of the motion. The motion carried unanimously. PIO Joe Decker arrived at 1:23 p.m. Mr. Laugheed said the MOU was discussed as an exempt public document and also as attorney-client communication and the Board and the Sheriff agreed to a limited waiver of the attorney-client privilege so he could craft the document on behalf of both sides. They tried to establish a communication protocol that preserved the authority and legal right of both the Board and the Sheriff moving forward. The MOU doesn't create any new rights or remedies but does show an intent of the Board and the Sheriff to move forward and communicate about decisions that would affect the entire County with particular regard to the consent decree that's been signed and the things the Board and Sheriff both have to do to maintain the County's position in that decree. The officials are free to disagree about matters of importance but the MOU puts a process in place for communication which serves everyone's interest. Commissioner Alder made a motion to sign the Memorandum of Understanding between the Canyon County Board of Commissioners and the Canyon County Sheriff relating to a communication protocol on matters of common concern. The motion was seconded by Commissioner Hanson. A roll call vote was taken on the motion with Commissioners Hanson, Alder and Rule voting in favor of the motion. The motion carried unanimously. Mr. Laugheed asked the Board talk with the Controller and Chief Budget Officer today and asked them to review the MOU since it has some budgetary implications in terms of restoring the Sheriff's salary and setting the stage for continued provisions of the SILD program and potential exploration of other options. Commissioner Rule said going into Fiscal Year 2015 all of the funding for the Sheriff's SILD program will be back in place. Commissioner Alder said the vehicle amount of \$330,000 will not change. The meeting concluded at 1:27 p.m. An audio recording is on file in the Commissioners' Office.

BIWEEKLY MEETING WITH THE JUVENILE DETENTION DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 2:00 p.m. for a biweekly meeting with the Juvenile Detention Director to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Juvenile Detention Director Steve Jett, and Deputy Clerk Kelly Martinez. Topics of discussion included the following: 733 pounds of produce have been collected from the garden so far; population is still in the mid-twenties; Director Jett said they had 80 hours of court last month and he is still trying to get a better track record to see if he needs to keep that position filled; this week is the American Correctional Association Conference in Salt Lake; National Partnership Symposium in North Carolina will be held in October; POST training update; Juvenile Training Council meeting on Thursday and graduation is scheduled for the September 12. Director Jett also discussed an email from Skip Clapp suggesting the Valley County facility may close if population does not increase.

Director Jett said they have had one restraint recently and one in court as well; last year they had ten “use of force” scenarios for the year. Director Jett said he will be taking a few days off in September. The items discussed were general in nature and did not require Board action. The meeting concluded at 2:12 p.m. An audio recording of the meeting is on file in the Commissioners’ Office.

MONTHLY MEETING WITH THE PARKS DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 2:15 p.m. for a monthly meeting with the Parks Director to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Parks Director Tom Bicak, and Deputy Clerk Kelly Martinez. Topics of discussion included the following: 90 acres of cheat grass went up in smoke at Celebration Park but there was no damage to the facilities; the City of Fruitland adopts big river front park plans; Payette River Games 2014; Celebration Park and Wilson Springs had a lot of visitors this year; Director Bicak is trying to improve the summer program with funding from the National Park Service so he wrote a grant for \$22,000 for a canoe program; Kathy Kershner is almost done with the IOSRWT Adventure Guide; staff training was held on the few days where there were no field trips booked; Lake Lowell update; Chrystal Hayes was busy at Celebration Park with field trip season; a fire occurred on BLM land northwest of Celebration Park on July 10 which burned around 40 acres; there was also a fire near the gun range which burned about 60 acres; summer repairs included striping; and personnel updates. Director Bicak also mentioned that there have been two good articles in the newspaper last week about parks and recreation. There was also discussion regarding Director Bicak’s future retirement plans. Director Bicak said he believes we have the best park program in the state and he would hate to see the County lose any of this due to lack of leadership when he does choose to retire. Director Bicak is doing everything he can to make sure the next person is as functional as he is now because he believes the programs are sustainable if you work hard enough. Commissioner Rule realizes it is Mr. Bicak’s passion and said he has set the bar pretty high. Director Bicak has been working for the County for 26 years and has no motivation to retire. The items discussed were general in nature and did not require Board action. The meeting concluded at 2:35 p.m. An audio recording of the meeting is on file in the Commissioners’ Office.

MONTHLY MEETING WITH TERA HARDEN, DIRECTOR OF PUBLIC DEFENDER DEPARTMENT TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 2:45 p.m. for a monthly meeting with Tera Harden, Director of Public Defender Department to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Director of Public Defender Dept. Tera Harden, Deputy P.A. Mike Porter, and Deputy Clerk Kelly Martinez. Ms. Harden said her office furniture arrived today. Mr. Porter said he has been discussing the transition with Ms. Harden and they have an issue to discuss with the Board in Executive Session. At 2:47 p.m. the Board went into Executive Session as follows:

EXECUTIVE SESSION - PERSONNEL MATTER AND PENDING LITIGATION

Commissioner Hanson made a motion to go into Executive Session at 2:47 p.m. pursuant to Idaho Code, Section 67-2345(1) (b) and (f). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Hanson and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Director of Public Defender Department Tera Harden, Deputy P.A. Mike Porter, and Deputy Clerk Kelly Martinez. The Executive Session concluded at 3:13 p.m. with no decision being called for in open session.

The meeting concluded at 3:13 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MONTHLY MEETING WITH THE TRIAL COURT ADMINISTRATOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 3:15 p.m. for a monthly meeting with the Trial Court Administrator to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Trial Court Administrator Dan Kessler, Asst. Trial Court Administrator Benita Miller, and Deputy Clerk Kelly Martinez. Topics of discussion included the following: Judge Ryan, Chris Topmiller, Tera Harden and Dan Kessler are meeting every week to work through this transition period; the Magistrate division is a little more than two months into the new calendar plan and a meeting is scheduled September 3 to review how it is working; Mr. Kessler said the main concern right now is a personnel action resulting in a secretarial position vacancy. Mr. Kessler said he is proposing that the County pay off the existing comp time hours for a specific employee otherwise she will have to take time off again and

they will be down two secretaries again. At 3:19 p.m. the Board went into Executive Session as follows:

EXECUTIVE SESSION - PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Alder made a motion to go into Executive Session at 3:19 p.m. pursuant to Idaho Code, Section 67-2345(1) (b) and (d). The motion was seconded by Commissioner Hanson. A roll call vote was taken on the motion with Commissioners Alder, Hanson and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Trial Court Administrator Dan Kessler, Asst. Trial Court Administrator Benita Miller, and Deputy Clerk Kelly Martinez. The Executive Session concluded at 3:28 p.m. with no decision being called for in open session.

The meeting concluded at 3:28 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

CONSIDER SIGNING THE FY2015 TENTATIVE BUDGET

The Board met today at 3:35 p.m. to consider signing the Fiscal Year 2015 Tentative Budget. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Clerk Chris Yamamoto, Controller Zach Wagoner, PIO Joe Decker, H.R. Director Jeannine Eiband, and Deputy Clerk Monica Reeves. The Board had made some last-minute changes where funding was reinstated to the Sheriff's budget as well as the addition of \$8,000 in current expense for the County Veterans Office. Zach Wagoner said the projected fund balance for current expense is over \$17 million and the justice fund is a little under \$10 million. They are putting more property tax into the justice fund versus current expense because the justice fund is lower. Clerk Yamamoto said they take turns with that depending on what happens with expenses and where the reserves are at. Commissioner Rule said there were a lot of discussions this year about fund balances which were not spent to the extent they could've been so we are very healthy in that respect. Mr. Wagoner said we are in excellent financial condition and we are embarking on some major capital projects and there is sufficient funding for those projects and he believes at the end of 2015 we'll still be in excellent financial condition. Commissioner Hanson said we took a wait and see approach with our medical benefits this year but we will potentially have to take a hard look at a lot of things in the next year. Commissioner Rule said this was a difficult budget year and it was somewhat contentious and he expressed his appreciation to the Clerk and Controller for their hard work to establish budgets. Clerk Yamamoto said with the amount that was separated from pest control it brings the total taxes that have been cut to \$2,150,000. The Clerk said he is very happy to have the salary adjustment situation

but he thinks in some of his departments there will be contention with some of the raises that will go to the underperformers and with retention being critical we need to be open minded about utilizing some type of merit to smooth things out. He said the three percent merit could have helped but barring that his suggestion is the Board keeps that in mind for some special cases for retention in certain positions. Mr. Wagoner said we are asking for over \$2 million less in property tax than we did last year, and last year we asked for less than we did the year before and that shows the County is cognizant of the taxpayer and is taking steps to show it. Clerk Yamamoto said we could have requested \$47 million from taxpayers but we're asking for \$34 million. Commissioner Alder made a motion to approve the tentative budget for FY2015 stating it is reflective of what we said we would do, such as: market adjustments, reducing property taxes and keeping money in the community. The motion was seconded by Commissioner Hanson and carried unanimously. The signed tentative budget, which is on file with this day's minute entry, will be published in the Idaho Press-Tribune. The meeting concluded at 3:49 p.m. An audio recording is on file in the Commissioners' Office.

THIRD DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 13, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
 Commissioner Kathryn Alder
 Commissioner Craig L. Hanson
 Deputy Clerk Kelly Martinez

APPROVED CLAIMS ORDER NO. 8-25-14

The Board of Commissioners approved payment of County claims in the amounts of \$284,430.44 and \$313,389.18 for accounts payable.

APPROVED SALARY RATE REQUEST

The Board approved a salary rate request for Jolynn Thweatt and William Phelps.

APPROVED KEY REQUEST

The Board approved a key request for Yvonne Baker and Angela Papa.

SIGNED MEDICAL INDIGENCY DOCUMENTS

The Board signed the following medical indigency documents recorded as instrument numbers: 2014-029234, 2014-029235, 2014-029236, and 2014-029237.

MEETING WITH FACILITIES MANAGER TO DISCUSS MAINTENANCE SHOP GROUND ISSUES

The Board met today at 9:31 a.m. for a meeting with the Facilities Manager to discuss maintenance shop ground issues. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Facilities Manager Paul Navarro, Cristina Brischler and Andrew Provan from Strata Engineering, and Deputy Clerk Kelly Martinez. Mr. Navarro said Strata Engineering was hired to help navigate the process to deal with the contamination that was discovered around the previous fleet shop. The County hired Materials Testing and Inspections (MTI) to test the area and discovered petroleum distillates in the ground. The County then hired Strata Engineering to help find out where that plume is. Mr. Navarro said he contacted the Department of Environmental Quality (DEQ) and they recommended drilling more borings to find out just how much contamination here is. Mr. Navarro said he would like to get a “no restrictions” permit to move forward because the contamination levels are very low. Ms. Brischler said DEQ wants to delineate the extent of the plume, they want to know if it extends off of the County property or not. Ms. Brischler said they don’t really know the extent of this contamination. DEQ would like Strata to gather more samples adjacent and to the Northeast but she really doesn’t know how far out that plume goes. Ms. Brischler said we had proposed doing ten bore holes to try to figure out how far that plume goes. It still needs to be decided where they need to put the three monitoring wells. Mr. Provan said we screen the soils but for groundwater we collect a representative sample and send it to the lab. Commissioner Rule said you are just trying to define the plume and asked how much it will cost. Mr. Navarro said we have a proposal for ten borings and three wells which is \$9,200. Ms. Brischler said once they test the water and show that the plume hasn’t expanded off the site, she believes DEQ is leaning towards closing the monitoring wells. Commissioner Alder said this would be the total dollar amount. Mr. Navarro said our goal is to get this closed with DEQ so we can start remodeling that building. Ms. Brischler discussed the contamination levels. Mr. Provan said this plume is kind of counter-intuitive to the groundwater flow. Commissioner Rule said this is the correct direction to go. Ms. Brischler mentioned that the perpendicular plume to groundwater is most likely because of a clay layer in the subsurface. When Mr. Provan was sampling in the field he found some liquefied clays which could serve as a wick essentially to pull it out in that direction. The meeting concluded at 9:41 a.m. An audio recording of the meeting is on file in the Commissioners’ Office.

EXECUTIVE SESSION - PERSONNEL MATTERS AND PENDING LITIGATION

Note for the record: As properly noticed the Board met today at 11:02 a.m. for a legal staff update. A request was made to go into Executive Session to discuss personnel matters and pending litigation. The Executive Session was held as follows:

Commissioner Hanson made a motion to go into Executive Session at 11:02 a.m. pursuant to Idaho Code, Section 67-2345(1) (b) and (f). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Hanson and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Mike Porter, and Deputy Clerk Kelly Martinez. The Executive Session concluded at 11:27 a.m. with no decision being called for in open session.

The meeting concluded at 11:28 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

FOURTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 14, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
 Commissioner Kathryn Alder
 Commissioner Craig L. Hanson
 Deputy Clerk Monica Reeves

APPROVED PURCHASE ORDER

The Board approved a purchase order for Facilities Management in the amount of \$24,433.78 to Western Building Supply.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Facilities Management in the amount of \$9,200.00 to Strata Engineering.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Facilities Management in the amount of \$3,445.00 to Auto Clear.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Facilities Management in the amount of \$2,262.00 to Tikker Engineering.

APPROVED PURCHASE ORDER

The Board approved a purchase order for the Public Defender Department in the amount of \$4,507.22 to United Micro.

APPROVED PURCHASE ORDER

The Board approved a purchase order for the Public Defender Department in the amount of \$8,254.96 to VLCM.

APPROVED PURCHASE ORDER

The Board approved a purchase order for the Public Defender Department in the amount of \$4,803.40 to Tek Pipline.

CONTINUE MEDICAL INDIGENCY HEARINGS

The Board met today at 8:57 a.m. to go on the record and continue medical indigency hearings. Present were: Commissioners Steve Rule and Craig Hanson, Deputy P.A. Dan Blocksom, Indigent Services Director Michele Chadwick, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, and Deputy Clerk Kelly Martinez. Upon the motion of Commissioner Hanson and the second by Commissioner Rule, the Board voted unanimously to continue the following cases by signed stipulation as follows: Case No. 2014-1101 was continued to August 25, 2014 at 9:00 a.m. Ms. Baker also recommended placing Case No. 2014-919 in suspension. Upon the motion by Commissioner Hanson and the second by Commissioner Rule, the Board voted unanimously to place Case No. 2014-919 in suspension. The proceeding concluded at 8:59 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2014-945

The Board met today at 9:08 a.m. to conduct a medical indigency hearing for Case No. 2014-945. Present were: Commissioners Steve Rule and Craig Hanson, Deputy P.A. Dan Blocksom, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, the applicant, Katie Martin from St. Luke's, and Deputy Clerk Kelly Martinez. Upon the motion of Commissioner Hanson and the second by Commissioner Rule, the Board voted unanimously to take Case No. 2014-945 under advisement with a decision to be rendered within 30 days. The hearing concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2014-902

The Board met today at 9:14 a.m. to conduct a medical indigency hearing for Case No. 2014-902. Present were: Commissioners Steve Rule and Craig Hanson, Deputy P.A. Dan Blocksom, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, the applicant and his spouse, and Deputy Clerk Kelly Martinez. Indigent Services Director Michele Chadwick arrived at 9:18 a.m. A hospital representative was not present for today's hearing. Upon the motion of Commissioner Hanson and the second by Commissioner Rule, the Board voted unanimously to uphold the original denial dated June 4, 2014. The hearing concluded at 9:20 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2014-886

The Board met today at 9:24 a.m. to conduct a medical indigency hearing for Case No. 2014-886. Present were: Commissioners Steve Rule and Craig Hanson, Deputy P.A. Dan Blocksom, Indigent Services Director Michele Chadwick, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, the applicant and his friend, Katie Martin from St. Luke's, and Deputy Clerk Kelly Martinez. Upon the motion of Commissioner Hanson and the second by Commissioner Rule, the Board voted unanimously to place Case No. 2014-886 in suspension. The hearing concluded at 9:27 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2014-1057

The Board met today at 9:30 a.m. to conduct a medical indigency hearing for Case No. 2014-1057. Present were: Commissioners Steve Rule and Craig Hanson, Deputy P.A. Dan Blocksom, Indigent Services Director Michele Chadwick, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, Chavon Lewis from St. Alphonsus,

and Deputy Clerk Kelly Martinez. The applicant did not appear for today's hearing. Upon the motion of Commissioner Hanson and the second by Commissioner Rule, the Board voted unanimously to continue the hearing to September 25, 2014 at 9:00 a.m. The hearing concluded at 9:39 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2014-962

The Board met today at 9:41 a.m. to conduct a medical indigency hearing for Case No. 2014-962. Present were: Commissioners Steve Rule and Craig Hanson, Deputy P.A. Dan Blocksom, Indigent Services Director Michele Chadwick, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, Chavon Lewis from St. Alphonsus, and Deputy Clerk Kelly Martinez. The applicant did not appear for today's hearing. Upon the motion of Commissioner Hanson and the second by Commissioner Rule, the Board voted unanimously to uphold the original denial dated June 18, 2014. The hearing concluded at 9:47 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2014-918

The Board met today at 9:50 a.m. to conduct a medical indigency hearing for Case No. 2014-918. Present were: Commissioners Steve Rule and Craig Hanson, Deputy P.A. Dan Blocksom, Indigent Services Director Michele Chadwick, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, the applicant, and Deputy Clerk Kelly Martinez. A hospital representative was not present for today's hearing. Upon the motion of Commissioner Hanson and the second by Commissioner Rule, the Board voted unanimously to uphold the original denial dated June 4, 2014. The hearing concluded at 10:01 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2011-1421

The Board met today at 10:04 a.m. to conduct a medical indigency hearing for Case No. 2011-1421. Present were: Commissioners Steve Rule and Craig Hanson, Deputy P.A. Dan Blocksom, Indigent Services Director Michele Chadwick, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, and Deputy Clerk Kelly Martinez. Neither the applicant nor a hospital representative appeared for today's hearing. Upon the motion of Commissioner Hanson and the second by Commissioner Rule, the Board voted unanimously to uphold the original denial dated September 26, 2011. The hearing concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

UPHOLD ORIGINAL DENIAL DATES FOR MEDICAL INDIGENCY CASES

The Board met today at 10:09 a.m. to uphold original denials for various medical indigency cases. Present were: Commissioners Steve Rule and Craig Hanson, Deputy P.A. Dan Blocksom, Indigent Services Director Michele Chadwick, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, and Deputy Clerk Kelly Martinez. Ms. Chadwick recommended the Board uphold the previous respective denials in the following cases: Case Nos. 2014-106, 2014-672, 2014-709, 2014-930, and 2014-1007. Upon the motion of Commissioner Hanson and the second by Commissioner Rule, the Board voted unanimously to uphold the previous denials. The proceeding concluded at 10:10 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE

The Board met today at 1:31 p.m. for a legal staff update. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Brad Goodsell, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves. Mr. Goodsell gave an update on the Mahaffey Oil project in Parma. He received an updated second quarter report showing the levels are dropping on the downhill wells. We are below the RUSL levels on all wells, except for one, for everything except benzene which is still above the levels. It appears the mediation is working and after the third quarter and fourth quarter testing we will get a closing report and hopefully we'll get a clean bill of health and we can get our covenant not to sue and figure out what our restrictions are and move forward with dispersing the property. The Board was excited to hear the good news and expressed its appreciation Mr. Goodsell for his work on this project. At 1:34 p.m. the Board went into Executive Session as follows:

EXECUTIVE SESSION – PERSONNEL MATTERS AND ACQUISITION OF AN INTEREST IN REAL PROPERTY

Commissioner Alder made a motion to go into Executive Session at 1:34 p.m. pursuant to Idaho Code, Section 67-2345(1) (a), (b), and (c). The motion was seconded by Commissioner Hanson. A roll call vote was taken on the motion with Commissioners Alder, Rule and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Brad Goodsell, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves. The Executive Session concluded at 1:47 p.m.

