

FIRST DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO FEBRUARY 13, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED PERSONNEL FORM

The Board approved a personnel form for: Tiffany Moore.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders: Facilities - \$1,847.00,
\$5,390.00.

PAYMENT OF CLAIMS ORDER #2-13-12

The Board of Commissioners approved payment of County claims in the amount
of \$19,026.95, \$8,130.12 for accounts payables.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:31 a.m. for an office staff meeting. Present were:
Commissioners David Ferdinand and Steve Rule, Facilities Manager Paul
Navarro, Public Information Officer Joe Decker, Deputy Clerks Becky Chandler,
Claudia Amaral and Monica Reeves. Items of a general nature were discussed.
Ms. Amaral and Ms. Chandler left at 8:50 a.m. Mr. Decker reported on the public
information issues that he worked on last week. Mr. Navarro reported on
maintenance issues. No Board action was required or taken. The meeting
concluded at 9:11 a.m. An audio recording is on file in the Commissioners'
Office.

CONSIDER SIGNING TREASURER'S ROLL CORRECTIONS AND TAX CHARGE CORRECTIONS SUMMARIES AND LATE CHARGE ADJUSTMENTS

The Board met today at 9:31 a.m. to consider signing the Treasurer's roll corrections, tax charge corrections summaries and late charge adjustments. Present were: Commissioners David Ferdinand and Steve Rule, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Ferdinand, the Board voted unanimously to sign the Treasurer's roll corrections, tax charge corrections summaries and late charge adjustments. The meeting concluded at 9:32 a.m. An audio recording is on file in the Commissioners' Office. (January 2012)

EXECUTIVE SESSION - PERSONNEL MATTER; LITIGATION MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 9:33 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter; a litigation matter and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Rule made a motion to go into Executive Session at 9:33 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (f). The motion was seconded by Commissioner Ferdinand. A roll call vote was taken on the motion with Commissioners Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand and Steve Rule, Deputy P.A. Zach Wesley, Facilities Manager Paul Navarro, Sheriff Chris Smith, and Deputy Clerk Monica Reeves. Sheriff Smith left at 9:39 a.m. Deputy P.A. Carl Ericson arrived at 9:46 a.m. Mr. Navarro left at 9:49 a.m. The Executive Session concluded at 9:50 a.m. with no decision being called for in open session.

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

The Board met today at 10:02 a.m. for a weekly meeting with the Development Services Department Director to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand and Steve Rule, Development Services Department Director Kevin LoPiccolo, and Deputy Clerk Monica Reeves. The discussion centered on productivity within the office, specifically the building inspection division. At 10:20 a.m. a request was made to go into Executive Session to discuss a personnel matter as follows:

EXECUTIVE SESSION - PERSONNEL MATTER

Commissioner Rule made a motion to go into Executive Session at 10:20 a.m. pursuant to Idaho Code, Section 67-2345(1) (b). The motion was seconded by Commissioner Ferdinand. A roll call vote was taken on the motion with Commissioners Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand and Steve Rule, DSD Director Kevin LoPiccolo and Deputy Clerk Monica Reeves. The Executive Session concluded at 10:32 a.m. with no decision being called for in open session.

While in open session, discussion resumed with Mr. LoPiccolo completing his department report. 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.

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

The Board met today at 10:36 a.m. for a weekly meeting with the Chief Information Officer to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand and Steve Rule, Chief Information Officer Rob Hopper, and Deputy Clerk Monica Reeves. The items discussed were general in nature and did not require Board action. The meeting

concluded at 10:47 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

CONSIDER SIGNING CONTRACT ASSIGNMENT FOR MODUS ARCHITECTURE; AND MEMORANDUM OF AGREEMENT FOR WORK EXPERIENCE UNDER WORKFORCE INVESTMENT ACT ON BEHALF OF CANYON COUNTY PARKS, RECREATION AND WATERWAYS