While in open session Commissioner Alder asked about the status of some draft legislation that deals with SILD and similar programs coming under misdemeanor probation, specifically changing the wording to say the program can come under either

the Sheriff or misdemeanor probation. The legislation has to be submitted to IAC by September 2. Mr. Goodsell said they will report on that matter at Monday's legal staff update. The meeting concluded at 1:48 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MONTHLY MEETING WITH THE FAIR ADMINISTRATOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 2:11 p.m. for a monthly meeting with the Fair Administrator to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Fair Administrator Rosalie Cope, and Deputy Clerk Kelly Martinez. Ms. Cope reviewed final numbers for the 2014 Fair including: attendance was 45,565 which is about 1,500 people above last year's attendance; the Josh Turner concert sold basically double the amount of reserved tickets than the normal shows would sell; \$72,000 in beer sales which is up 35% from last year; open class exhibits were up by about 200 entries; and 4-H numbers were about the same this year. Ms. Cope said she will have two Fair Board member applications to submit to the Commissioners soon. One of the applications is the Chairman of the Foundation Board and the purpose is to have the Chairman of the Fair Board and the Chairman of the Foundation Board become voting members on each other's boards. Ms. Cope said the fair clean-up is mostly done; they will go right into stall set-up for the rodeo. She also said they only lost SILD workers for one full day. Ms. Cope reported that the expansion was on hold the month of July, she wasn't able to put much attention toward it. The Fair Board did staff a booth at the Fair supporting the expansion, handing out information and answering questions. Commissioner Rule said we are going to give you a letter with a couple of dates of some project deadlines. Ms. Cope said she thinks these deadlines are "do-able". Commissioner Rule said we have tons of faith in our Fair Board but after 15 months of paying someone to get a job done, we are running out of vision, and it is time to have it happen. Ms. Cope said a lot of that falls back on us, whether it is getting board members out there securing other board members or foundation board members, it doesn't seem to be happening unless Ms. Cope sets the appointments and does it herself. Ms. Cope said she runs out of time to do her real job and this project as well. Commissioner Rule said this is not negative, we believe these are obtainable dates. Ms. Cope said in regard to the September deadline, she is hopeful; however the January deadline she is not sure about. She said they are scheduled to meet with the first donor the beginning of October. Ms. Cope understands what the Board is saying and it is on her, it is on the Fair Board. She said most of the foundation members have been secured by her or Mr. Johnson. Commissioner Rule said it is time to let the Fair Board members know that the Commissioners are going to lose faith in this project unless they step up and do what you have asked them to do. Commissioner Alder said we believe in this, we just want it to happen and it is time to move on it. Ms. Cope also mentioned the City of Caldwell apparently does have a lease agreement with

College of Idaho. It seems they included the gravel parking lot next to the fair building so on home games, at this point, they are not allowed to use the parking lot adjacent to the fair building. Commissioner Alder said we were not contacted about this. Commissioner Hanson said Mayor Nancolas has promised to work with the fair and support the fair in any way possible. Commissioner Alder asked Ms. Cope to share the letter she received today with the Fair Board so they can read it thoroughly and understand it. The items discussed were general in nature and did not require Board action. The meeting concluded at 2:32 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

BOARD AWARD OF CONTRACT FOR ELECTRONIC MONITORING SYSTEM - ALTERNATIVE SENTENCING PROGRAM REQUEST FOR PROPOSALS

The Board met today at 2:32 p.m. to award the contract for the Electronic Monitoring System - Alternative Sentencing Program Request for Proposals (RFP). Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Corporal Travis Engle, and Deputy Clerk Kelly Martinez. Corporal Engle said shortly after the RFP process ended, a Board was formed to review the proposals. The Board consisted of Corporal Engle, Corporal Jeff Betzold, Deputy P.A. Mike Porter, Tera Harden, and Judge Ford. They reviewed the proposals and narrowed it down to two companies that they felt would best support the Sheriff's Office and Canyon County as a whole. Corporal Engle said they considered customer services standards, cost, and the desire for the County to remain at arm's length from the provider itself. Corporal Engle said after reviewing the proposals, they feel Sentinel Offender Services, LLC is the best fit for the County because of their longevity. Commissioner Hanson asked if Sentinel makes their monitoring equipment. Corporal Engle said they do which means they have built their product from the ground up, they have made the hardware, software, programming, the whole monitoring system is done by Sentinel. Corporal Engle also said Sentinel is planning to have a facility in Caldwell, but may centralize in Nampa depending on the location of the majority of the clients. Upon the motion by Commissioner Hanson and the second by Commissioner Alder, the Board voted unanimously to award the contract for Electronic Monitoring - Alternative Sentencing Program to Sentinel Offender Services, LLC. The signed document is on file with this day's minute entry. The meeting concluded at 2:38 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

MEETING WITH TERA HARDEN TO DISCUSS CASE MANAGEMENT SYSTEM FOR PUBLIC DEFENDER DEPARTMENT

The Board met today at 3:01 p.m. to discuss a case management system for the Public Defender Department. Present were: Commissioners Steve Rule, Kathy Alder and

Craig Hanson, Director of Public Defender Department Tera Harden, Shawn Adamson, Information Technologies Business Analyst, and Deputy Clerk Becky Cowan. Mr. Adamson left at 3:09 p.m. Ms. Harden gave an update on the search for a case management system. She received demonstrations provided by representatives of JustWare and defenderData by Justice Works. Needs assessments for the Public Defender Department were submitted to both companies. Several attempts have been made to discuss needs with Odyssey but they made it clear that they won't have the ability to support anyone in the state until 2017/18. Commissioner Alder asked about the criteria being used for the comparison shopping between the companies. Ms. Harden indicated that they are comparing price, convenience and customer support and the ability to share data between the Prosecutor Office and Public Defender department. Commissioner Alder advised she does not want to use a company that provides bad customer service even if they are less expensive. Justice Works is utilized by Federal public defender departments across the nation. They have been more responsive to requests for information than JustWare and are aware of a short timeline for implementation. At the conclusion of the meeting, a request was made to enter into Executive session to discuss pending/imminently likely litigation. The Executive Session was held as follows: Commissioner Hanson made a motion to go into Executive Session at 3:10 p.m. pursuant to I.C. 67-2345 (1) (f). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Hanson and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Director of Public Defender Department Tera Harden and Deputy Clerk Becky Cowan. The Executive Session concluded at 3:23 p.m. with no decision being called for in open session. An audio recording of the open portion of the meeting is available in the Commissioners' Office.

FIFTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 15, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
 Commissioner Kathryn Alder
 Commissioner Craig L. Hanson
 Deputy Clerk Monica Reeves

APPROVED SALARY RATE REQUEST

The Board approved a salary rate request for Tony Bernstein.

MONTHLY MEETING WITH ADMINISTRATIVE DISTRICT JUDGE TO DISCUSS GENERAL ISSUES

The Board met today at 8:01 a.m. for a monthly meeting with Administrative District Judge Thomas Ryan to discuss general issues. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Administrative District Judge Thomas Ryan, and Deputy Clerk Monica Reeves. Judge Ryan complimented the Board and Sheriff Donahue for mending ways in regards to the SILD program. He believes the Sheriff handling the SILD program is going to be best situation for the County. Commissioner Rule said the Board is considering putting a program in place in misdemeanor probation and possibly funding it next year. Judge Ryan said from the judicial standpoint they are always looking for more arrows in the quiver to deal with the punishment aspect or rehabilitation aspect with criminal defendants and SILD has always been one of the quivers they use. They use it in lieu of jail and it's worked quite well in terms of enforcement. Community service has always been more difficult. For years there was a nonprofit company called Community Service Alternatives and they used to send everybody to that company who would arrange for the offenders to do community service hours but they would work with different businesses in the community that needed volunteer help. He said it is an organizational structure that's needed and we have lost that element when that company was no longer funded. Commissioner Alder said a couple of years ago there was \$35,000 in the general fund but the Board eliminated the funding because it wasn't being used. Commissioner Hanson said it offers a redundancy so in the event a situation like this were to occur again there will be another alternative (not to replace) the judiciary can use with misdemeanor probation. It's not to get rid of one or the other; it's a matter of what can be used for the specific individual in sentencing. Judge Ryan said the kind of example he's thinking of is a misdemeanor defendant who doesn't need to be on supervised probation but there has to be a mechanism to assure that when we assign 100 hours of community service they actually get it done and right now the way to make sure it gets done is to put them on supervised probation but that costs money and there are times the judges do not want to impose the extra expense on a defendant so having an entity under misdemeanor probation that can supervise people that have to do community service is great. Commissioner Rule said the plan is to build the structure, define the job descriptions, and see how much it would take to get the program started and do a test run. Judge Ryan said Jeff Breach is welcome to discuss it with him to make sure they are on the same page in terms of needs. Commissioner Rule said that gives the Board a little more confidence and he appreciates that. Judge Ryan said on behalf of district court employees he sees some morale problems coming up this year. He was focusing on what he thought was going to be a merit-based system for employee increases and he knows the Board went a different direction but he is concerned he may see key employees leave. Commissioner Rule said with a three or four percent increase last year and again this year, he thinks the taxpayers have kept up with the scale of pay rather well. Judge Ryan said that's the Board's prerogative and he doesn't want to

argue about it, but he wanted to convey what he sees in the rank and file. Commissioner Alder said the commitment the Board made this year was to do market adjustments based on the years of service and their job descriptions and the HR Director did all of that so she hopes the employees' salaries would be where they ought to be. The majority of people are seeing increases and there are very few that will not get an increase as far as clerks and those in the court system. Judge Ryan said he could go into detail but we'd have to do an executive session and that's not necessary. The Board has made its decision and over the course of the year he wants a little more input as things shake out. Judge Huskey has developed a dialog with the HR Director on the staff attorney issue and Judge Ryan wants to see it go to state employees statewide but in the meantime the legislature is telling us the counties will take care of it. Commissioner Hanson said if the legislature wants to do that it has to accept the way the counties operate unless they want to make new legislation to dictate how the counties will operate. Judge Ryan worries about the service side of what they do as a judiciary; they resolve conflict and they need some help and support staff. Commissioner Alder said she has always considered the law clerk/staff attorney as a position that both gets experience and gives experience, someone who provides the judges with fresh ideas, fresh law, and fresh perspectives. Judge Ryan said there are several schools of thought with regard to using that law clerk position, but one thing that is not true is the idea that when you bring in people just out of law school you get fresh ideas. You spend a lot of time training that the person and bringing them up to speed; it's called the practice of law because it takes a long time to develop the familiarity with the law so the more experienced somebody is in practicing law the better service they provide. He has been very accepting with the idea that he wants to hire somebody right out of law school and he wants them to be with him for one to two years and for their career they need to move on and do something else but he is understanding of the idea that there is a need for more experienced law clerks. He's always hired someone out of law school and kept them for one to two years, but that person needs the assistance of the more experienced law clerks to actually give him the service he needs. As the Administrative District Judge he spends 50% of his time on administrative matters and he needs to rely on the law clerk even more. He understands the Board's position this year but the way things are situated he is looking at replacing a person this year at a starting salary somewhere between \$8,000 and \$9,000 less than a brand new lawyer going into the Prosecutor's Office and that doesn't give him much ability to compete. It's a dialog he wants to have with the Board over the course of the year. Commissioner Hanson said it's his understanding that a law school graduate who has not passed the bar that starts in the Prosecutor's Office would make the same as a law clerk that has not passed the bar. Judge Ryan said when law clerks pass the bar they are at a much lower level than a starting person in the Prosecutor's Office. Commissioner Alder said that's why it would be nice if the state would pick this up and make it equal statewide. Judge Ryan said an argument can be made that prosecutors should be district attorneys and state employees. Judge Ryan is looking forward to finishing the transition with Tera Harden, the new Public Defender and he

expects the transition bumps will be resolved by the first of the year. He meets with the Public Defender and the Prosecutor every Friday afternoon to talk about the developments. Commissioner Rule said the courthouse remodel will start soon. Judge Ryan is still looking for space for the court assistance office. He believes the Prosecutor needs to use the public meeting room for grand jury proceedings and the court assistance office should move to the space where the grand jury meets but they don't seem to want to do that but he will continue to work on it. The meeting concluded at 8:21 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING RESOLUTION CLASSIFYING RECORDS OF THE CANYON COUNTY CLERK AND AUTHORIZING THE DESTRUCTION OF CERTAIN ELECTION RECORDS

The Board met today at 8:32 a.m. to consider signing a resolution classifying records of the Canyon County Clerk and authorizing the destruction of certain election records. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Deputy Clerk Brad Jackson, and Deputy Clerk Monica Reeves. Brad Jackson said they have been making a concerted effort to keep up with the retention schedule in order to move things out in a timely fashion. This is a routine group of records they accumulate or are required to keep for a period of time and now it's time to destroy them. The resolution has been reviewed by the Prosecutor's Office. Upon the motion of Commissioner Alder and the second by Commissioner Hanson, the Board voted unanimously to sign the resolution classifying records of the Canyon County Clerk and authorizing the destruction of certain election records. (See Resolution No. 14-181.) The meeting concluded at 8:34 a.m. An audio recording is on file in the Commissioners' Office.

SIXTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 18, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
 Commissioner Craig L. Hanson
 Deputy Clerk Monica Reeves

ABSENT: Commissioner Kathryn Alder - Vacation

APPROVED CLAIMS ORDER NO. 8-25-14

The Board of Commissioners approved payment of County claims in the amounts of \$103,977.21 and \$95,881.78 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved a purchase order for the Trial Court Administrator in the amount of \$2,057.00 to Precom.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:30 a.m. for an office staff meeting. Present were: Commissioners Steve Rule and Craig Hanson, Facilities Manager Paul Navarro, and Deputy Clerks Kelly Martinez, Becky Cowan and Monica Reeves. The items discussed were general in nature. Ms. Martinez and Ms. Cowan left at 8:31 a.m. Paul Navarro reported on the following facilities issues: one of the domestic hot water heaters at the jail has failed and Bob Tikker, a mechanical engineer, showed staff a way to put it back in service. Tikker Engineering has been hired to design some new drawings and specify new boilers; Mr. Navarro will work with the Prosecutor's Office on the bid process. The money for the project has been set aside for 2014. The courthouse demolition plans are done and the project will be put out for bid. He will talk to Sam Laugheed about the remodel of the old building maintenance shop at 304 N. 12th Avenue. A purchase order was submitted for the repair of the x-ray machine that's used at the Nampa annex. The manufacturer in New Jersey has given instructions on how to pull a certain component out of the machine and it will be shipped back to them at a cost of \$3,600. The machine was purchased for \$80,000 and up to this point we have not spent any dollars on maintenance. Mr. Navarro reported on the Herman Miller furniture for the Public Defender's Office; it is being reupholstered and ready for installation and will be here next month. There was discussion about the possibility of building a secure storage warehouse at the corner of 14th Avenue and Chicago Street. Mr. Navarro will talk to the city about setbacks and he will gather cost estimates. The meeting concluded at 8:38 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Note for the record: As properly noticed the Board met today at 9:02 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Hanson made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (i). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:22 a.m. with no decision being called for in open session.