The Board met today at 10:50 a.m. to consider signing a contract assignment for Modus Architecture, and a memorandum of agreement for work experience under the Workforce Investment Act on behalf of Canyon County Parks, Recreation and Waterways. Present were: Commissioners David Ferdinand and Steve Rule, Parks Director Tom Bicak, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. The Department of Labor offers the program to provide people who qualify at minimum wage to work at the parks at no cost to the county. Mr. Bicak will require that those who work at the parks have to be 18 years or older with a valid Idaho driver's license and pass a background check. Upon the motion of Commissioner Rule and the second by Commissioner Ferdinand, the Board voted unanimously to sign the Memorandum of Agreement for work experience under the Workforce Investment Act on behalf of the Canyon County Parks, Recreation and Waterways Department. Mike Porter presented the Board with an assignment and assumption of professional services agreement and consent to assignment. The document furthers the project for the museum at Celebration Park. Originally, Cole+Poe was the architect who was going to oversee the building, but the firm dissolved and Bruce Poe created Modus Architecture and recently the name was changed again to Modus Architecture Collaborative, PLLC. By signing the document the county can move forward with the museum project. Upon the motion of Commissioner Rule and the second by Commissioner Ferdinand, the Board voted unanimously to sign the assignment and assumption of professional services agreement and consent to assignment. The signed documents are on file with this day's minute entry. The meeting concluded at 10:53 a.m. An audio recording is on file in the Commissioners' Office. (#12-018 & #12-017)

WEEKLY MEETING WITH THE MISDEMEANOR PROBATION SUPERVISOR
TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 10:54 a.m. for a weekly meeting with the Misdemeanor Probation Supervisor to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand and Steve Rule, Misdemeanor Probation Supervisor Jeff Breach, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The items discussed were general in nature. Mr. Breach presented the Board with copies of the policy manual for the Misdemeanor Probation Department. The manual has been reviewed by the Prosecuting Attorney's Office. The meeting concluded at 11:07 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

MEETING TO DISCUSS WATER INFILTRATION SYSTEM FOR THE CITY OF
NAMPA

The Board met today at 11:13 a.m. to discuss a water infiltration system for the City of Nampa. Present were: Commissioners David Ferdinand and Steve Rule; Michael Fuss, Nampa Public Works Director; Steve Burgos from Brown & Caldwell; Kate Nice from RBCI Consulting; and Deputy Clerk Monica Reeves. Michael Fuss, Nampa City Public Work Director, briefed the Commissioners about the infiltration option the city is considering as a possible upgrade to their wastewater system. Attached to this day's minutes are fact sheets that explain why Nampa is upgrading its system and the five options the city is considering. The infiltration option would involve property in Canyon County outside Nampa City limits. Mr. Fuss will keep the Commissioners informed as they move forward. No Board action was required or taken as today's meeting was held for information purposes only. The meeting concluded at 11:56 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Rule made a motion to go into Executive Session at 1:17 p.m. pursuant to Idaho Code, Section 67-2345(1) (b) and (d). The motion was seconded by Commissioner Ferdinand. A roll call vote was taken on the motion with Commissioners Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter, Facilities Manager Paul Navarro, Edgar Hernandez, Erin Bullard, Attorney Jim Runsvold, and Deputy Clerk Monica Reeves. Mr. Runsvold and Ms. Bullard left at 1:30 p.m. Jamie Toledo arrived at 1:38 p.m., and left at 1:49 p.m. Ms. Bullard returned to the session at 1:49 p.m. and left at 1:57 p.m. Mr. Runsvold returned to the session at 1:57 p.m. and left at 2:06 p.m. Mr. Hernandez left at 2:09 p.m. (The personnel matter was recorded from 1:20 p.m. to 2:09 p.m.) Deputy P.A. Carl Ericson arrived at 2:13 p.m. The Executive Session concluded at 2:16 p.m. with no decision being called for in open session.

CONSIDER SIGNING 2012 ADMINISTRATIVE SERVICES AGREEMENT WITH BLUE CROSS

The Board met today at 2:17 p.m. to consider signing the 2012 administrative services agreement with Blue Cross of Idaho Health Service, Inc. Present were: Commissioners David Ferdinand and Steve Rule, Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The agreement sets out what Blue Cross will do for the county and it lists the amounts we have agreed to as far as costs. Upon the motion of Commissioner Rule and the second by Commissioner Ferdinand, the Board voted unanimously to sign the 2012 administrative services agreement with Blue Cross, a copy of which is on file with this day's minute entry. The meeting concluded at 2:20 p.m. An audio recording is on file in the Commissioners' Office. (#12-019)

CONSIDER AWARD FOR CANYON COUNTY PROBATION AND SPECIALTY COURTS DRUG TESTING PROGRAM

The Board met today at 2:21 p.m. regarding the award of contract for the Canyon County probation and specialty courts drug testing program. Present were: Commissioners David Ferdinand and Steve Rule, Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Zach Wesley reported that the review committee has no recommendation at this point; additional interviews will be held with the responders. Mr. Wesley will schedule this item for consideration by the Board at a later date. The meeting concluded at 2:23 p.m. An audio recording is on file in the Commissioners Office.

CONSIDER SIGNING SETTLEMENT AGREEMENT WITH NAMPA HOSPITALITY RE: TAX APPEAL

The Board met today at 2:35 p.m. to consider signing a settlement agreement with Nampa Hospitality regarding a tax appeal. Present were: Commissioners David Ferdinand and Steve Rule, Deputy P.A. Carl Ericson, Chief Deputy Assessor Joe Cox, and Deputy Clerk Monica Reeves. The agreement settles the tax appeal they filed in district court for 2010 and 2011 tax years. The Assessor's Office went through negotiation with Nampa Hospitality and they settled on a value of \$3,440,400 for 2010 and 2011. Upon the motion of Commissioner Rule and the second by Commissioner Ferdinand, the Board voted unanimously to sign the settlement agreement, a copy of which is on file with this day's minute entry. The meeting concluded at 2:38 p.m. An audio recording is on file in the Commissioners' Office. (#12-020)

MEETING WITH NICK MITCHELL TO DISCUSS TAX ISSUES

The Board met today at 3:00 p.m. to discuss Nick Mitchell's property tax issue. Present were: Commissioners David Ferdinand and Steve Rule, Treasurer Tracie Lloyd, Chief Deputy Treasurer Nancy Seal, Deputy P.A. Carl Ericson, Nick Mitchell, John Brougher from Title One, and Deputy Clerk Monica Reeves. Mr. Mitchell purchased his home in February of 2010 the taxes and fees were prorated and paid. Sometime after the closing he received a bill for over \$4,000 in back taxes. He believes the county should pursue the unpaid taxes from the

seller, not him. Tracie Lloyd said after her office provided the tax amount to the title company a subsequent billing was mailed on March 5, 2010 with payment due on April 20, 2010. The subsequent bill was for 10 months of occupancy on the house only because the developer had rented it in February of 2009. At the time the Treasurer's Office quoted the initial amount they were not aware that there was going to be a subsequent bill. The total amount owing today is \$11,293.58, and when a payment is made it has to apply to the oldest year owing first. Mr. Mitchell said he did receive reminder notices and he has been trying to resolve the issue with the title company because he cannot pay the tax bill. Jon Brougher said they are not disputing that the taxes are owed, but they believe the back taxes are the seller's responsibility. Ms. Lloyd said the taxes are against the property, not the owner. Commissioner Rule is sympathetic to Mr. Mitchell's case and he suggested the county approach this from a hardship exemption position. There was discussion about Mr. Mitchell applying for a homeowner's exemption which would reduce his taxes for the current year if applied for by April 15. Mr. Mitchell was given a hardship application to complete. The meeting concluded at 3:29 p.m. An audio recording is on file in the Commissioners' Office.

SECOND DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO FEBRUARY 14, 2012

PRESENT: Commissioner David J. Ferdinand, II - vacation
 Commissioner Steve Rule - present
 Commissioner Kathy Alder - attending Tulare Ag Show in
 California

No meetings scheduled.

THIRD DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO FEBRUARY 15, 2012

PRESENT: Commissioner David J. Ferdinand, II - vacation
Commissioner Steve Rule - present
Commissioner Kathy Alder - attending Tulare Ag Show in
California

No meetings scheduled.

FOURTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO FEBRUARY 16, 2012

PRESENT: Commissioner David J. Ferdinand, II - vacation
Commissioner Steve Rule - present
Commissioner Kathy Alder - attending Tulare Ag Show in
California

No meetings scheduled.

FIFTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO FEBRUARY 17, 2012

PRESENT: Commissioner Steve Rule, Acting Chairman
Commissioner Kathy Alder
Commissioner David J. Ferdinand, II - vacation
Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED KEY REQUEST

The Board approved the following key request: Ashley Wolff.

APPROVED PERSONNEL FORMS

The Board approved a personnel form for: Cindy Perez, Gary Milburn, and Arturo Macias.