CONSIDER SIGNING 2011 HOMELAND SECURITY GRANT PROGRAMS SUB-GRANT AWARD AMENDMENT NO. 1

The Board met today at 9:33 a.m. to consider signing the 2011 Homeland Security Grant Programs Sub-Grant Award Amendment No. 1. Present were: Commissioners Steve Rule and Craig Hanson, Lieutenant Todd Herrera, and Deputy Clerk Kelly Martinez. Lt. Herrera said this is the 2011 Homeland Security Grant and they are closing the grant out this summer. As Homeland Security was closing it out, they realized they had some extra money and asked agencies to submit project requests. Brad Childers submitted a request for a camera to mount onto a K9 for particular situations. Homeland Security awarded the County \$7,904.73 which was added to the original \$346,018.04 for a total award amount of \$353,922.77. Lt. Herrera said this will close out the grant. The Sheriff's Office has currently been practicing with the camera. Upon the motion of Commissioner Hanson and the second by Commissioner Rule, the Board voted unanimously to sign the 2011 Homeland Security Grant Programs Sub-Grant Award Amendment No. 1. The signed document is on file with this day's minute entry. The meeting concluded at 9:37 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING PROFESSIONAL SERVICES AGREEMENT FOR THE BLACK BEAR CONVERSION

The Board met today at 9:45 a.m. to consider signing the Professional Services Agreement for the Black Bear conversion. Present were: Commissioners Steve Rule and Craig Hanson, Deputy P.A. Dan Blocksom, Chief Information Officer Rob Hopper, IT Development Manager Don Brown, IT Development Manager Shawn Adamson, and Deputy Clerk Kelly Martinez. Mr. Hopper said the County had an original agreement with Woolpert to help convert the Black Bear data, which we terminated knowing the IT Department can do most of the work themselves. Mr. Hopper said he still wants to have an agreement where the County can employ Woolpert on an hourly time and materials basis. Mr. Hopper said they don't anticipate having to execute this contract; it is really a safety valve for the IT Department. Mr. Blocksom said the contract is capped at \$5,000, the hourly rate is \$210 per hour and the services are narrowly defined. Woolpert will be available to answer questions from the IT Department only. Mr. Blocksom said the best way to handle any problems or questions is call IT first and then they can call Woolpert if needed. This particular contract terminates at the end of this fiscal year, but it can be renewed on October 1, 2014 if needed. Upon the motion of Commissioner Hanson and the second by Commissioner Rule, the Board voted unanimously to sign the Professional Services Agreement with Woolpert, Inc. for the Black Bear conversion. The signed agreement, No. 14-063, is on file with this day's minute entry. The meeting concluded at 9:49 a.m. An audio recording is on file in the Commissioners' Office.

WEEKLY MEETING WITH THE CHIEF INFORMATION OFFICER TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 10:01 a.m. for a weekly meeting with the Chief Information Officer to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule and Craig Hanson, Chief Information Officer Rob Hopper, IT Development Manager Don Brown, and Deputy Clerk Kelly Martinez. Topics of discussion included the following: update on the Public Defender transition including the server, management software, and hardware; Mobile Device Management policy is to be considered this week; training and pilot testing for the OnBase Pilot Purchase Order System; and the audio/visual system will be installed in the new Public Meeting Room this week and training will follow. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:12 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

SEVENTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 19, 2014

PRESENT: Commissioner Kathryn Alder
Commissioner Craig L. Hanson
Deputy Clerk Monica Reeves

ABSENT: Commissioner Steven J. Rule, Chairman - attending Small Business
Conference (hosted by Zions Bank)

APPROVED PURCHASE ORDER

The Board approved a purchase order for the Information Technologies Department in the amount of \$2,283.15 to Cerium Networks.

SIGNED MEDICAL INDIGENCY DOCUMENTS

The Board signed the following medical indigency documents recorded as instrument numbers: 2014-030015, 2014-030023, 2014-030024, 2014-030022, 2014-030019, 2014-030020, 2014-030021, 2014-030025, 2014-030017, 2014-030018, 2014-030006, 2014-030016, 2014-030000, 2014-030001, 2014-029997, 2014-030008, 2014-030007, 2014-030005, 2014-030004, 2014-030003, 2014-030002, 2014-029999, 2014-029998, and 2014-029996.

EXECUTIVE SESSION - PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Note for the record: As properly noticed the Board met today at 9:01 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Hanson made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (i). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Kathy Alder and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:17 a.m. with no decision being called for in open session.

EIGHTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 20, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
Commissioner Kathryn Alder
Commissioner Craig L. Hanson
Deputy Clerk Monica Reeves

APPROVED CLAIMS ORDER NO. 8-21-14

The Board of Commissioners approved payment of County claims in the amount of \$1,000.00 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Facilities Management in the amount of \$1,307.01 to Boise Refrigeration Co.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Facilities Management in the amount of \$1,012.23 to Anixter.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Juvenile Probation in the amount of \$1,928.50 to VLCM.

APPROVED JUNE 2014 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of June 2014 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.

SIGNED MEDICAL INDIGENCY DOCUMENTS

The Board signed the following medical indigency documents recorded as instrument numbers: 2014-030163, 2014-030162, 2014-030161, 2014-030160, 2014-030159, 2014-030158, 2014-030167, 2014-030166, and 2014-030165.

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

Note for the record: As properly noticed the Board met today at 9:00 a.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 risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Hanson made a motion to go into Executive Session at 9:01 a.m. pursuant to Idaho Code, Section 67-2345(1) (d) and (i). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:18 a.m. with no decision being called for in open session.

MEETING TO DISCUSS AMENDMENTS TO CANYON COUNTY WATER ELIMINATION ORDINANCE

The Board met today at 9:30 a.m. to discuss amendments to the Canyon County Water Elimination Ordinance that deals with water that gets onto roadways. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, DSD Director Tricia Nilsson, Roger Batt, and Deputy Clerk Monica Reeves. Chief Dashiell arrived at 9:32 a.m. Mr. Batt, who represents the Canyon County Farm Bureau on this issue, said the County ordinance is much more stringent than the state statute dealing with this issue. If a farmer for a first offense unintentionally puts water on to the road that can be a misdemeanor charge under the ordinance but under the state statute it's an infraction so they are asking for that change to be made. He said a lot of farmers aren't able to monitor their sprinklers when they change water and sometimes water can accidentally hit the road so they are asking for a language change that says you have to knowingly or negligently cause water to be put onto the service of the road in order for it to be an infraction. Mr. Batt said they will go to the legislature and make a similar change to the state statute as well for a slight amendment to clear up some unintended consequences

that are currently in the ordinance. Commissioner Alder said the Board and legal counsel have thoroughly vetted this and found the ordinance may not be in the best interest of Canyon County because it's not enforceable. There cannot be any penalty beyond infractions. She said the Board has not made a decision but it is leaning toward standing by state statute and eliminating the ordinance because the penalties are worse than those in the statute and they are not enforceable. Commissioner Hanson said from his past patrol experience there were times the highway districts wanted law enforcement to find farmers and determine whose water was on the roads. With the proposed amendments he has concerns with the penalties section because it is ambiguous and seems very subjective. He said there should be language that addresses mechanical failures, changes in climate conditions, and Acts of God. Before deciding what the County will do he wants to see if the legislature is willing to make any changes. Commissioner Rule believes the County will likely eliminate its ordinance and defer to the state code. Mr. Batt is glad the County is leaning that way and said the industry would support it. With respect to the state statute he said they would make some minor revisions to the penalties language where it would be an infraction unless there was some kind of intent where a misdemeanor needs to be put in place or something that results in criminal activity. Commissioner Alder said we need to make sure it can be enforced and is it criminal or civil. Mr. Batt said the Farm Bureau has committed to the highway districts and they are doing educational pieces about the importance of making sure you don't get water on the roadways to ruin its structural integrity. Chief Dashiell spoke with Sheriff Donahue and legal counsel about the proposed amendment and they agree with what the Board is looking at. He said they get into situations where the interpretation of the wording would be very difficult, especially in the penalties section where you are using infractions but without a definition of severe it would be difficult to establish the negligence aspect that creates a noncriminal act which would be a lot more difficult to keep pushing forward. Infractions do not allow for any restitution for damages. In summary he said the state statute is easier to enforce. Commissioner Alder thanked Mr. Batt for bringing the issue to the Board's attention. The meeting concluded at 9:46 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING CANYON COUNTY MOBILE DEVICE POLICY

The Board met today at 10:00 a.m. to consider signing the Canyon County Mobile Device Policy. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, CIO Rob Hopper, IT Development Manager Shawn Adamson, and Deputy Clerk Monica Reeves. Mr. Hopper said the draft policy was reviewed with elected officials and department heads with no significant feedback. There were some concerns from one elected official in terms of confusion regarding some of the language and policies in reference to political activity but with regard to elected officials it's hard to have a mobile device and not get an email that may be politically oriented or a benign

response to something that could be considered electioneering. There is some crossover we need to address in the employee manual down the road, but taking it out of the policy doesn't change anything because the overriding employee policy still stands so that clarification was made. They also took out the reference to a personal exempt device which means there won't be County information on it; that was spurious because those devices aren't managed by the County and calling them out in policy added confusion between the two different categories so it was removed. Those are the major changes but everything else should be as it stood before. Once the policy is in place IT will begin the rollout of the security software. Commissioner Hanson said there is the ability to track individuals but he wanted it stated for the record that the intent is not to be tracking people in regards to a minute-by-minute or day-by-day operation. Mr. Hopper said that is correct. The policy calls out that IT personnel cannot use the features unless authorized by the employee or the owner of the phone. IT is strictly limiting it to the security aspects and management of County data only. Commissioner Alder made a motion to sign the Canyon County Mobile Policy. Commissioner Hanson seconded the motion which carried unanimously. Mr. Hopper will work with the HR Director to get it integrated into the general policy and they will do a targeted mailing to those who currently have connections and access. A part of the policy was an agreement form the department head or elected official has to fill out to grant access to email for employees. To date IT often allowed connections because the employee requested it but now that it involves some management software they want to make sure the employees' supervisors are aware of it. The application is in the app store for Apple and Google Play Store and the process will be for the employee to install the software themselves and once it's installed there is a process to register it. The approved policy is on file with this day's minute entry. The meeting concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

EMERGENCY MEETING

The Board met today at 10:25 a.m. for an emergency meeting. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, and Deputy Clerk Monica Reeves. Commissioner Rule asked Mr. Laugheed to meet with the Board for a personnel-related/possible litigation issue. Mr. Laugheed said today was a regular meeting day for the Board with a published agenda so it is known the Board would conduct meetings today and to be sure we follow Open Meeting Act he asked for an emergency meeting motion and order. His understanding is that there is an emergent situation that's rapidly developing that involves potential litigation to the County so there's a likelihood of that kind of injury that can be sustained very quickly if the Board was not able to take action collectively as a group. Commissioner Hanson made a motion to convene an emergency meeting, followed by an executive session. The motion was seconded by Commissioner Alder and carried unanimously. The Executive Session was held as follows:

EMERGENCY EXECUTIVE SESSION - PERSONNEL MATTER, RECORDS
EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH RISK
MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Alder made a motion to go into an emergency Executive Session at 10:27 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (i). The motion was seconded by Commissioner Hanson. A roll call vote was taken on the motion with Commissioners Alder, Rule and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, and Deputy Clerk Monica Reeves. Chief Civil Deputy Sheriff Marv Dashiell arrived at 11:02 a.m. and left at 11:24 a.m. The Executive Session concluded at 11:27 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.

NINTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 21, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
 Commissioner Kathryn Alder
 Commissioner Craig L. Hanson
 Deputy Clerk Becky Cowan

APPROVED PURCHASE ORDER

The Board approved a purchase order for the Information Technologies Department in the amount of \$3,500.00 to Kentico.

APPROVED PURCHASE ORDER

The Board approved a purchase order for the Sheriff's Office in the amount of \$16,713.00 to Net Motion Wireless, Inc.

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

Note for the record: As properly noticed the Board met today at 9:02 a.m. for a Legal Staff update. A request was made to go into Executive Session to discuss personnel matters; records exempt from public disclosure; communicate with legal counsel/risk manager regarding pending/imminently likely litigation and claims. The Executive Session was held as follows:

Commissioner Hanson made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d), (f), and (i). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Kathy Alder and Craig Hanson, Deputy P.A. Zach Wesley, and Deputy Clerk Becky Cowan. The Executive Session and meeting concluded at 9:35 a.m. with no decision being called for in open session.

MEETING WITH AMY SCHROEDER TO DISCUSS AN INTERIM SIGNAL ON KARCHER ROAD

The Board met today at 9:37 a.m. with Amy Schroeder to discuss an interim signal on Karcher Road. Present were: Commissioners Kathy Alder and Craig Hanson, Amy Schroeder and Kevin Sablan from Idaho Transportation Department, Justin Dalme, Idaho Press Tribune reporter and Deputy Clerk Becky Cowan. Ms. Schroeder said comments from a previous meeting were used to develop a plan set for a signal light on Karcher Rd. and Lake Avenue to show an accurate accounting of costs involved. Mr. Sablan stated the plan set shows the work that needs to be completed by a contractor. A summary sheet shows baseline information and contributions offered by ITD. Because the work is all within the ITD right of way, work can move quickly. A contractor would install the wood poles to support a span wire system, ITD would support the signal heads and signal cabinet. Cost of \$100,000 that is summarized in the plan is just for contractor work, and doesn't include the cost of the ITD effort. Commissioner Alder asked if ITD would be willing to furnish the effort. The Idaho Power drop is an additional cost. The big concern of Commissioners is the timing of the project. Will it happen soon, or will it take at least a year to finish? Ms. Schroeder indicated the project would begin as soon as approval is given by the Board. If the contractor decision is made, the next step involves obtaining permits and Idaho Power setting up power service. Commissioner Hanson assumed there would be additional costs above the \$123,108.35 shown on the summary sheet and asked for clarification. Mr. Sablan advised the bid would be sent out and the contractor might come back with a higher or lower bid than the amount indicated. ITD is working to secure a utility agreement with

Pioneer Irrigation to leave room between the new pole and the irrigation ditch. Commissioner Hanson acknowledged this isn't a completed cost total. He wants to be able to justify the cost to taxpayers. Ms. Schroeder advised that typically ITD would cover the cost of power and some maintenance in the interim until the pole is installed. There is still the power bill to cover. The cost of \$100,000 includes the contractor coordinating with Idaho Power. Midland, Lake and Indiana intersections will all be under construction during the summer of 2016. If this signal plan is in effect, it may cause a complexity to the 2016 construction. An idea to allow this signal to assist during the summer construction is to install new power poles on the outside of the Lake project and put into operation before the interim signal is taken out. The duration of construction, once advertised, should take no more than a month to install a wood pole for power, holding box and snag line and signals. To begin the project the items needed include a no cost permit, continue coordination with Pioneer Irrigation District, pavement markings, install signal heads, pedestals for controller, ITD electricians will activate the power and ITD will work with the County for press releases. The Board believes there are funds available in the budget to cover the cost if a decision is made to move forward. The information will be shared with the Board Chairman and the Prosecutor's Office. Commissioner Alder believes this is a positive step in the right direction. Commissioner Hanson wants to reaffirm based on estimates, and depending on bids, the County contribution should be approximately \$123K. The meeting concluded at 9:58 a.m. with no decision being made. A copy of the audio of the meeting is available in the Commissioners' Office.

TENTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 22, 2014

PRESENT: Commissioner Kathryn Alder
 Commissioner Craig L. Hanson
 Deputy Clerk Monica Reeves

ABSENT: Commissioner Steven J. Rule, Chairman – Vacation

APPROVED PURCHASE ORDER

The Board approved a purchase order for the Fleet Department in the amount of \$29,440.14 to CDW-G, LLC.

APPROVED CLAIMS ORDER NO. 8-22-14

The Board of Commissioners approved payment of County claims in the amount of \$1,362.03 for accounts payable.

APPROVED CLAIMS ORDER NO. 9-10-14

The Board of Commissioners approved payment of County claims in the amount of \$61,453.55 for accounts payable.

APPROVED SALARY RATE REQUEST

The Board approved a salary rate request for Amber Holbrook, Heidi Berry, and Marci Pawson.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for:

#14-182 Red Robin International Inc. DBA Red Robin America's Gourmet Burgers
& Spirits

CONSIDER SIGNING REAL ESTATE PURCHASE AND SALE AGREEMENT FOR
PURCHASE OF PROPERTY LOCATED AT 1116 E. CHICAGO STREET IN
CALDWELL

The Board met today at 8:49 a.m. to consider signing a real estate purchase and sale agreement for property located at 1116 E. Chicago Street in Caldwell. Present were: Commissioners Kathy Alder and Craig Hanson, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. Mr. Goodsell said the County has been negotiating with the owner of the Crown Bail Bonds building to purchase the property and we were able to negotiate a sale which is consistent with the appraised value. The County will pay the closing costs, but the closing will not occur until December in order to give the seller time to find another location. The appraised value of the property is \$220,000, which is also the purchase price. Commissioner Hanson said the property is in the center of the courthouse campus between the elections office and the County-owned parking lot and it's a parcel that is needed for continued development of the campus. Commissioner Alder agrees. Mr. Goodsell said the closing has been arranged to go through Pioneer Title; the earnest money check will be sent along with the agreement and they will

arrange the closing sometime before December 15. Upon the motion of Commissioner Hanson and the second by Commissioner Alder the Board voted unanimously to sign the real estate purchase and sale agreement for the property located at 1116 E. Chicago Street (see Agreement No. 14-064). The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

AWARD OF CONTRACT FOR JAIL FOOD SERVICES AND COMMISSARY SERVICES PROJECT

The Board met today at 9:02 a.m. for the award of contract of the jail food services and commissary services project. Present were: Commissioners Kathy Alder and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, Juvenile Detention Director Steve Jett, interested citizens, and Deputy Clerk Monica Reeves. Mr. Laugheed, who has been working with the selection committee members, asked for a continuance to work on some details. Upon the motion of Commissioner Hanson and the second by Commissioner Alder, the Board voted unanimously to continue the award to Monday, August 25, 2014 at 3:30 p.m. The meeting concluded at 9:03 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Note for the record: As properly noticed the Board met today at 9:04 a.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 risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Hanson made a motion to go into Executive Session at 9:05 a.m. pursuant to Idaho Code, Section 67-2345(1) (d) and (i). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Kathy Alder and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:38 a.m. with no decision being called for in open session.

ELEVENTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 25, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
Commissioner Kathryn Alder
Commissioner Craig L. Hanson
Deputy Clerk Monica Reeves

APPROVED CLAIMS ORDER NO. 8-22-14

The Board of Commissioners approved payment of County claims in the amount of \$1,143,225.36 for a county payroll.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Facilities Management in the amount of \$7,054.20 to Office Furniture.

FILE IN MINUTES

The Board filed the Treasurer's Quarterly Report for April 2014 through June 2014 in today's minutes.

SIGN TREASURER'S TAX CHARGE ADJUSTMENTS BY PIN FOR JULY 2014

The Board signed the Treasurer's Tax Charge Adjustments by PIN for July 2014 and the signed copy is in today's minutes.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:31 a.m. for an office staff meeting. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, PIO Joe Decker, Facilities Manager Paul Navarro, Deputy Clerks Kelly Martinez, Becky Cowan, and Monica Reeves. The items discussed were general in nature. Ms. Martinez and Ms. Cowan left at 8:39 a.m. Joe Decker reported on the following communication issues: a request has been made for the Board to sign a proclamation recognizing September as Childhood Cancer Awareness month in Canyon County; he is working with the Prosecutor on a press release for a murder case; a small special election will be held tomorrow and with

the new equipment he will be able to post election results to the website much faster; he received a public records request from the Idaho Reporter, which is a branch of the Idaho Freedom Foundation, asking for a report from the Prosecutor's Office about an issue in the Weed and Gopher Department; he is waiting on employee salary information from the HR Department so he can post the information online, per the Board's instruction. There was discussion about the sensitivity of posting salary information by name, but ultimately the Board decided to proceed with it because the salaries are a matter of public information. Mr. Decker has been in communication with the Idaho Press-Tribune about a story they want to run regarding the salary information and Sheriff's employees leaving for better wages. He suggested the Board meet with the reporter so the story can include the point of view for both sides. Commissioner Hanson would rather post the County's response to the website because he doesn't believe the newspaper will print the facts. It was decided that one of the Commissioners will meet with the reporter this afternoon. Paul Navarro reported on the following facilities issues: ESI has been working on our Idaho Power rebate for the administration building and they are approximating it to come in around \$25,000, and he would like to spend \$2,000 of that money on a battery operated defibrillator device to be placed in the administration building. He will submit the purchase order for the PA's Office furniture, and he has a contractor coming tomorrow to look at the Commissioners' Office for sound attenuation. The meeting concluded at 8:59 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Note for the record: As properly noticed the Board met today at 9:05 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Hanson made a motion to go into Executive Session at 9:06 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (i). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:19 a.m. with no decision being called for in open session.

ELECTED OFFICIALS MEETING

The Board met today at 9:31 a.m. for an elected officials meeting. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Treasurer Tracie Lloyd, Coroner Vicki DeGeus-Morris, Clerk Chris Yamamoto, Prosecutor Bryan Taylor, Chief Deputy Sheriff Marv Dashiell, Chief Deputy Assessor Joe Cox, Appraiser Supervisor Brian Stender, and Deputy Clerk Monica Reeves. Reports were given as follows:

- Vicki DeGeus-Morris said the Coroner's Office has been busy and they appreciate working with Dr. Kronze.
- Tracie Lloyd said the Treasurers will be forming a committee to work on a legislative change with regard to the excess funds issue. They will work with the Commissioners, Clerks and the Prosecutors to move it forward. They also have a postmark issue so they will be working with the tax commission and the Assessors because they are having a similar issue. She said postmarks are almost nonexistent anymore but legislation says they have to go by the postmark. Ms. Lloyd did an E-billing presentation for property tax statements and noted that the Canyon County Treasurer's Office has offered the service for the past five years and they are the only office in the state to do that. A new web portal will be rolled out in the next few weeks and once it's up and running she will work with the public information officer to announce the new service. She is the chair of the Aumentum group for tax roll software and will work with the state to set up quarterly webinars to share information and knowledge. Ms. Lloyd plans to attend the Aumentum software conference in New Orleans on September 21-25.
- Bryan Taylor said the Prosecutor's Office is working closely with the Coroner's Office and law enforcement on a recent homicide case; he was contacted about relocating the grand jury room so the court assistance office can move into that space due to the demolition work that will take place on the 2nd and 3rd floors. Prosecutor Taylor will work with the courts and the facilities manager on the space issue.
- Marv Dashiell said the Sheriff's Office was pulled into the Nampa homicide case as well and reported there was good interaction between the multiple agencies working together on this case. He said there are a lot of positives with regard to the SILD Program. The team made over 300 calls last week and they ended up with 11 volunteers. With regard to staffing he received two resignations this week. The six employees who were attending POST are back and will be

plugged in to the schedules this week. He is concerned that not all employees will be able to use their vacation by fiscal year end. Commissioner Alder said if they are down some officers there is money available to pay them for vacation time if they don't want to take vacation. Chief Dashiell said the Sheriff's Office cannot offer that without a resolution from the Board of Commissioners. Commissioner Hanson said employees have a year to plan for vacation but if they've been denied vacation it becomes a County liability; however, if the employees have chosen not to take their vacation then there is a need for better planning on their part. Chief Dashiell said they run into issues where people want to save their vacation for the month of September (hunting season) which impacts staffing levels. He said in some divisions there are a lot more hardship aspects as opposed to others where employees simply didn't use their vacation hours. He said it would be very difficult to create a standardized equal rationale behind that.

- Joe Cox said the Assessor's Office spent some time on emailing assessment notices through the Treasurer's portal and they will probably offer it next spring with the assessment notices. The benefit will be in the postage savings. He reported that Gene Kuehn will receive an award at the Aumentum User Groups Conference in September. Mr. Cox said he was approached by some employees who were concerned about the Blue Cross information packets that were mailed over the weekend because there was a statement about dental and vision services not being offered. The HR Department clarified that dental and vision services are covered by other insurance carriers.
- Commissioner Alder said the Board is looking at legislation that would allow either the Sheriff's Office or the probation department to supervise labor detail. The intent is so the courts will know it's in statute that we can use the probation department for labor detail instead of just the Sheriff's Office.
- Commissioner Rule said he received notice of an individual who is constructing a building without a building permit. It is his understanding the matter will be turned over to code enforcement. He had lunch with the Mayor of Middleton who spoke about his philosophy on law enforcement details within the city. The city has plans to save funds and hopefully build up a pool in the next two years to start their own police department.

The meeting concluded at 9:45 a.m. An audio recording is on file in the Commissioners' Office.

BIWEEKLY MEETING WITH THE DEVELOPMENT SERVICES DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 10:04 a.m. for a biweekly meeting with the Development Services Director to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, DSD Director Tricia Nilsson, and Deputy Clerk Kelly Martinez. Topics of discussion included the following: information regarding scheduling a COMPASS TIP meeting with the Commissioners; adoption of Communities in Motion; Code Enforcement Policy information; and discussion regarding a housing market trend study. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:17 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

WEEKLY MEETING WITH THE CHIEF INFORMATION OFFICER TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 10:17 a.m. for a weekly meeting with the Chief Information Officer to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Information Officer Rob Hopper, IT Development Manager Don Brown, and Deputy Clerk Kelly Martinez. Topics of discussion included the following: two minor issues installing the recording device in the Public Meeting Room of the Administration Building; discussion regarding back-up capacity issues; Mr. Hopper has been invited to attend the annual MS-ISAC meeting in Nashville at no cost to the County; and Mr. Hopper will be speaking at the Idaho Technology Symposium on October 9th about cyber security issues. Mr. Hopper said they are actively acquiring equipment for the Public Defender Department and they are still working on the software issues. Mr. Brown said the Prosecutor's Office has asked Mark Mimura to sign a release document for the file index server. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:31 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

BIWEEKLY MEETING WITH THE FLEET DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 10:31 a.m. for a biweekly meeting with the Fleet Director to discuss general issues, set policy, and give direction. Present were: Commissioners

Steve Rule, Kathy Alder and Craig Hanson, Fleet Director Mark Tolman, and Deputy Clerk Kelly Martinez. Topics of discussion included the following: a lot of his staff members are taking their vacation time over the next month; Mr. Tolman is taking some vacation time this week as well; training in Tacoma from September 29 through October 3; and the last vehicle just came through. Commissioner Rule said the Board has asked Paul Navarro to investigate the possibility of putting a warehouse across the street from the fleet building on the new lot that was purchased. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:36 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

BIWEEKLY MEETING WITH THE DIRECTOR OF MISDEMEANOR PROBATION TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 10:45 a.m. for a biweekly meeting with the Director of Misdemeanor Probation to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Director of Misdemeanor Probation Jeff Breach, Trial Court Administrator Dan Kessler, and Deputy Clerk Kelly Martinez. Director Breach discussed the Assistant Supervisor position that he requested for Fiscal Year 2015. Commissioner Rule said the Board is encouraging Mr. Breach to move forward with it and he believes it should be budgeted for and set up. Mr. Breach said the position has not been factored into the budget because it has been under filled for several years. Director Breach said all he needs is Board approval. Commissioner Alder said what Commissioner Rule is thinking of is a new position for the labor program in Misdemeanor Probation. Commissioner Alder went on to say what Director Breach is discussing is more of a "Chief Deputy" type position. Director Breach thinks a Customer Service Specialist could administer the labor detail program while it is small and just starting. Commissioner Alder is in agreement with the Assistant Supervisor position and also for Director Breach to come up with some numbers to begin the labor detail program. Director Breach said he has been working with new Public Defender to consolidate cases in terms of people who are on multiple probations and in front of multiple judges. Mr. Kessler added that when Community Service Alternatives went away, we lost the ability of someone keeping closer track of it. He applauds the Board for looking at this again and thinks it would really tighten things up considerably. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:58 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

MEETING TO EXTEND THE APPEAL PERIOD FOR THE ELECTRONIC MONITORING - ALTERNATIVE SENTENCING PROGRAM RFP AWARD

As properly noticed the Board met today at 11:01 a.m. to extend the appeal period for the Electronic Monitoring Alternative Sentencing Program RFP award. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson and Deputy Clerk Becky Cowan. The Prosecuting Attorney's Office had previously made a request for more time to prepare for the meeting. Commissioner Alder made a motion to move the meeting to 3:00 p.m. on August 25th. Commissioner Hanson seconded the motion and it carried unanimously. The meeting concluded at 11:02 a.m. An audio recording is available in the Commissioners' Office.

MEETING TO EXTEND THE APPEAL PERIOD FOR THE ELECTRONIC MONITORING - ALTERNATIVE SENTENCING PROGRAM RFP AWARD

The Board met at 3:00 p.m. to extend the Appeal Period for the Electronic Monitoring-Alternative Sentencing Program RFP Award. Present were: Commissioners Kathy Alder and Craig Hanson, Deputy P.A. Mike Porter and Deputy Clerk Becky Cowan. Mr. Porter advised the Board that procedure was not followed for the RFP award to the alternative sentencing program. Two weeks ago, Cpl. Engle from the Sheriff's Office recommended that Sentinel be chosen based on track records, bids provided, references, etc. A committee consisting of Judge Ford, Tera Harden, "in-house" Public Defender, Cpl. Engle and Cpl. Betzold from the Sheriff's Office met to discuss the proposals. Mr. Porter was present for the committee meetings to supervise the RFP process. The committee had a very thorough conversation but a step was missed. A scoring sheet should have been completed for each of the providers. The scoring sheet should have been submitted to the committee but was not used. A letter was sent to the committee members asking that a scoring sheet be completed. Given that a step was missed, and rather than allow the appeal period to lapse, Mr. Porter requested to extend the appeal period for 3 weeks to allow for scoring and review of the information. Commissioner Alder appreciated the explanation and agreed the correction made sense. Commissioner Hanson made a motion to extend the appeal period to September 19th at 9:30 a.m. Commissioner Alder seconded the motion and it carried unanimously. The meeting concluded at 3:05 p.m. An audio recording is available in the Commissioners' Office.

AWARD OF CONTRACT FOR JAIL FOOD SERVICES AND COMMISSARY SERVICE PROJECT

The Board met today at 3:36 p.m. to award the contract for the jail food services and commissary service project. Present were: Commissioners Kathy Alder and Craig

Hanson, Chief Civil Deputy P.A. Sam Laugheed, Captain Daren Ward, Lt. Eric Miller, interested parties, and Deputy Clerk Monica Reeves. Sam Laugheed made a record of the Request for Proposals (RFP) process that began in June. The County doesn't use RFPs very often; typically we usually use the Invitation for Bids process or the other procurement process. An RFP is used when either we don't know what solution we're looking for or we know what the solution is but factors besides price are going to be very important to the final analysis and that was the case in this situation. We knew we needed a food service provider and a commissary service provider at the jail but we also knew considerations beyond price would factor heavily in any final decision or recommendation. Six proposals were received from vendors across the country including one that was only for commissary services and the proposals were referred to a selection committee consisting of Sheriff's staff, Mr. Laugheed, and Juvenile Detention Director Steve Jett who reviewed the proposals thoroughly and came up with rankings. The proposals were uniformly excellent and the committee determined the most significant differences between the proposals had to do with cost and the equipment plan that was offered by the vendors. In that regard CBM Managed Services proposed the most favorable terms for the County at approximately \$1.22 per meal with an equipment plan. As to commissary services the proposals were very strong and the differences were balanced out by the strong recommendations received from the references. The committee concluded that the differences between the providers on the commissary side were less meaningful than the potential advantage to the County of contracting with one entity for both food and commissary services. The committee's recommendation for the food services and commissary service is CBM Managed Services. Mr. Laugheed asked the Board to consider a motion to accept the selection committee's recommendation and authorize a notice of intent in favor of CBM Managed Services. Assuming we move forward there will be an objection or protest period that runs from 4:00 p.m. today until 4:00 p.m. on Tuesday, September 2. We'll get the notice of award to the proposers and they'll have until that time to issue an objection or protest. Commissioner Alder was pleased to see that scoring sheets were used in the selection process. Commissioner Hanson made a motion to accept the selection committee's recommendation and authorize a notice of intent in favor of CBM Managed Services for the food service and commissary services project. The motion was seconded by Commissioner Alder and carried unanimously. The meeting concluded at 3:43 p.m. An audio recording is on file in the Commissioners' Office.

TWELFTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 26, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
 Commissioner Kathryn Alder
 Commissioner Craig L. Hanson
 Deputy Clerk Monica Reeves

APPROVED CLAIMS ORDER NO. 9-10-14

The Board of Commissioners approved payment of County claims in the amount of \$161,090.29 for accounts payable.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Curb Bar and Grill to be used September 7, 2014 for a wedding reception.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Facilities Management in the amount of \$2,039.00 to Granger Supply.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Facilities Management in the amount of \$2,625.00 to Tikker Engineering.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Information Technologies in the amount of \$11,784.60 to Dell.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Information Technologies in the amount of \$8,058.50 to Dell.

APPROVED SALARY RATE REQUEST

The Board approved a salary rate request for Laurie Balmer (Public Defender's Dept.), James Kouril, Laurie Balmer (Sheriff's Office), Benjamin Larson, Ryan Hoke, Laura Eguia, Andrew Holmes, Rosanne Kinney, Kristi Carlton, Flor Gaona, Mary Martinez, Naomi Evans, Ross Garven, Stacey Jackson, Michelle Kirkness, Blanca Valadez, and Regina Vasquez.

APPROVED KEY REQUEST

The Board approved a key request for Blanca Valadez, Michelle Kirkness, and Stacey Jackson.