APPROVED PURCHASE ORDER

The Board approved the following purchase order: Landfill - \$3,147.35

APPROVED VACATION LEAVE TO OTHER EMPLOYEE FOR SICK LEAVE

The Board approved vacation leave to another employee for sick leave for: Stephanie Veach. A copy of the document is in this day's minutes.

SIGNED WELFARE DOCUMENTS

The Board signed the following welfare documents: 2012006456, 2012006457, 2012006458, 2012006459, 2012006461, and 2012006462.

FILED OATH OF OFFICE

The Board filed an Oath of Office for: M. G. "Bud" Beaty, Jr. to serve as Commissioner of the Kuna Rural Fire District.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSES

The Board resolved that the Chairman is authorized to sign Alcoholic Beverage Licenses for:

#12-020 Beer/Wine License: Joyeria El Diamante

#12-021 Beer/Liquor License: Texas Roadhouse – Nampa, ID

SIGNED CONTRACT AMENDMENT FOR PARMA SENIOR CENTER RENOVATION PROJECT

The Board signed a contract amendment for the Parma Senior Center Renovation Project. A copy of the document is on file in this day's minutes. (#12-021)

CONSIDER SIGNING RESOLUTION DECLARING INTENT TO SELL REAL PROPERTY TO THE VALLIVUE SCHOOL DISTRICT; NOTICE OF INTENT TO SELL REAL PROPERTY TO THE VALLIVUE SCHOOL DISTRICT

The Board met today at 9:00 a.m. to consider resolution and notice of intent to sell real property to the Vallivue School District. Present were: Commissioners Steve Rule and Kathy Alder; Deputy P.A. Carl Ericson; Pat Charlton, Superintendent of Vallivue School District; John Stevens; and Deputy Clerk Monica Reeves. The Vallivue School District approached the county about buying lots 8 through 13 in the Happy Day Business Complex because they are looking to expand their alternative school at the location. If the county sells to another governmental entity we can do it more summarily rather than going through an auction process. Mr. Ericson presented the Board with a resolution that declares the county's intent to sell as well as a notice of intent that gives notice of the 10-day comment period to make any comments about the sale. On March 5, 2012 at 1:30 p.m. a final hearing will be held for the purpose of signing the purchase and sale agreement. The county will sell the lots for \$160,736. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the resolution and the notice of intent to sell the real property. The signed documents are on file with this day's minute

entry. The meeting concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office. (#12-019)

EXECUTIVE SESSION - PERSONNEL MATTER; LITIGATION MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 9:12 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter; a litigation matter and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Alder made a motion to go into Executive Session at 9:12 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (f). The motion was seconded by Commissioner Rule and carried unanimously. Present were: Commissioners Steve Rule and Kathy Alder, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Carl Ericson, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:43 a.m. with no decision being called for in open session.

SIXTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO FEBRUARY 21, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
Commissioner Steve Rule
Commissioner Kathy Alder
Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED KEY REQUEST

The Board approved the following key request: Judge Gregory Culet.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders: Facilities - \$4,304.16, Sheriff - \$1,255.00.

PAYMENT OF CLAIMS ORDER #2-21-12

The Board of Commissioners approved payment of County claims in the amount of \$1,230.00 for an accounts payable.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:32 a.m. for an office staff meeting. Present were: Commissioners David Ferdinand, Kathy Alder, and Steve Rule, Facilities Manager Paul Navarro, Public Information Officer Joe Decker, Deputy Clerks Becky Chandler, Claudia Amaral and Monica Reeves. Sheriff Chris Smith arrived at 8:37 a.m. Items of a general nature were discussed. Ms. Amaral and Ms. Chandler left at 8:51 a.m. Mr. Decker reported on public information items. Mr. Navarro reported on maintenance issues. No Board action was required or taken. The meeting concluded at 9:02 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - PERSONNEL MATTER; REAL ESTATE MATTER, LITIGATION MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

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; a real estate matter, a litigation matter and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Rule made a motion to go into Executive Session at 9:02 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (c), (d) and (f). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Ferdinand voting in favor of the motion to enter

into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Kathy Alder, and Steve Rule, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Facilities Manager Paul Navarro, Public Information Officer Joe Decker, DSD Director Kevin LoPiccolo, and Deputy Clerk Monica Reeves. Mr. Navarro left at 9:12 a.m. Mr. Decker left at 9:39 a.m. The Executive Session concluded at 9:56 a.m. with no decision being called for in open session.

PUBLIC HEARING - REQUEST BY A & E FAMILY ENTERPRISES TO EXTEND THE COMPLETION DATE OF CASE NO. CU2005-157 BY UP TO FIVE YEARS

The Board met today at 10:01 a.m. to consider a request by A & E Family Enterprises, LLC, to extend the completion date of Case No. CU2005-157 by up to five years. The subject property is located on the west side of Farner Road, approximately 1,603 feet south of the intersection of Locust Lane and Farner Road in Nampa, in the NE ¼ of Section 9, T2N, R3W, B.M. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, DSD Director Kevin LoPiccolo, DSD Planner Jennifer Almeida, Todd Lakey, Eugene and Alberta Daffner, and Deputy Clerk Monica Reeves. The original conditional use permit was approved by the Board of County Commissioners on March 21, 2007. The approval was for 28 residential lots. Jennifer Almeida gave the oral staff report. Staff recommends the completion date be extended by three years. Kevin LoPiccolo offered testimony on behalf of the Development Services Department. Todd Lakey testified on behalf of Eugene and Albert Daffner, the applicants. He said the five-year extension request is due to the downturn in the economy and an extension will help the Daffners preserve their investment. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously to close testimony. Commissioner Alder said a rezone is the appropriate way to go and she believes the request should be denied. Commissioner Rule is not in favor of a five-year extension. He believes two or three years is sufficient time for the project to move forward. He said technically the project has commenced because the applicant has filed the preliminary plat, but he would not grant another extension. Commissioner Ferdinand agrees that we want to use the rezone process; however, a three-year extension will notify the neighbors of a timeline where a rezone does not give a timeline. He favors a three year extension only because we do not have anyone here today objecting to the request. Upon the motion of Commissioner Rule and

the second by Commissioner Ferdinand, the Board voted to grant a three-year time extension, and to approve the Findings of Fact, Conclusions of Law and Order for A&E Family Enterprises, LLC. Commissioner Alder was opposed to the motion. The motion carried by a split vote with Commissioners Ferdinand and Rule voting in favor and Commissioner Alder voting against the motion. The signed FCOs are on file with this day's minute entry. The hearing concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - APPEAL BY MAURICE CLEMENTS REGARDING THE MASTER PLAN FOR THE CANYON COUNTY PARKS, RECREATION AND WATERWAYS DEPARTMENT

The Board met today at 10:41 a.m. to conduct a public hearing in the matter of an appeal by Maurice Clements of the P&Z Commission's approval of Case No. CU2011-4 citing two reasons for the appeal: (1) The county should not be exempted from conditional use permits and other permitting processes stating that he feels "it unfair they should not have to comply with all of these requirements that the private sector must deal with, and (2) they propose to expand the county parks into direct competition with the private sector without hearings and oversight by the citizens of the county." Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, DSD Director Kevin LoPiccolo, DSD Planner Deb Root, Parks, Recreation and Waterways Director Tom Bicak, Deputy Parks Director Kathy Kershner, Maurice Clements, Don Brandt, Gary Duspiva, and Deputy Clerk Monica Reeves. Deb Root gave the oral staff report. Kevin LoPiccolo gave the oral staff report. The following citizens testified in support of the appeal and in opposition to the master plan: Maurice Clements, Gary Duspiva and Don Brandt. Parks Director Tom Bicak and Deputy Director Kathy Kershner testified about the process the department used to gather public comment on the master plan. Mr. Bicak said ultimately we need to figure out how the master plan can work and get those agriculturally based activities to the public through Jubilee Park. Mr. Clements offered rebuttal testimony. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to close public testimony. Commissioner Alder's main concern deals with the lack of water. She appreciates the process that was used to gather input, but she has concerns with moving forward with a master plan that is unrealistic. Commissioner Rule is concerned because there is no water and he does not believe the plan is

attainable. He said we need to take a step back and approach it from a different angle. Mr. LoPiccolo said if the Board's direction is to deny or overturn the conditional use permit it is entitled to do so as a policy decision. Commissioner Ferdinand said the Board is not comfortable with the overall plan. Following the Board's comments, Commissioner Rule made a motion to rescind the conditional use permit for the Parks, Recreation and Waterways Master Plan, Case No. CU2011-4. The motion was seconded by Commissioner Alder and carried unanimously. The hearing concluded at 11:53 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING MAP CHANGE ORDINANCE FOR J.R. SIMPLOT COMPANY, CASE NO. RZ2011-11