BIWEEKLY MEETING WITH THE CHIEF PROBATION OFFICER TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 8:34 a.m. for a biweekly meeting with the Chief Probation Officer to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Probation Officer Elda Catalano, Trial Court Administrator Dan Kessler, and Deputy Clerk Kelly Martinez. Topics of discussion included the following: Ms. Catalano submitted employee of the month certificates for May and July for signature; two requests from employees to hold part time employment outside of juvenile probation; and salary rate requests discussion. Ms. Catalano would like to hold an art contest for kids in Canyon County to obtain some pieces to put on the walls at the Juvenile Justice Center. She would like to have a fundraiser to come up with awards for the contest. Commissioner Hanson would like Ms. Catalano to check with the legal department before she proceeds. Commissioner Rule made a \$50 donation to go towards the awards. Commissioner Alder said she will match that donation. Ms. Catalano said she is planning to run this idea by the Juvenile Justice Team on Wednesday to get some ideas and suggestions. Ms. Catalano has been having discussions with Dan Kessler about how juvenile probation may impact the courts and possibly making changes to the format of communication with the courts. The items discussed were general in nature and did not require Board action. The meeting concluded at 8:45 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

BIWEEKLY MEETING WITH THE HUMAN RESOURCES DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION; AND CONSIDER SIGNING A RESOLUTION APPROVING THE CREATION OF 20 POSITIONS IN THE PUBLIC DEFENDER'S DEPARTMENT

The Board met today at 8:45 a.m. for a biweekly meeting with the Human Resources Director to discuss general issues, set policy, and give direction; and to consider signing a resolution approving the creation of 20 positions in the Public Defender's Department. Present were: Commissioners Steve Rule and Craig Hanson, Human Resources Director Jeannine Eiband, Deepak Budwani, Office Administrator, and Deputy Clerk Kelly Martinez. Topics of discussion included the following: the transition to GEM Plan is moving along, she has set up employee meetings to review the change; Ms. Eiband will continue to work on the job description project; she is still compiling a list of

supplemental insurances for the Board to review; received renewals for VSP and dental contracts with no increase in costs; the city permitting process is moving slowly so the construction of the H.R. Department space at the administration building may be delayed. Commissioner Hanson said he wants to make sure legal reviews the supplemental insurance plans that we do not have contracts with. Director Eiband said the resolution scheduled for today is a list of the newly created positions for the Public Defender's Department. There will be more positions added at a later time; this is just the initial staff. This resolution will allow Tera Harden to start putting people in these positions as she is right in the middle of interviewing to hire for these positions. Mr. Budwani said they are in the middle of construction still, in terms of how the office is being laid out. They are currently going through the interview process for investigators, technicians, legal staff and attorneys. Upon the motion by Commissioner Hanson and the second by Commissioner Rule, the Board voted unanimously to sign the resolution approving the creation of 20 positions in the Public Defender's Department. The signed resolution, No. 14-183, is on file with this day's minute entry. The meeting concluded at 8:53 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

LEGAL STAFF UPDATE

The Board met today at 1:31 p.m. for a legal staff update. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, PIO Joe Decker, Chief Deputy Sheriff Marv Dashiell, Sheriff's Financial Manager Pam Corta, and Deputy Clerk Monica Reeves. Deputy P.A. Zach Wesley arrived at 1:37 p.m. Sam Laugheed said yesterday the Board indicated to the Sheriff's Office its intent to reduce the 2015 budget because of the news that the City of Middleton was not going to contract for enhanced law enforcement services so the Board intended to reduce that budget by a commensurate amount. After that Chief Deputy Sheriff Marv Dashiell sent a letter to the Board where he brought some issues to light that had not previously been known and the suggestion was made that Chief Dashiell and Pam Corta could talk with the Board about those matters. Mr. Laugheed said it's appropriate for legal staffing because there is not enough time to set a separate meeting for it prior to the budget hearing. It's not appropriate for an emergency meeting, but it is appropriate for legal staffing to discuss the matters that have legal implications. There are two issues: Middleton's failure to contract with the Sheriff's Office for enhanced law enforcement services and making sure the message that the Sheriff's Office and the County delivers is consistent and how that interplays with the Commissioners' budget decisions for FY2015. Commissioner Hanson said his initial thought was looking at a revenue source that was not coming in so there wasn't any money to put toward those budget items; however, after receiving a response from the Sheriff's Office he felt it was important to discuss it before the budget is finalized. The revenue in/revenue out basis was his main concern but there is the issue of costs of operation that were not completely

covered by the monies that were coming from Middleton. Chief Dashiell said when the Sheriff's Office contracted with the City of Middleton this year it had been a contract that had been renewed annually and when Mayor Taylor took office in 2012 there was an amendment to an existing contract that had occurred before any payment was made and the mayor requested the elimination of the chief's position that had been provided to the city and in exchange for the elimination of that position Sheriff Smith had the contract reduced by \$29,000 down to \$200,000. It was known at the time that with the 18 hours a day and the cost of equipment the Sheriff's Office was not close to breaking even so as they went into the next year's contract they included a line that forecasts what the following year's contract would be and the mayor said the city would decide whether it would renew because the forecast contract was increasing from \$260,000 to \$293,000. Without the enhanced services contract the City of Middleton will no longer have the visual impact of increased patrols; however, the Sheriff's Office still has to provide service to the community whether or not the city wants the enhanced service contract. Stats from June of 2013 through May 2014 show that 10% of the Sheriff's Office activity was in the City of Middleton proper, not including the area between the interstate and the County line. Chief Dashiell asked the Board to reevaluate the proposed funding cut noting that the proposed reduction of \$245,000 from the "A" budget would eliminate four to five positions. Commissioner Rule said it's disappointing it has come to this because the Sheriff's Office does a great job in Middleton with patrol cars taking care of business but now it's like a switch went off; law enforcement is visibly absent. He said the mayor's intention to install speed bumps is not the best solution; the best solution was to keep funding the enhanced services. He said the Sheriff's Office should talk to Mayor Taylor about how to fix this as opposed to talking to the Board. Chief Dashiell said there was a meeting and at the time they thought it was productive, but then the city said it is an issue of the Sheriff fulfilling his statutory requirements and they do not feel they have to pay for law enforcement services. He said the Sheriff's Office will work hard to provide professional, efficient service the community has come to recognize. Commissioner Alder said Middleton is the third largest city in the County and with a population of 5,800 they need the presence of law enforcement on a regular basis. At first the issue for her was revenue in/revenue out and the Board wanted to reduce the budget by the amount it was no longer receiving from the city, but now she understands the amount the city paid did not cover the costs but we still have to provide service. She was also concerned that leaving money in the "A" budget could result in it being used for bonuses or salary increases, which is something the Board does not want to do. Chief Dashiell said the recommended cut from the "A" budget was actually going to be more personnel than the city is charged for. They are charged for 3.15 deputies and $\frac{3}{4}$ of a sergeant using a 24-hour clock in the 18 hours. It is a bare bones appraisal of the costs and we're still giving the city a 30% cut beyond that. Commissioner Hanson said the Sheriff's Office is required by statute to provide certain things and that would come from the County coffer regardless and there will be a lot of hours we have to pay one way or the other even if there isn't a contract, and regardless of the revenue from Middleton there will

still be incurred costs in the budget. He talked to Controller Zach Wagoner about Commissioner Alder's concern of redistributing the "A" budget funds and the Controller said that's not something that has ever happened. Commissioner Hanson said his thought was revenue in/revenue out but it was not based on the operational costs that still exist because we're not receiving 100% revenue for the service. Commissioner Alder said the personnel and resources can be used in other areas of the County because the emphasis would no longer be in the Middleton area. Commissioner Rule is not comfortable with that because the services/resources have left. Commissioner Alder's concern is that we're not building a fund to be used for salary increases, but we do need to keep those same personnel where they need to be. Chief Dashiell said the Sheriff made it clear in the last letter that if the city wants the enhanced presence the Sheriff's Office is happy to provide it but they will not provide a service for free when it's been contracted and negotiated for many years. Commissioner Hanson made a motion to rescind the Board's letter after further explanation and understanding of the operational costs and to restore the funds to the Sheriff's budget. Commissioner Alder seconded the motion for discussion stating the Board should restore the funds. She was looking at the situation in the same light as the Nampa prosecution services contract where she thought personnel were hired specifically for Middleton and that if the contract went away it all went away; however, the officers can be utilized throughout the County and therefore the money needs to be restored because those officers will still be used to protect the rest of the County. Commissioner Rule asked how there can still be costs when the services in Middleton have disappeared. Commissioner Alder said there should be a presence in Middleton until October 1 and after that date the personnel should be spread out throughout the County. They will still be utilized, but maybe not specifically in the Middleton area. Commissioner Hanson said the officers were covering 18 hours a day but there were still the other 6 hours of a shift we have to pay for as well as other operating costs. Commissioner Rule again noted that he has not seen a presence of law enforcement in Middleton. He then called for a vote on the motion. A roll call vote was taken on the motion with Commissioners Hanson and Alder voting in favor of the motion and Commissioner Rule voting against it. The motion carried by a two-to-one split vote. At 2:24 p.m. Chief Dashiell, Ms. Corta and Mr. Decker left and the Board went into Executive Session as follows:

EXECUTIVE SESSION - PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Hanson made a motion to go into Executive Session at 2:25 p.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (i). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were:

Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The Executive Session concluded at 2:58 p.m.

While in open session Commissioner Alder said she contacted the Controller to see how FY2014 is shaping up in terms of revenue and expenses and to see if departments were being responsible and not spending their budgets at the last minute and it looks like we are in very good shape. In 2013 we left \$35 million in fund balance and in 2014 we are at \$37 million. Commissioner Alder made a motion to obtain information from the Controller on the availability of funds and the possibility of giving a \$1,000 bonus to County employees who have not been placed on disciplinary probation. It will be up to the department administrators and elected officials on whether their employees will receive the bonus. If the Board does move forward with the proposal she would like a resolution that follows up with the motion. The motion was seconded by Commissioner Hanson. Commissioner Rule said last year he stated his concern that if the Board starts doing this it will set a precedent and people will expect it and it will become common practice and now here we are again with another \$1,000 bonus on the table. He believes it's a bad practice and the Board would be wise not to do business this way. A roll call vote was taken on the motion with Commissioners Alder and Hanson voting in favor of the motion and Commissioner Rule voting against the motion. The motion carried by a two-to-one split vote. The meeting concluded at 3:02 p.m. An audio recording is on file in the Commissioners' Office.

THIRTEENTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 27, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
Commissioner Kathryn Alder
Commissioner Craig L. Hanson
Deputy Clerk Monica Reeves

SIGNED MEDICAL INDIGENCY DOCUMENTS

The Board signed the following medical indigency documents recorded as instrument numbers: 2014-031187, 2014-031188, 2014-031189, 2014-031190, 2014-031191, 2014-031192, 2014-031193, and 2014-031194.

EXECUTIVE SESSION - PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Note for the record: As properly noticed the Board met today at 9:07 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Hanson made a motion to go into Executive Session at 9:08 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (i). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:18 a.m. with no decision being called for in open session.

FISCAL YEAR 2015 BUDGET HEARING

The Board met today at 5:15 p.m. to conduct the Fiscal Year 2015 Budget Hearing. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, PIO Joe Decker, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy Clerk Brad Jackson, Prosecutor Bryan Taylor, Treasurer Tracie Lloyd, Chief Deputy Treasurer Nancy Seal, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Lt. Todd Herrera, Rob Whitney, Deborah Winchar, Facilities Manager Paul Navarro, Fleet Director Mark Tolman, CIO Rob Hopper, Cheryl Lane, Marlen Salinas, Don Dutton, Anita Hollis, Chief Deputy Assessor Joe Cox, Brian Stender, Mike Cowan, Indigent Services Director Michele Chadwick, Kellie George, Camille Tilden, Kelli Brassfield, DSD Director Tricia Nilsson, Fair Administrator Rosalie Cope, Public Defender Tera Harden, HR Director Jeannine Eiband, Michelle Britain, Mel Maio, Chief Probation Officer Elda Catalano, Parks Director Tom Bicak, Misdemeanor Probation Director Jeff Breach, Mary Gomez, Taryn White, Denise Kennel, Bobbi Jo Brown, Jean Crane, Debbie Jenks, Sid Freeman, Justin Dalme from the Idaho Press-Tribune, Deputy Clerk Becky Cowan, and Deputy Clerk Monica Reeves.

Zach Wagoner provided an overview on Fiscal Year 2014 which is going extremely well with revenues coming in better than anticipated in multiple areas and in some cases spending was better than anticipated. He is projecting for our government funds a positive net income of \$2 million for Fiscal Year 2014 even after a \$1.5 million property tax reduction for 2014 which brings our government fund balance total to \$37 million.

Commissioner Alder said because the departments have been frugal and the budget reflects what they need to be successful and also because of the increases in sales tax and we are bringing in other revenue besides property tax she wanted to note that on Friday the Board will vote to give a 2014 bonus of \$1,000 per employee who has not had disciplinary probation throughout the year. Department heads and elected officials will determine who in their departments will receive the bonuses.

Mr. Wagoner reviewed the Fiscal Year 2015 Budget, a copy of his handout is on file with this day's minute entry. Canyon County is scheduled to levy less property tax dollars in 2015 than we did in 2008. We have the authority and the potential to levy over \$47 million in property tax for 2015. If we levy \$34.3 million we are nearly \$13 million under our potential levy authority.

The 2015 budget is \$5.5 million higher than the 2014 expenditure budget:

\$672,000 for 11 new or previously funded positions
\$939,000 for startup costs and additional budget to bring the public defender in house
\$531,000 in landfill capital acquisitions and operating expenditures
\$1 million for the employer's contribution to the health insurance fund
\$1,827,375 for increased salaries and benefits tied to the salary study plan
\$555,854 for increased budgeted amounts for other miscellaneous operating activities

Mr. Wagoner reviewed the increases in individual department budgets. It was noted that Pest Control and Melba Gopher are broken out and shown separately because they do not cover the entirety of Canyon County.

Commissioner Alder reported that the Canyon County Historic Preservation Commission recommends distribution of historical society funds as follows: \$90,500 will be distributed as follows:

Friends of the Nampa Library:	\$ 3,295
Wilder Community Museum:	\$ 10,000
Canyon County Historical Society:	\$ 13,000
Caldwell Historical Society:	\$ 13,000
Melba Valley Historical Society:	\$ 10,000
College of Western Idaho Foundation:	\$ 5,225
Caldwell Veterans Memorial Hall:	\$ 13,000
Greenleaf Historical Society:	\$ 1,980
Middleton Historical Society:	\$ 10,000
American Legion:	<u>\$ 11,000</u>
	\$ 90,500

HR Director Jeannine Eiband reported on the salary compensation study she conducted. She was asked by the Board to assess County positions and salaries to determine if starting wages were at an appropriate amount based on market, and to address issues of internal compression and equalization. Her office conducted a job analysis of every position, collected market data from relevant sources, and interviewed elected officials, department administrators, managers, and supervisors about job duties and input on salary levels. Staff completed job analysis forms for every position using information from current job descriptions and those analysis forms were then sent to the administration who supervises the positions. Administration from each elected official was tasked with reviewing the forms, updating job duties as appropriate and interviewing their own staff to ensure accuracy of job duties. Those forms were then returned to the HR Department at the end of April and the beginning of May. Using those forms she created a large scale job comparison matrix that allowed her to more accurately classify similar or like positions across the County internally. This accomplished internal equity. Face to face meetings with administrators were conducted in mid-May so that elected officials and their designees could offer input on the classifications and assignments. Some changes were made according to the feedback and further meetings were held. At the same time the job analysis was conducted other HR staff collected salary survey information from relevant sources such as the cities of Nampa, Caldwell and Boise; Ada, Owyhee, Payette, and Gem Counties; as well as the State of Idaho and several other industry specific sources. This data was used to determine appropriate starting wages for County positions. Three new salary grade charts were created: one each for non-exempt employees; one for exempt employees and one for law enforcement. The charts were disseminated to all elected officials for review and discussion and further meetings were held on those in the month of June. Ms. Eiband said it is important to remember that the purpose of this compensation analysis project did not at any time reference current performance of any employees; it was only for the purpose of determining new salary ranges appropriate to market for internal equalization of positions. The new ranges put employees and their positions in a more appropriate salary range than they are currently. Every effort was made to include elected officials, department heads and management staff in the process and the feedback she received from these individuals during the course of the project was very positive and supportive. The final project was presented to the Board of Commissioners and the elected officials on June 17, 2014 and it has undergone additional changes since that time based on new and updated information and further editing. It is the goal of HR to continue aging this information every year so County positions remain at appropriate starting market levels.

Commissioner Alder said at the beginning of the 2015 budget process the elected officials determined what direction to go and everyone agreed to the market adjustment. It was very important the analysis take place so there could be equalization. She said there was a lot of inequity due in part to merit pay that was left up to department heads and elected officials to distribute. The study is not based on

performance; it is based on where the position needs to be according to the market according to the job description. Commissioner Alder said this is the first time the County has taken on such a major project and she appreciates that it will be ongoing and that we will continue to look at it and do what we need to do. She said all of the elected officials agreed to it.

The following people offered comments on the proposed budget:

Indigent Services Director Michele Chadwick said as a past commissioner she appreciates the difficult job the Board has to do. In reference to the Board's decision to post employee salaries on the County website she said she understands the difference between public information and public documents but we do not talk about salaries and in her opinion it's not ethical and today was a very challenging day for her and her staff as a result. She has many questions about the market analysis but she wasn't given an opportunity to ask and is now asking for all information that was gathered be made available to all elected officials and department heads as it relates to their departments and as it relates to the other departments as well. She also requested that all employees - anyone who receives compensation from the County - be included on the list of salaries since some have been excluded. Director Chadwick believes there are significant errors in the salaries and she requests an opportunity to make some corrections as the department head since she first got to review them this morning on the County's website which was unfortunate. She said there are some positions that will need an additional increase in salary and the fund balances are such that there may be an opportunity for some of those funds to come from that source. Commissioner Rule said the information will be provided as requested.

Mary Gomez, an employee in the Misdemeanor Probation Department, asked the Board to take into consideration that the analysis is based on job descriptions and she feels it is unfair to reward someone who's been in a position for a shorter period of time than those dedicated employees with tenure and those who take on extra duties. Ms. Gomez wants to know how the formula was reached so she can have more clarification. She said many of us are not just employees we are taxpayers that fund the budget.

Kelli Brassfield, an Indigent Services employee, asked if job performance, length of employment, education and experience will be considered before a final decision on the analysis is made. Commissioner Rule said the market analysis is proposed and nothing has been defined or set. Commissioner Alder said the budget was set at \$1.8 million for salaries and benefits so the amount cannot be increased but department heads may want to analyze the information and make adjustments as long as they stay within the set amounts.

Commissioner Hanson said the market adjustment shows what the numbers are; it was not merit based. There is a big issue with merit pay and unless there is an accurate

documentation of employee performance that is done annually and defines how they deserve a merit increase if that's not happening then how do we determine if that person is worthy of merit pay; there are some problems with how the merit pay went out last year and that was voiced in the process. If people are willing to do those things then merit may work well but if they're not willing to do that then it's a matter of who do you like best.

Sid Freeman asked if it's already been decided how the reserve funds in the fund balance are going to be used. Commissioner Rule said there have been no decisions on how the fund balances will be used other than a portion is held in reserve for operating capital going into the proverbial fifth quarter when the County doesn't have revenue and uses that to carry through until the December tax collection. Mr. Freeman wants to see Commissioners Rule and Hanson support Commissioner Alder's wishes to reduce the levy by \$5 million as opposed to \$2 million because he believes the taxpayers deserve that large of a decrease in the levy. He supports the respect given to the employees through the salary compensation survey. Commissioner Hanson said he appreciated Commissioner Alder's position on the \$5 million reduction, but we do not know where the economy is going or if the recession is over. The Board also has to take into consideration the decline of the health insurance fund and the possible impacts it could have on the budget. He said as a taxpayer residing in Nampa he is concerned with the taxes he pays and where decisions were made in the past by the city to take the foregone funds, the three percent increase every year even during times of recession when Canyon County was doing its best to be conservative. Mr. Freeman said the County has professional finance officers and they provided solid information on their recommendations. Commissioner Hanson said the Clerk has come up with several different plans and at one point he recommended giving the entire \$15 million back and at one point it was said there wasn't any money and that if the administration building was constructed there wouldn't be any money, but now all of a sudden we have \$15 million windfall. He respects the Clerk's Office and Zach Wagoner as a Controller but when he can't get accurate information from year to year or month to month on how much will be there that concerns him. He was also told we couldn't go out more than three years and now we have a five year plan that was presented for the Board to consider for the budget this year. Commissioner Rule said his philosophy was rather than give it back in one chunk he'd rather give it back a little slower because we do have future issues to face, (jail, insurance, economy) so he took a more conservative approach by going with \$2 million instead of \$5 million.