The Board met today at 11:54 a.m. to consider signing a map change ordinance for the J.R. Simplot Company, Case No. RZ2011-11. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, DSD Director Kevin LoPiccolo, DSD Planner Deb Root, and Deputy Clerk Monica Reeves. At a public hearing held in January of 2012, the Board approved the request by the J.R. Simplot Company to rezone property from an "A" (Agricultural) zone to an "M-1" (Light Industrial) zone. The ordinance is the final step in amending the map to reflect that decision. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to approve the ordinance directing amendments to the Canyon County Zoning Map for the J.R. Simplot Company rezone request. (#12-003).

MEET WITH TRIAL COURT ADMINISTRATOR REGARDING REGISTRATION EXPENSE FOR TRAINING

The Board met today at 1:31 p.m. for a meeting with the Trial Court Administrator regarding the registration expense for a conference that offers specialized training for court evaluators. Present were: Commissioners Kathy Alder and Steve Rule, Trial Court Administrator Dan Kessler, Family Court Services Coordinator Michelle Ensworth, and Deputy Clerk Monica Reeves. Dan Kessler said the evaluators do work for the courts on an as-needed basis, they are not county employees. Michelle Ensworth wants to use \$750 from the family courts services budget to pay for the specialized training for custody evaluators.

She spoke about the need for training and how the evaluators perform the service at a reduced rate and by going to the conference they will have to take time away from their practices. Mr. Kessler said they want to make sure the evaluators are getting training so the courts can have better information. The Commissioners believe the training is an excellent idea and they have no problem with it being paid from the family court services budget. The meeting concluded at 1:43 p.m. An audio recording is on file in the Commissioners' Office.

SEVENTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO FEBRUARY 22, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED PURCHASE ORDER

The Board approved the following purchase order: Facilities - \$3,803.72.

SIGNED WELFARE DOCUMENTS

The Board signed the following welfare documents: 2012006908, 2012006909, 2012006910, 2012006906, 2012006905, 2012006903, 2012006904, and 2012006907.

APPROVED PERSONNEL FORM

The Board approved a personnel form for: Roger Craig.

LEGAL STAFF UPDATE

The Board met today at 8:05 a.m. for a legal staff update. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Treasurer Tracie Lloyd, and Deputy Clerk Monica Reeves. Mr. Ericson reported that we need to renew our jail liability policy for the medical care workers. The premium increased because there are two more people on staff and there were 3,750 more patient encounters last year than the year before. The Board wants the premium paid from the jail budget. Mr. Ericson also reported on the upcoming meeting to convey odd lot properties to adjacent landowners. Because some neighbors are concerned about the access of one of the parcels on the list it was decided that the parcel will not be conveyed at this time. At 8:09 a.m. a request was made to go into Executive Session as follows:

EXECUTIVE SESSION - PERSONNEL MATTER; POTENTIAL LITIGATION MATTER, LITIGATION MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Alder made a motion to go into Executive Session at 8:09 a.m. pursuant to Idaho Code, Section 67-2345(1) (b), (d) and (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Alder, Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Kathy Alder, and Steve Rule, Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Ms. Lloyd left at 8:16 a.m. The Executive Session concluded at 8:40 a.m. While in open session, Commissioner Alder made a motion to continue the legal staff update to this afternoon at 1:30 p.m. The motion was seconded by Commissioner Rule and carried unanimously.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2008-879

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for Case No. 2008-879. Present were: Commissioners Steve Rule and Kathy Alder, Welfare Director Leslie Pardue, Deputy P.A. Carl Ericson, the applicant's husband, Attorney Dylan Eaton, and Deputy Clerk Monica Reeves. Welfare Exhibits No. 1 through No. 6 were offered. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to close testimony and take the case under advisement and issue a decision within 30 days. The hearing concluded at 9:49 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION AUTHORIZING THE ADOPTION OF CANYON COUNTY PARKS, RECREATION AND WATERWAYS MASTER PLAN