Thomas Stafford wants to make sure the Sheriff's Office gets an increase in its budget since there is a big problem with people leaving for better wages. He spoke about the need for a new jail and said the Board should use the \$13 million for a new jail offsite rather than building an add-on facility. Commissioner Rule said if a jail is built at the "freeway exit" it will cost around \$40 million to \$50 million and \$13 million may only get past the foundation so unless there's bond money available for the rest of it he won't

be voting for it. Mr. Stafford criticized Commissioner Rule for sending an email that was critical of Sheriff Donahue and his management style.

Bobbi Jo Brown, the supervisor in the Recorder's and Passports Office, said she is happy to be a part of Canyon County and she asked that a good example be set with the elected officials in getting along and finding solutions rather than having public disagreements. She felt blindsided by the Board's decision to post the proposed salaries to the website without first giving supervisors a chance to discuss it with their employees. Commissioner Hanson said it's a public record and everybody who works for a public entity their salaries are public knowledge and everybody has access to them. It is not a violation of law, it is the taxpayers' right to have those records. Ms. Brown said that's true, but it would have been respectful to tell the supervisors the information was going to be posted online. Commissioner Rule said it is public information and the Board is trying to be more transparent; the PIO and the Board's attorneys were aware the salaries would be posted. Commissioner Alder said it may have come as a surprise to employees but the elected officials were aware of it and although some employees did not get as much of a salary increase as others she hopes employees are happy about the salaries and thankful for the \$1,000 bonus. She said if Ms. Brown is unhappy with the analysis maybe she needs to upgrade what her employees are doing. Ms. Brown said it doesn't have anything to do with the amount of salary it's the fact that the information is out there with employee salaries listed by name. She asked if the Board thought about the inter-personal affect this would have on employees and how upset employees would be when they compared salaries and she asked the Board to consider letting people know if they plan to put salaries on the website next year.

Director Eiband responded to the questions that were asked regarding the compensation project. It is true that certificates, experience level, and experience at prior places were not considered in this part. It was only market analysis so with the input and feedback from the supervisors and department heads about which category and classification that is how it was determined. She met with every department head, including Director Chadwick, and they were given complete spreadsheets with all the formulas and numbers in it. Every detail has been transparent and they've had multiple copies and she's gone through revisions with them as well. She feels badly if employees weren't as aware but as an HR Director it's not her job to communicate that to the employees, it's up to the chain of command. She challenges any director or elected official to say they have not been involved in the process because she has all the meeting times on her calendar and they have all been involved from the beginning and they've had copies of the exact information that was posted online today.

Chief Deputy Clerk Brad Jackson said it has been widely publicized that the Board doesn't like to be surprised and he doesn't think anybody likes to be surprised so while no one in the room tonight has any issue with the fact that the salaries are public

records and are searchable, there is a difference between them being available if someone chooses to go out and look for them and just putting everything online. In the Recorder's Office every record they have is a public record but they don't post it on the website. He asked why it was so urgent that the salaries be posted online in such a short timeframe without any opportunity for the managers to manage it. Commissioner Hanson said the request went out to get this project done a couple weeks ago and for whatever reason the data wasn't put together until today when the salaries were released. He wanted the salaries made available for the budget meeting because some employees were questioning what they were getting in salary and others already had the information. Mr. Jackson asked how it changes the budget hearing by having employee salaries listed by name. He also said HR told managers it would be foolish to release the information until we have a final budget.

Court Operations Manager Denise Kennel said if the goal is transparency why were some employees and elected officials left off the list of salaries? Commissioner Rule said he was not aware of any omissions except elected officials and department heads and when he realized it he told HR it's important for everybody to be on the list. The Board has asked for that information to be released. Commissioner Alder said chief deputies will be included as well.

Commissioner Hanson made a motion to sign a resolution adopt the Fiscal Year 2015 Budget for Canyon County in the amount of \$79,387,799; the Canyon County Pest Control District Budget in the amount of \$342,847; and the Melba Gopher District Budget in the amount of \$11,000 and to sign the L-2 forms. The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Hanson, Alder and Rule voting in favor of the motion. The motion carried unanimously. See Resolution No. 14-184. The hearing concluded at 6:30 p.m. An audio recording is on file in the Commissioners' Office.

FOURTEENTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 28, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
 Commissioner Kathryn Alder
 Commissioner Craig L. Hanson
 Deputy Clerk Monica Reeves

APPROVED PURCHASE ORDER

The Board approved a purchase order for Facilities Management in the amount of \$1,200.00 to New Space Construction.

APPROVED PURCHASE ORDER

The Board approved a purchase order for the Parks Department in the amount of \$24,100 to Masterworks Concrete.

APPROVED PURCHASE ORDER

The Board approved a purchase order for the Public Defender's Department in the amount of \$8,559.30 to Adobe Government.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2014-1043 AND 2014-1101

The Board met today at 9:03 a.m. to conduct a medical indigency hearing for Case Nos. 2014-1043 and 2014-1101. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Zach Wesley, Indigent Services Director Michele Chadwick, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, the applicant, Niki Glascock from St. Alphonsus, and Deputy Clerk Kelly Martinez. Upon the motion of Commissioner Alder and the second by Commissioner Hanson, the Board voted unanimously to take Case No 2014-1043 under advisement with a decision to be rendered within 30 days. Upon the motion of Commissioner Hanson and the second by Commissioner Alder, the Board voted unanimously to take Case No. 2014-1101 under advisement with a decision to be rendered within 30 days. The hearing concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2014-877 AND 2014-991

The Board met today at 9:18 a.m. to conduct a medical indigency hearing for Case Nos. 2014-877 and 2014-991. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Zach Wesley, Indigent Services Director Michele Chadwick, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, Niki Glascock and Chavon Lewis from St. Alphonsus, and Deputy Clerk Kelly Martinez. The applicant did not appear for today's hearing. Upon the motion of Commissioner Alder and the second by Commissioner Hanson, the Board voted unanimously to continue the hearing to December 18, 2014 at 9:00 a.m. on Case Nos. 2014-877 and 2014-991. The

hearing concluded at 9:24 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2014-1041

The Board met today at 9:35 a.m. to conduct a medical indigency hearing for Case No. 2014-1041. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Zach Wesley, Indigent Services Director Michele Chadwick, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, and Deputy Clerk Kelly Martinez. Neither the applicant nor a hospital representative appeared for today's hearing. Upon the motion of Commissioner Alder and the second by Commissioner Hanson, the Board voted unanimously to take Case No. 2014-1041 under advisement with a decision to be rendered within 30 days subject to a medical review. The hearing concluded at 9:39 a.m. An audio recording is on file in the Commissioners' Office.

UPHOLD ORIGINAL DENIAL DATES FOR MEDICAL INDIGENCY CASES

The Board met today at 9:39 a.m. to uphold original denials for various medical indigency cases. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Indigent Services Director Michele Chadwick, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, and Deputy Clerk Kelly Martinez. Ms. Chadwick recommended the Board uphold the previous respective denials in the following cases: Case Nos. 2014-1071, 2014-806, 2014-1099, 2014-1061, 2014-1039, 2014-1020, 2014-958, 2014-1082, 2014-781, 2014-959, and 2014-1135. Upon the motion of Commissioner Hanson and the second by Commissioner Alder, the Board voted unanimously to uphold the previous denials. The proceeding concluded at 9:40 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Note for the record: As properly noticed the Board met today at 1:36 p.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Hanson made a motion to go into Executive Session at 1:37 p.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (i). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners

Alder and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Kathy Alder and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. Commissioner Steve Rule arrived at 1:43 p.m. The Executive Session concluded at 2:08 p.m. with no decision being called for in open session.

MEETING WITH VERN BREWER FROM HOLLADAY ENGINEERING TO DISCUSS POSSIBLE TRANSFER AGREEMENT WITH IDAHO TRANSPORTATION DEPARTMENT LAND SWAP NEAR CITY OF NYSSA

The Board met today at 2:08 p.m. with Vern Brewer to discuss a possible transfer agreement with Idaho Transportation Department for a land swap near City of Nyssa. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, DSD Director Tricia Nilsson, Parks Director Tom Bicak, Parks Manager Kathy Kershner, Deputy P.A. Zach Wesley, Doug Argo, Technical Engineer and Liaison for City of Nyssa, Elwin Butler, Transportation Engineer for Holladay Engineering and Deputy Clerk Becky Cowan. Mr. Brewer provided details regarding a project to create an arsenic water treatment plant in Nyssa. The city owns property in Idaho for the tank and the wells and the boat ramp. The group has been working with the Idaho Transportation Department for 2 ½ years for the project and were given the impression that land could be swapped between Idaho and Oregon. Applications were submitted to funding agencies and it was accepted in Oregon. The belief was that a land acquisition would take place. The Attorney General's Office in Idaho needed to provide a signature for the land swap but the project managers were told that the State of Idaho can't give land to an Oregon entity, only to a political subdivision of the State of Idaho.

Mr. Argo provided a map to show the properties in question regarding the land swap and acquisition. He believes there are a few options to be able to get the plant built.

1. Purchase the land at market value from ITD, which causes issues with grant funding. This could lead to a potential long time snag and they were hoping to begin construction next spring.
2. A long term lease might work, but poses additional issues.
3. Perhaps ITD can give the property to an entity, such as Canyon County, that would like the boat ramp and would be willing to trade property of equal value, because Canyon County is not able to give the property to Nyssa.

Director Bicak indicated he has been working for four years with the Mayor of Nyssa to improve the boat ramp for the Idaho Oregon Snake River Water Trail. It is slated for a waterways improvement grant to put in restrooms this winter. If the swap occurs and we push forward with the waterways improvement fund, we create a boating facility for the City of Nyssa, and this group would be able to build the arsenic plant.

Commissioner Alder questioned who would maintain the ramp. The city would cooperatively maintain the boat ramp and security. Director Bicak suggested a memorandum of understanding with the City of Nyssa and they could help with maintenance and cleanup. Mr. Wesley stated there are many factors to consider and the next step should be to meet with all parties and ITD to work through the issues of a property transfer between ITD and the County. Mr. Brewer stated that any ideas had not yet been discussed with the funding agencies and the concept discussed today will be presented in a report for their review. The City Manager for Nyssa has agreed with this idea. The proposal will be discussed at an upcoming city council meeting. The meeting concluded at 2:22 p.m. An audio recording of the meeting and copy of the map are available in the Commissioners' Office.

QUARTERLY MEETING WITH THE COUNTY AGENT TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 2:31 p.m. for a quarterly meeting with the County Agent to discuss general issues, set policy, and give direction. Present were: Commissioners Kathy Alder and Craig Hanson, County Agent Jerry Neufeld, Nancy Shelstad, Samantha Graf, and Deputy Clerk Kelly Martinez. Mr. Neufeld said his staff has alternated taking time off after the fair. They are currently interviewing for a new customer service representative. Samantha Graf reviewed her background and experience; she noted that her goal is to go through the current programming and see where her strengths will fit. Ms. Shelstad gave an update on the 4-H program and the numbers from the fair. National 4-H Week is October 5th through 11th and the Board of Commissioners have in the past generously agreed to post the 4-H flag in front of the Courthouse and she would like to request for that to happen again this year. Commissioner Hanson and Commissioner Alder approved of the request and asked that Ms. Shelstad contact Paul Navarro. Ms. Shelstad also asked about the 4-H Proclamation that has been done the past several years and if she could submit it to the Commissioners' Office for review. Commissioner Alder said that it is a great program. Mr. Neufeld said they appreciate the support from the County. The items discussed were general in nature and did not require Board action. The meeting concluded at 2:53 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

MEETING TO DISCUSS PROPERTY SWAP FOR PARKING LOTS USED BY THE FAIR AND COLLEGE OF IDAHO

The Board met today at 3:31 p.m. for a meeting to discuss a property swap for parking lots used by the Canyon County Fair and the College of Idaho. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson; Deputy P.A. Zach Wesley; Fair Administrator Rosalie Cope; Ellen Tingstrom, Fair Events Coordinator; Mayor

Garret Nancolas; Mark Davis, Caldwell Events Center Manager; Justin Dalme from the Idaho Press-Tribune; and Deputy Clerk Kelly Martinez. Deputy Clerk Monica Reeves arrived at 3:35 p.m., and PIO Joe Decker arrived at 3:38 p.m. Ms. Cope said when this topic was last discussed it was a request made to the Board of Commissioners so that's why she brought it back here. The city has a formal lease agreement with the College of Idaho that includes the parking lot adjacent to the fair building (the gravel lot across the street to the west) and the fair utilizes that lot for their interim events and right now they have three events that conflict with the football schedule. She said the city is asking the fair board to allow the college to use Gabiola Field for all home games, but the fair board has approved only one date at this time. She said there was a letter from the college asking to use Gabiola Field for tailgating, but that was a different issue. Mayor Nancolas said because the college said it would be confusing to try to move parking back and forth between games they asked to exchange it for all five games that way people won't be parking in one location for one game and at another location for the next game. The city has offered to mow the Gabiola Field area during the football season so that relieves the fair of doing it and if the college damages any sprinkler heads it would be their responsibility to replace them. Mark Davis said when they had discussions about the use of the premises there weren't any events that would conflict with the football program other than the OMC car event. He believes the city's suggestion will satisfy everyone's needs. Ms. Cope said when we left off with the tailgating conversation they agreed to let the college use it but they proposed that if the fair had a paying renter come along they would have to lease it due to the opportunity for revenue. Mayor Nancolas said the college has taken the tailgating to the other facility. Ms. Cope said if the fair board agrees to all five dates it takes Gabiola Field off the table for rental income. She asked why the gravel parking lot was included in the college's lease to begin with when historically it's been utilized for O'Connor Fieldhouse, the charolais barn, and the fair building parking for interim events. She is frustrated that the fair board was not included in the conversation and now the college has ended up with that parking lot. Mr. Davis said we all lose revenue during each other's events and if the fair can change parking lots it will suit everybody. Ms. Cope said the fair board has agreed to only one date so unless the Board of Commissioners wants to make a different decision it has to go before the fair board again. Commissioner Rule said it's not the Board's decision; it's a decision that has to be made by the fair board. Ms. Cope said the fair board doesn't meet again until September 8, and they've only agreed to trade for the game on September 27. Commissioner Rule directed Ms. Cope to contact the fair board members and ask about the other dates. Ms. Cope said the biggest issue for the fair board is the lack of communication and the frustration of having multiple agencies trying to survive on one facility when there is no communication. She will poll the fair board members and try to get a response before the first game. Commissioner Alder said we all want the football program to succeed but there has to be communication between all of the parties involved. Commissioner Hanson said the joint powers agreement from 2002 talks about the fair having full access to the facilities, but they were denied access this year so the Board sent a letter

asking the city for a response as to their intent but a response was not received. He supports the football program but his issue is with the openness and honesty of the city in dealing with this matter and he wants the city to commit one way or the other as to what they are doing. Mayor Nancolas said on April 1st he met with the Board and responded to the letter in person and they walked through the agreement and pointed to instances where the County never fulfilled any of its commitments in the agreement to begin with, such as: the city giving the County 10 acres in exchange for the County constructing a building and naming it after the Griffith Family, and putting in a new Heritage Park entrance on the back side. Mayor Nancolas said he told the Board the reason they didn't answer in writing was because it is very complicated issue and they wanted the Board to hear it in person on the record. He personally met with the fair board, Mark Davis and the college as soon as the football program was discussed and laid out options and communication was started from the very beginning. He said when the County purchased the property on Highway 20-26 for the new fairgrounds it sent a very loud message that the fair was not going to stay in Caldwell so the city took that on its face value and decided to make some changes and decisions to make it more useable by putting in Wolfe Field and the ball fields but that was after the city installed the road, the parking lot and extended the bridge across South Georgia. He said they did everything they were supposed to do in the agreement but the County didn't do anything except receive 10 acres so the city moved on and when the college decided to bring back the football program the city saw no hindrance to that. Commissioner Hanson appreciates the Mayor's candor and said there have been many miscommunications including the fair finding out it was not going to be able to use any part of Simplot Stadium this year. Mayor Nancolas said that caught the city by surprise as well. Commissioner Hanson said we can agree to disagree in part, but we can agree on one thing: the joint powers agreement is no longer a valid document. Mayor Nancolas said the city wants to work with the County and they will make it available as much as possible. He said the city has offered to pull back everything, except for Wolfe Field because they've invested so much in it; they can pull out the ball fields and parking to make it work, but they can't change the fact that there's a half million dollars in natural turf on a football field, but there are other options to look at. He said if the request for parking doesn't work that's okay; they just wanted to see if it would work for the County. Ms. Cope will ask the fair board about the 13th date and then at the September meeting they will discuss the other three dates. She said if they agree to the dates they'll need a zero dollar rental agreement like they have with anybody else that uses Gabiola Field. Commissioner Hanson said the city and the fair board can work this out; the Board doesn't need to make the decision. Ms. Cope said it was only brought back to the Board because she wants to make sure the fair board didn't overstep its bounds. Mayor Nancolas apologized for any miscommunication that has occurred and said Commissioner Hanson's message is well received and noted that good communication solves any problem and bad communication creates all kinds of problems. He said the city has ideas to improve things and make it work for everyone. Ms. Cope hopes all five entities can be involved if there are future discussions about

making changes to the facility. Commissioner Hanson said even if all parties do not agree it's important that all stakeholders are involved. Mayor Nancolas agreed. The meeting concluded at 4:08 p.m. An audio recording is on file in the Commissioners' Office.

FIFTEENTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO AUGUST 29, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
Commissioner Kathryn Alder
Commissioner Craig L. Hanson
Deputy Clerk Monica Reeves

APPROVED CLAIMS ORDER NO. 9-10-14

The Board of Commissioners approved payment of County claims in the amounts of \$43,800.57 and \$3,850.00 for accounts payable.

APPROVED SALARY RATE REQUEST

The Board approved a salary rate request for Crystal Walker, Andres Figueroa, Lydia Hayn, and Matthew Valley.

CONSIDER SIGNING RESOLUTION DESIGNATING SURPLUS PROPERTY AND AUTHORIZING DONATION TO ADA COUNTY

The Board met today at 8:47 a.m. to consider signing a resolution designating surplus property and authorizing donation to Ada County. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Deputy Clerk Brad Jackson, Kathy Simon from the Elections Office, and Deputy Clerk Monica Reeves. The Elections Office has acquired new tabulating machines and they would like to donate the leftover components that are not compatible with their new equipment to Ada County so they can be used instead of being disposed of. The items include: pick belt, retard pad, zip disc, M650 covers, zip disc holder, cleaning cloths pack, AIMS CD install, and a Unity manual. Upon the motion of Commissioner Alder and the second by Commissioner Hanson, the Board voted unanimously to sign the resolution designating surplus property and authorizing the donation to Ada County. See Resolution No. 14-185. The

meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

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

Note for the record: As properly noticed the Board met today at 9:00 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure, litigation, and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Hanson made a motion to go into Executive Session at 9:02 a.m. pursuant to Idaho Code, Section 67-2345(1) (d), (f) and (i). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves. Deputy P.A. Zach Wesley arrived at 9:08 a.m. The Executive Session concluded at 9:32 a.m. with no decision being called for in open session.

CANVASSED SPECIAL ELECTION

The Board canvassed the special election held on August 26, 2014. Copies of the results are on file in this day's minutes.

CONSIDER APPROVING FY2014 EMPLOYEE RECOGNITION PAY BONUS

The Board met today at 10:23 a.m. to consider approving a Fiscal Year 2014 employee recognition pay bonus. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Justin Dalme from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Commissioner Rule said after the initial meeting where this concept was discussed he expressed his opposition to several contacts about giving employee bonuses because he felt it was excessive but he didn't get any responses so he stands corrected in his opposition. Commissioner Alder checked with Zach Wagoner to see where we were going to come in for Fiscal Year 2014 to see if there were sufficient funds to do a \$1,000 bonus for employees. The Controller advised that we will be in over \$2 million and that money is coming from outside revenue (sales tax, building permits, etc.). She really appreciates the employees, department heads and elected officials for staying well within their budgets. Commissioner Alder made a motion to approve the

\$1,000 recognition pay bonus for employees for Fiscal Year 2014, which will be on the September 19, 2014 paycheck. Commissioner Hanson seconded the motion for discussion. The bonus will be available to any employee who was employed by the County in 2014, but employees who have been on a true disciplinary probation will not receive the bonus. He said the Board is authorizing this to go forward and the other elected officials and department heads will have the determining factor but he hopes that if they do not believe someone should receive the bonus they should stipulate why. He said it needs to be clear that the Board has provided the money. Commissioner Alder amended her motion to include that point. The actual funding will be \$875,000, which includes the additional tax the County will have to pay. The amended motion was seconded by Commissioner Hanson and carried unanimously. The Controller will be informed of the decision and the employees will receive notification as well. The meeting concluded at 10:29 a.m. An audio recording is on file in the Commissioners' Office.

SIXTEENTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO SEPTEMBER 2, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
 Commissioner Kathryn Alder
 Commissioner Craig L. Hanson
 Deputy Clerk Monica Reeves

APPROVED CLAIMS ORDER NO. 9-2-14

The Board of Commissioners approved payment of County claims in the amount of \$26,059.60 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Information Technologies in the amount of \$2,430.98 to CDW.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Information Technologies in the amount of \$36,000 to Integra.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Information Technologies in the amount of \$1,159.98 to Tek Pipeline.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Information Technologies in the amount of \$9,387.69 to VLCM.

APPROVED PURCHASE ORDER

The Board approved a purchase order for the Landfill in the amount of \$14,364.56 to Commercial Tire.

APPROVED PURCHASE ORDER

The Board approved a purchase order for the County Agent in the amount of \$2,839.46 to VLCM.

FILE IN MINUTES

The Board filed the Monthly Treasurer's report from July 2014 in today's minutes.

WEEKLY MEETING WITH THE CHIEF INFORMATION OFFICER TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 8:18 a.m. for a weekly meeting with the Chief Information Officer to discuss general issues, set policy, and give direction. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Information Officer Rob Hopper, IT Development Manager Don Brown, and Deputy Clerk Kelly Martinez. Topics of discussion included the following: public meeting room update regarding the audio/visual software; update on Public Defender software discussion to possibly go with New Dawn which would create a shared environment with the Prosecutor's Office; and Mr. Hopper submitted purchase orders for the Board's review. Mr. Hopper said the Public Defender software price may come in below what they originally expected. Commissioner Rule asked who has access to the FTR recordings of the Board's meetings and if there is any possibility the microphones could be picking up

conversations even when the recording equipment is not set to record. (PIO Joe Decker and Facilities Manager Paul Navarro arrived at 8:28 a.m. for the next scheduled meeting.) Mr. Hopper said he will verify who has access to the Board's FTR recordings and he will also verify that there are no issues with the microphones and/or the recording equipment. Commissioner Rule would also like a "sweep" done in the Commissioners' Office. The items discussed were general in nature and did not require Board action. The meeting concluded at 8:31 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:33 a.m. for an office staff meeting. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, PIO Joe Decker, Facilities Manager Paul Navarro, Deputy Clerks Kelly Martinez, Becky Cowan, and Monica Reeves. The items discussed were general in nature. Ms. Martinez and Ms. Cowan left at 8:39 a.m. Joe Decker reported on the following communication issues: a seal for the Public Defender's Office; the Roger Brooks conference; and the records requests submitted by the Idaho Reporter and the Idaho Press-Tribune. Paul Navarro reported on the following facilities issues: concrete for ADA parking will be poured at the Crossroads Museum; he is one step closer to getting the building permit for the HR Department remodel in the administration building; the last parking lot across from administration building will be finished next week. Mr. Navarro was approached about displaying the clothesline project in the administration building to bring awareness to domestic violence. In years past the clothesline was displayed in the courthouse but an attorney asked that it be removed due to concerns about jury tainting. The group is thinking about breaking the clothesline into smaller portions so it can be displayed in the administration building, the Caldwell Police Department, the Nampa Police Department and the Hugh Nichols Building in Nampa. The Board prefers the idea to display smaller portions of the clothesline in multiple locations other than the courthouse. The group will be here to hold the kickoff event in the courtyard. Ms. Cowan and Ms. Martinez returned to the meeting at 8:47 a.m. for a discussion about planning an employee appreciation BBQ on September 24, 2014 from 11:00 a.m. to 1:30 p.m. in the courtyard. The cost of the event may be covered by the Idaho Power energy rebate the County received. The meeting concluded at 8:58 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING LEGAL NOTICE AND INVITATION FOR BIDS FOR PUBLIC WORKS CONSTRUCTION FOR THE SUMMER 2014 JAIL WATER HEATER REPLACEMENT PROJECT

The Board met today at 9:03 a.m. to consider signing a legal notice and invitation for bids for public works construction for the Summer 2014 Jail Water Heater Replacement Project. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Zach Wesley, Facilities Manager Paul Navarro, and Deputy Clerk Monica Reeves. Mr. Navarro said the jail is fed by two very large industrial hot water heaters that live outside the building, one of which failed earlier this year but with the help of an engineer they were able to put it back in service; however, the heaters have met their useful life so Bob Tikker was hired to design two water heater replacements and that involves putting them back inside the building where the old electric water heaters are being used as storage tanks. It is a phased project where Mr. Tikker will oversee it and help with the submittals and in selecting a contractor. The purpose of the project is to have consistent hot water to the jail. The estimated cost is between \$75,000 and \$100,000, depending on the contractor. The funds have been set aside for FY2014. Upon the motion of Commissioner Hanson and the second by Commissioner Alder, the Board voted unanimously to sign the legal notice and invitation for bids for public works construction for the Summer 2014 Jail Water Heater Replacement Project. The signed documents are on file with this day's minute entry. The meeting concluded at 9:06 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE

The Board met today at 9:06 a.m. for a legal staff update. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Mr. Wesley briefly reviewed this morning's agenda topics but didn't have anything in particular to bring to the Board. Commissioner Alder noted that the matters that will be considered this morning are routine renewals. The proceeding concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING A MEMORANDUM OF AGREEMENT TO SUPPORT CLINICAL SERVICES IN JUVENILE DETENTION FACILITIES, AND A MEMORANDUM OF AGREEMENT TO SUPPORT THE COMMUNITY INCENTIVE PROGRAM (CIP), THE RE-ENTRY PROGRAM (REP) AND/OR THE MENTAL HEALTH PROGRAM (MHP)

The Board met today at 9:30 a.m. to consider signing a Memorandum of Agreement to Support Clinical Services in Juvenile Detention Facilities, and a Memorandum of

Agreement to Support the Community Incentive Program (CIP), the Re-Entry Program (REP) and/or the Mental Health Program (MHP). Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Juvenile Detention Director Steve Jett, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The matters were considered as follows:

Memorandum of Agreement to support Clinical Services in Juvenile Detention Facilities: The agreement is a continuation of an agreement with the Department of Juvenile Corrections where they pay for the mental health clinician to be in the detention center. Director Jett furnishes an office, support services, and postage and the state pays the salary.

Memorandum of Agreement to Support the Community Incentive Program (CIP), the Re-Entry Program (REP) and/or the Mental Health Program (MHP): The agreement is for the juvenile probation department and is similarly structured to the clinical services agreement. Both programs are with the state; the one Director Jett works with deals with having juveniles evaluated when they come to the detention center and this agreement deals with mental health evaluations when juveniles are released from state custody. It is a block program where the state provides the funding to have counselors and tools in place through the probation office.

Upon the motion of Commissioner Alder and the second by Commissioner Hanson, the Board voted unanimously to sign the Memorandum of Agreement to Support Clinical Services in Juvenile Detention Facilities, and the Memorandum of Agreement to Support the Community Incentive Program (CIP), the Re-Entry Program (REP) and/or the Mental Health Program (MHP). The signed agreements, No. 14-065 and 14-066, are on file with this day's minute entry. The meeting concluded at 9:34 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER THE REZONE REQUEST FOR PATRICIA MYRICK, CASE NO. PH2014-27- THE APPLICATION WAS WITHDRAWN

The Board met today at 10:01 a.m. to go on the record regarding the Patricia Myrick, Case No. PH2014-27. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, interested neighbors, and Deputy Clerk Monica Reeves. Jennifer Almeida said the applicant provided written notice of the withdrawal of her rezone application. Due to the withdrawal there is no need for a hearing. The proceeding concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING AGREEMENTS BETWEEN THE IDAHO TRANSPORTATION DEPARTMENT DIVISION OF HIGHWAYS AND CANYON COUNTY FOR GOPHER CONTROL AND NOXIOUS WEED CONTROL, AND TO CONSIDER REJECTION OF TERRORISM RISK INSURANCE COVERAGE

The Board met today at 10:19 a.m. to consider signing agreements between the Idaho Transportation Department Division of Highways and Canyon County for gopher control and noxious weed control, and to consider rejection of terrorism risk insurance coverage. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The documents are routine renewals and have been reviewed by the Prosecutor's Office. Upon the motion of Commissioner Hanson and the second by Commissioner Alder, the Board voted unanimously to sign the agreements between the Idaho Transportation Department Division of Highways and Canyon County for gopher control and noxious weed control. (Agreement No. 14-067 and 14-068.) Upon the motion of Commissioner Alder and the second by Commissioner Hanson, the Board voted unanimously to reject the terrorism risk insurance coverage. The signed documents are on file with this day's minute entry. The meeting concluded at 10:23 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING RESOLUTION GRANTING A SEVEN DAY EXTENSION IN THE FILING OF THE LEVY CERTIFICATION FOR NAMPA SCHOOL DISTRICT NO. 131 AND VALLIVUE SCHOOL DISTRICT NO. 139

The Board met today at 1:15 p.m. to consider signing a resolution granting a seven day extension in the filing of the levy certification for Nampa School District No. 131 and Vallivue School District No. 139. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Controller Zach Wagoner, and Deputy Clerk Kelly Martinez. Mr. Wagoner said he has received two letters, one from Nampa School District and one from Vallivue School District. The school districts have the opportunity for what is called an "emergency levy" that is based on enrollment attendance numbers. If attendance numbers for this school year are up compared to last year, they can levy a tax for that. Both of these school districts have requested an additional seven days, to submit their L2 form and their levy certification form. The forms are due this Thursday, September 4, and this will grant them a seven day extension which would make them due September 11. Mr. Wagoner submitted copies of the letters to be attached to the resolution. Commissioner Hanson asked what would happen if the Board did not give an extension. Mr. Wagoner said it wouldn't stop them from requesting the additional emergency levy, what may happen is when they get those final numbers we would have to adjust the numbers at that time. This extension gives them time to get the exact number and it makes it easier on the County to not have to make adjustments at a later date. Upon the motion by Commissioner Alder and the second by Commissioner

Hanson, the Board voted unanimously to sign the resolution granting a seven day extension in the filing of the levy certification for Nampa School District No. 131 and Vallivue School District No. 139. The signed resolution, No. 14-186, is on file with this day's minute entry. The meeting concluded at 1:19 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

MEETING WITH TERA HARDEN TO DISCUSS A PUBLIC DEFENDER SEAL

The Board met today at 1:38 p.m. for a meeting with Tera Harden to discuss a seal for the Public Defender's Department. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Director of Public Defender Dept. Tera Harden, Public Information Officer Joe Decker, and Deputy Clerk Kelly Martinez. Ms. Harden said she has two proposed seals, one black and white and one in color, which were created by the IT department and Deepak Budwani. She said she wanted to keep it consistent with the County seal, but also wanted something unique. The color will be used on the door and business cards. The black and white version will be used on stationary and letterhead to reduce printing costs. Commissioner Rule said he thinks it looks really good. Ms. Harden is asking for approval from the Board to adopt this as the Public Defender version of the County seal. Commissioner Hanson made a motion to accept the proposed Public Defender seal. Commissioner Alder seconded the motion and it carried unanimously. The meeting concluded at 1:42 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

SEVENTEENTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO SEPTEMBER 3, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
 Commissioner Kathryn Alder
 Commissioner Craig L. Hanson
 Deputy Clerk Monica Reeves

APPROVED CLAIMS ORDER NO. 9-5-14

The Board of Commissioners approved payment of County claims in the amount of \$188.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 1424

The Board of Commissioners approved payment of County claims in the amount of \$1,169,939.12 for a county payroll.

SIGNED MEDICAL INDIGENCY DOCUMENTS

The Board signed the following medical indigency documents recorded as instrument numbers: 2014-032057, 2014-032016, 2014-032058, 2014-032056, 2014-032059, 2014-032055, 2014-032060, 2014-032052, 2014-032053, 2014-032054, 2014-032017, 2014-032018, 2014-032019, 2014-032020, 2014-032021, 2014-032022, 2014-032023, and 2014-032024.

EXECUTIVE SESSION - PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Note for the record: As properly noticed the Board met today at 9:09 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Hanson made a motion to go into Executive Session at 9:10 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (i). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Chief Civil Deputy P.A. Sam Laugheed, CIO Rob Hopper, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:20 a.m. with no decision being called for in open session.

PUBLIC HEARING - CONSIDER REZONE REQUEST FOR ANNETTE COFFMAN, RZ-PH2014-26, FROM "A" AGRICULTURAL TO "CR-RR" RURAL RESIDENTIAL WITH A DEVELOPMENT AGREEMENT

The Board met today at 9:30 a.m. to conduct a public hearing in the matter of a request by Annette Coffman, Case No. RZ-PH2014-26, to amend the Canyon County Zoning Map to assign the R-R Rural Residential with Development Agreement (CR-RR) zoning designation to parcels R38618 and R38618011 (also known as 24560 Hop Road and 0 Hop Road). Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, DSD Director Tricia Nilsson, DSD Planner Christian Samples, Megan Linkhart, Michelle

Arnold, other interested citizens, and Deputy Clerk Monica Reeves. Christian Samples gave the oral staff report. Chris and Megan Linkhart, who represent Annette Coffman, have proposed rezoning 36.97 acres to gain one additional entitlement. As part of the rezone they are looking to merge two parcels, which were created in 1998, to create one parcel and are looking to place an additional home for family members and preserve the remaining acreage in agricultural production. Both staff and the P&Z Commission recommended approval. Megan Linkhart and Michelle Arnold testified in support of the request. No opposition testimony was offered today. Upon the motion of Commissioner Hanson and the second by Commissioner Alder, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Alder and the second by Commissioner Hanson, the Board voted unanimously to approve the rezone and development agreement for Case No. PH2014-26. Upon the motion of Commissioner Hanson and the second by Commissioner Alder, the Board voted unanimously to approve and sign the Findings of Fact, Conclusions of Law and Order (FCOs) for Case No. PH2014-26. Upon the motion of Commissioner Alder and the second by Commissioner Hanson, the Board voted unanimously to sign the ordinance amendment directing amendments to the Canyon County Zoning Map (Ordinance No. 14-013). The Board will consider the development agreement once the applicants have signed it. The signed documents are on file with this day's minute entry. The hearing concluded at 9:51 a.m. An audio recording is on file in the Commissioners' Office.

MONTHLY MEETING WITH MARK MIMURA TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 10:30 a.m. for a monthly meeting with Mark Mimura to discuss general issues, set policy, and give direction. Present were: Commissioners Kathy Alder and Craig Hanson, Public Defender Mark Mimura, Attorney Lary Sisson, and Deputy Clerk Kelly Martinez. Mr. Mimura has spoken with his staff attorneys and five have interviews scheduled and one has been hired so far to the new In-house Public Defender Department. He has also spoken with the rest of his attorneys regarding conflict counsel contracts. Mr. Mimura said he sees a problem that on the last two murder cases Judge Huskey, on her own accord, appointed the new In-house Public Defender when Mr. Mimura had already assigned two of his most experienced Public Defenders to handle the cases. Mr. Mimura said the Prosecutor's Office did not have any input or knowledge that Judge Huskey was going to reassign the case. Mr. Mimura believes there is no authority for the court to do that. Mr. Mimura assigned one of the cases to Mr. Sisson, and the concern he has is if the District Court thinks it has the ability to unilaterally substitute counsel, what happens to our conflict counsel cases because that means they are counting on something that doesn't exist. Mr. Mimura is going to complain to the Judicial Counsel as he does not believe the court has authority to do that. He also wanted to advise the Board that two ACLU representatives were present during his presentation to the Joint Committee on Public Defender reform. Mr.

Mimura said in the presentation he mentioned some of the difficulties he has with the Sheriff's Office and doing attorney/client visits at the jail. Mr. Mimura will be meeting with the ACLU tomorrow to describe the problem and he is doing that because he has an obligation to his clients. There was also discussion regarding conflict counsel rotation. Mr. Mimura has to be out September 30 because he is not going to pay another month so he is concerned about separating his files because there are so many. Commissioner Alder asked if Mr. Mimura has spoken to Tera Harden about the transition. Mr. Mimura said Ms. Harden has not contacted him. Mr. Mimura asked if there is any information he can relay back to his staff about the status of the conflict counsel agreements. The Board suggested he contact Deputy P.A. Mike Porter for more information. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:44 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

EIGHTEENTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO SEPTEMBER 4, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
 Commissioner Kathryn Alder
 Commissioner Craig L. Hanson
 Deputy Clerk Monica Reeves

APPROVED PURCHASE ORDER

The Board approved a purchase order for the Solid Waste Department in the amount of \$2,947.92 to Les Schwab Tires.

APPROVED PURCHASE ORDER

The Board approved a purchase order for the Solid Waste Department in the amount of \$5,715.00 to Miller Creek Aerial Mapping.

APPROVED PURCHASE ORDER

The Board approved a purchase order for Facilities Management in the amount of \$2,658.22 to Henriksen-Butler.

APPROVED SALARY RATE REQUEST

The Board approved a salary rate request for Jacob Crossley.

CONTINUE MEDICAL INDIGENCY HEARINGS

The Board met today at 8:58 a.m. to go on the record and continue medical indigency hearings. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Dan Blocksom, Hearing Specialist Yvonne Baker, and Deputy Clerk Kelly Martinez. Indigent Services Director Michele Chadwick arrived at 8:59 a.m. Upon the motion of Commissioner Hanson and the second by Commissioner Alder, the Board voted unanimously to continue the following cases by signed stipulation as follows:

Case No. 2014-1190 was continued to October 30, 2014 at 9:00 a.m.

Case No. 2013-1471 was continued to March 26, 2015 at 9:00 a.m.

Ms. Baker recommended the Board take Case No 2014-1095 under advisement. Upon the motion by Commissioner Alder and the second by Commissioner Hanson, the Board voted unanimously to take Case No. 2014-1095 under advisement with a decision to be rendered within 30 days. Ms. Baker also recommended the Board place Case Nos. 2014-1043 and 2014-1101 in suspension. Upon the motion by Commissioner Hanson and the second by Commissioner Alder, the Board voted unanimously to place Case Nos. 2014-1043 and 2014-1101 in suspension.

The proceeding concluded at 9:01 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2014-774

The Board met today at 9:05 a.m. to conduct a medical indigency hearing for Case No. 2014-774. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Dan Blocksom, Indigent Services Director Michele Chadwick, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, the applicant, and Deputy Clerk Kelly Martinez. A hospital representative was not present for today's hearing. Upon the motion of Commissioner Alder and the second by Commissioner Hanson, the Board voted unanimously to uphold the original denial dated April 30, 2014. The hearing concluded at 9:09 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2014-1250

The Board met today at 9:10 a.m. to conduct a medical indigency hearing for Case No. 2014-1250. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Dan Blocksom, Indigent Services Director Michele Chadwick, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, the applicant, and Deputy Clerk Kelly Martinez. A hospital representative was not present for today's hearing. Upon the motion of Commissioner Hanson and the second by Commissioner Alder, the Board voted unanimously to continue the hearing to October 30, 2014 at 9:00 a.m. The hearing concluded at 9:18 a.m. An audio recording is on file in the Commissioners' Office.

UPHOLD ORIGINAL DENIAL DATES FOR MEDICAL INDIGENCY CASES

The Board met today at 9:21 a.m. to uphold original denials for various medical indigency cases. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Deputy P.A. Dan Blocksom, Indigent Services Director Michele Chadwick, Hearing Specialist Yvonne Baker, Interview Specialist Shelly Dupuis, and Deputy Clerk Kelly Martinez. Ms. Chadwick recommended the Board uphold the previous respective denials in the following cases: Case Nos. 2014-1155, 2014-808, 2014-1153, 2014-1120, 2014-748, 2014-1023, 2014-702, and 2014-1152. Upon the motion of Commissioner Alder and the second by Commissioner Hanson, the Board voted unanimously to uphold the previous denials. The proceeding concluded at 9:22 a.m. An audio recording is on file in the Commissioners' Office.

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

Note for the record: As properly noticed the Board met today at 1:31 p.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure, litigation, and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Hanson made a motion to go into Executive Session at 1:32 p.m. pursuant to Idaho Code, Section 67-2345(1) (d), (f) and (i). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder and Hanson voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Kathy Alder and Craig Hanson, Deputy P.A. Brad Goodsell, Deputy P.A. Zach Wesley, and Deputy Clerk

Monica Reeves. Commissioner Steve Rule arrived at 1:57 p.m. The Executive Session concluded at 2:00 p.m. with no decision being called for in open session.

EXECUTIVE SESSION - PERSONNEL MATTER

Note for the record: As properly noticed the Board met today at 2:02 p.m. for a meeting with the Human Resources Director. A request was made to go into Executive Session to discuss a personnel matter. The Executive Session was held as follows:

Commissioner Alder made a motion to go into Executive Session at 2:04 p.m. pursuant to Idaho Code, Section 67-2345(1) (b). The motion was seconded by Commissioner Hanson. A roll call vote was taken on the motion with Commissioners Alder, Hanson and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, H.R. Director Jeannine Eiband, Judge Molly Huskey, and Deputy Clerk Kelly Martinez. The Executive Session concluded at 2:58 p.m. with no decision being called for in open session.

CONSIDER REPEALING THE CANYON COUNTY WATER ELIMINATION ORDINANCE

The Board met today at 2:58 p.m. to consider repealing the Canyon County Water Elimination Ordinance. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, and Deputy Clerk Kelly Martinez. Commissioner Alder said after meeting with Roger Batt regarding Canyon County's Water Elimination Ordinance, we decided it is already taken care of by state code and there really is no reason to still have this ordinance. Upon the motion by Commissioner Alder and the second by Commissioner Hanson, the Board voted unanimously to sign the resolution repealing the Canyon County Water Elimination Ordinance (No. 94-007). The signed resolution, No. 14-187, is on file with this day's minute entry. The meeting concluded at 2:59 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

MEETING WITH ST. ALPHONSUS REPRESENTATIVES TO DISCUSS TAX EXEMPT STATUS

The Board met today at 3:00 p.m. with St. Alphonsus Representatives to discuss tax exempt status. Present were: Commissioners Steve Rule, Kathy Alder and Craig Hanson, Assessor Gene Kuehn, Chief Deputy Assessor Joe Cox, Deputy P.A. Brad Goodsell, Brent Cherne, St. Alphonsus Assistant Controller, Jeremy Pisca from Risch Pisca Law, Corey Surber, Executive Director of Community Health and Public Policy

for St. Alphonsus and Deputy Clerk Becky Cowan. Ms. Surber advised the meeting was requested to follow up to concerns expressed in the past regarding indigent processes and tax exempt status of hospital properties. The hospital is concerned about a potential resolution to limit tax exempt status for non-profit hospitals and has worked on improving positive working relationships between County and hospital staff. Commissioner Rule noted that Indigent Services had indicated that St. Luke's revenue had increased 21% since the County hired a new director of Indigent Services, likely because of the change in County processes. Mr. Cherne stated that is not the same for St. Alphonsus. The hospital provided an update of the number of parcels that are non-exempt vs. exempt, upcoming plans, impacts on job growth and community benefits specific to Canyon County. Mr. Cherne reported that in 2013, the hospital property totals included: 16 parcels owned, 3 leased parcels that were non-exempt, and 6 parcels were exempt. Total taxes paid in 2013 were \$418,000. In future years, properties that will be purchased or in place in 2014 will include: 22 properties owned, 7 leased parcels will be non-exempt, and the number of exempt properties will drop to 5. St. Alphonsus estimated the taxes that will be owed for 2015 using 2013 rates would be \$688,000, or a 64% increase in property taxes. This represents only Canyon County total property tax. Ms. Surber addressed the notion that the hospital is gobbling up properties and taking them off the tax rolls, when it is the contrary. St. Alphonsus is buying farm land with very little tax and increasing the value of the properties which creates more taxes available by creating commercial properties. Commissioner Rule commented that the concern was not taking away farm ground, but rather office complexes, homes, and other doctor's offices, that were being acquired and requesting to be classified under the umbrella of the primary hospital. The perception of the Board was that a box hospital is exempt but a doctor office just a few blocks away was acquired, the doctor is hired by the hospital, and the property is now asking to be exempt under the hospital. Commissioner Alder agreed with Commissioner Rule regarding this assumption. Mr. Cherne stated each situation is different depending on the physician. Some physicians are considered hospital based, which by definition are exempt, but the majority of physicians are independent. Commissioner Rule added that the Assessor's Office provided a report of a large amount of properties that left the tax rolls during the last 10 years and became exempt which clarifies the thoughts of the Board regarding properties being bought and becoming exempt. Mr. Cherne said there was a shift over the last 5 years of properties classified as more hospital based and less independent. Mr. Kuehn stated he doesn't believe the properties should be exempt, but under the I.C. 602D description they could be considered ancillary buildings. Mr. Cherne verified some of the properties could be other types of medical services such as a lab. The hospital facility is very expensive; the hospital will move a service like a lab to a less expensive space and utilize the hospital space for caring for patients. Assessor Kuehn understands that the hospital views this as a reason for the belief that a space should be exempt, as opposed to a doctor who bought the office and works there 8-10 hours a day. Mr. Cherne stated some physicians are employed by the hospital, which would make it exempt. If they are independent and the building is owned by the hospital, property

taxes should be paid. Assessor Kuehn stated this is where the confusion exists with the County and the hospitals. Mr. Goodsell asked for clarification regarding the 6 parcels shown as exempt. Mr. Cox advised if all the property was assessed the value would be \$60,885,000 and currently the County is exempting \$48.9 million of the value which includes the hospital building at \$39 million. The other portion that used to be taxable but is now exempt is Mercy North. When it was owned by Mercy, it was primarily office space with independent doctors which caused it to be taxable. Mr. Cherne advised that after St. Alphonsus took ownership, hospital departments were added such as an ambulatory surgery center, outpatient surgery and other services, which would make the facility exempt. Mr. Cox commented that the question is not regarding the properties that fit the definition of a hospital; the law says it can be exempt. Mr. Cox echoed the Board's opinion that local hospitals are accumulating additional facilities and then trying to scoop them underneath the umbrella of the hospital. In the opinion of the Assessor's Office, if the building is owned by the hospital and they are occupied by employees it classifies as exempt and if they are independent doctors who happen to be in the building, the tendency is to place the property back on the tax rolls. Over time, the number of buildings that have become exempt has dramatically grown. In reviewing all of Canyon County, the value of the hospital properties would be \$95.3 million and of that, \$66.9 million is exempt. The exempt properties for St. Alphonsus include what is considered Mercy and Mercy North, and 4 other smaller facilities located on Iowa and 12th Avenue. Commissioner Hanson is concerned that the hospital is purchasing buildings to house a service, such as rehabilitation and because they employ a doctor, the hospital requests the property to be exempt. He believes the definition of what gives exemption to a hospital needs to be clearly defined. Mr. Cherne stated that each situation is different. One suite could be taxable and another suite may not. The office area and exam rooms that the physician and staff were utilizing within that facility could be tax exempt but the balance of the facility would be taxed. Mr. Goodsell asked Mr. Cherne if the hospital provided a health facility just for employees, or if a family practice is acquired, and you employ the doctors, would you consider the property to be a tax exempt facility. Mr. Cherne believes it would be exempt because the health facility it is not making money and it's used by employees. In the family clinic, it depends on how the billing is done. If the billing is done through hospital based where we bill for his professional services, then it's considered hospital based and tax exempt, but if the clinic does the billing, then it's not tax exempt. That status must be applied for each clinic with Medicare and get the clinic certified to be hospital based billing. Mr. Goodsell commented that it's interesting that the hospital would make a distinction between some physician outpatient facilities and not others. Another issue that was raised is the fact that the hospital is performing the same services as for profit providers who do not receive a tax break. Mr. Cherne stated that the for-profit providers distribute funds to share-holders, but as a non-profit, St. Alphonsus is required to reinvest funds back into the community. We feel this justifies a tax exempt status. Ms. Surber said the hospital has been meeting the IRS requirements before they were required due to the Affordable Care Act. These include:

conducting community needs assessments every 3 years and developing implementation plans and strategies to address the top needs in the community. St. Alphonsus teamed up with St. Luke's through the United Way to research the community needs. The disparity in health outcomes between Ada and Canyon County was stark. A for-profit hospital has no requirement to do this type of assessment. Mr. Goodsell believes the issue centers around the charitable work that is provided by the hospital or ancillary property. It does not automatically make a property exempt due to charitable work. Hospitals have now started to control more of healthcare, instead of just operating acute care facilities. Ms. Surber stated it has become a health system. Mr. Goodsell commented this requires more properties, to expand the system and does that make the ancillary properties exempt as well as the acute care facility. He is not sure that the legislature has addressed this idea. When the law was changed in the late 1990's, it was before the expansion of hospital systems and stated that ancillary properties could be included. The facilities have now expanded to include ancillary care and he is not sure that the legislature intended for the additional properties to be exempt. This is the issue that the Board would like to address as a policy issue to determine whether the legislature wants the taxpayers to be subsidizing healthcare and hospital systems to that extent. Mr. Cherne added that healthcare is constantly changing and the Accountable Care Act stepped on the accelerator for making a change. Hospitals are now taking care of patients in the community for wellness care to keep people out of the hospital. Ms. Surber concluded with comments regarding future available jobs in Canyon County due to property expansion. Chief Deputy Cox said between the two hospitals, both are paying about \$666,000 in taxes and receiving exemption at a benefit of \$2.1 million. Is the charitable benefit of the hospitals offset by the exemption. West Valley is now asking for lower values due to non-profits not being taxed to remain competitive. If the hospitals don't have to pay taxes, it falls to the other taxpayers to make up the difference. Commissioner Alder appreciates the value of the meeting and discussion and would like to determine the intent of the legislature. The meeting concluded at 3:37 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

NINETEENTH DAY OF AUGUST TERM, A.D., 2014
CALDWELL, IDAHO SEPTEMBER 5, 2014

PRESENT: Commissioner Steven J. Rule, Chairman
 Commissioner Kathryn Alder
 Deputy Clerk Monica Reeves

ABSENT: Commissioner Craig L. Hanson - Vacation

APPROVED SALARY RATE REQUEST

The Board approved a salary rate request for Diana Hoffman, John Klauer, Shelby McCain, Ryan Dowell, and Elizabeth Lamas.

APPROVED KEY REQUEST

The Board approved a key request for Elizabeth Lamas.

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

Note for the record: As properly noticed the Board met today at 9:01 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure, litigation, and to communicate with the County's risk manager regarding pending/imminently likely claims. The Executive Session was held as follows:

Commissioner Alder made a motion to go into Executive Session at 9:01 a.m. pursuant to Idaho Code, Section 67-2345(1) (d), (f) and (i). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Alder and Rule voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Steve Rule and Kathy Alder, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:21 a.m. with no decision being called for in open session.

CONSIDER SIGNING SOLICITATION OF BIDS FOR THE SUMMER 2014 OLD SHOP PROJECT-DEMOLITION SERVICES

The Board met today at 9:37 a.m. to consider signing the solicitation of bids for the Summer 2014 Old Shop Project - Demolition Services. Present were: Commissioners Steve Rule and Kathy Alder, and Deputy Clerk Monica Reeves. The solicitation will be sent to following qualified contractors who have demolition experience: Alpine Construction, Mark Hess Construction and Scott Hedrick Construction. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the solicitation of bids for the 2014 Old Shop Project - Demolition Services, a copy of which is on file with this day's entry. The meeting concluded at 9:38 a.m. An audio recording is on file in the Commissioners' Office.

COMMISSIONER AUGUST TERM ADJOURNED

At the conclusion of the day's official business, the Board adjourned the August Commissioner Term.

THE MINUTES OF THE FISCAL TERM OF AUGUST 2014 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

APPROVED: Commissioners Steven J. Rule, Kathryn Alder and Craig L. Hanson

ATTEST: Chris Yamamoto,
Clerk

Kelly Martinez
Deputy

DATE: 10/29/14