The Board met today at 1:20 p.m. to consider a resolution regarding the adoption of Canyon County Parks, Recreation and Waterways Master Plan. Present were: Commissioners Steve Rule and Kathy Alder, Parks Director Tom Bicak, DSD Director Kevin LoPiccolo, DSD Planner Deb Root, and Deputy Clerk Monica Reeves. DSD staff first presented the resolution to the Board a couple of months ago prior to Maurice Clements filing an appeal of the Canyon County Parks, Recreation and Waterways Master Plan. Staff was asked to reschedule it to late February, 2012. Yesterday, the Board held a hearing regarding Mr. Clements' appeal and they unanimously agreed to rescind the conditional use permit for the master plan. Based on that decision, the Board will not be supporting the resolution. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to deny the resolution. The meeting concluded at 1:28 p.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 1:42 p.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Alder made a motion to go into Executive Session at 1:42 p.m. pursuant to Idaho Code, Section 67-2345(1) (b) and (d). The motion was seconded by Commissioner Rule and carried unanimously. Present were: Commissioners Kathy Alder and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Carl Ericson, and Deputy Clerk Monica Reeves. Commissioner David Ferdinand arrived at 1:54 p.m. At 2:06 p.m., Tyson Rule joined the session via conference call. The call concluded at 2:15 p.m. The Executive Session concluded at 2:41 p.m. with no decision being called for in open session.

MEETING TO DISCUSS PROPERTY TAX EXEMPTION REQUEST FOR SOUTHWARK METAL

The Board met today at 3:03 p.m. to discuss a property tax exemption request for Southwark Metal. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Assessor Gene Kuehn, Chief Deputy Assessor Joe Cox, Deputy P.A. Carl Ericson, Steve Fultz from the Caldwell Economic Development Council (CEDC), and Deputy Clerk Monica Reeves. Mr. Fultz presented on behalf of the Southwark Metal, a Philadelphia-based manufacturing company that has submitted an application to the Caldwell Urban Renewal Agency for a funding consideration and an application for industrial revenue bonds. The company manufactures stainless steel duct work and they are looking to expand their business in Caldwell. They have 1,000 employees nationwide and on the initial opening they expect to hire 30 people, with an additional 20 within the first two to three years. CEDC is working with a development company on acquiring property that works for Southwark Metal and their future expansion. The first phase of the project includes a 79,500 square foot manufacturing facility at a cost of \$6 million. The long-term plan is to build up to 180,000 square feet and up to 100 jobs. According to Mr. Fultz, the company is requesting a five year tax exemption with the condition that they report on an annual basis to assure they are in substantial compliance with what they stated in their application. The

property is located within the Caldwell urban renewal area. There was discussion regarding proposed legislation that could affect urban renewal and exemptions. Joe Cox suggested the county do an exemption for a three year period on the real property and review the personal property annually so that we might have an opportunity to be reimbursed. He explained that urban renewal will have an opportunity to collect the reimbursement from the state, and if the county does a long-term exemption, urban renewal will not have that chance. Gene Kuehn said if we exempt the personal property for five years and if the legislation passes and the personal property from Southwark Metal is not on the books the county will not be paid. The county wants the reimbursement because once the exemption is over they will eventually pay property taxes on the personal property. The Board is excited for Southwark Metal to bring their business to Canyon County and they are willing to consider the exemption in one year increments, up to five years. Carl Ericson will work with the Assessor's Office to finalize the documents. Mr. Fultz will communicate to Southwark Metal that their tax exemption will be approved for up to five years at 75% with an annual review. If they are not in substantial compliance the Board has the authority to remove the exemption. Commissioner Alder made a motion to direct the Prosecutor's Office to draft documents in conformance with the terms discussed at today's meeting. The motion was seconded by Commissioner Rule and carried unanimously. The meeting concluded at 3:36 p.m. An audio recording is on file in the Commissioners' Office.

EIGHTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO FEBRUARY 23, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED KEY REQUEST

The Board approved the following key request: Dan Kessler.

MONTHLY MEETING WITH THE LANDFILL MANAGER TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 8:49 a.m. for a monthly meeting with the Landfill Manager to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Landfill Manager Jack Biddle, and Deputy Clerk Monica Reeves. The items discussed were general in nature and did not require Board action. The meeting concluded at 8:59 a.m. An audio recording of the meeting is on file in the Commissioners Office.

LEGAL STAFF UPDATE/JAIL OVERCROWDING DISCUSSION

The Board met today at 9:00 a.m. for a legal staff update. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Zach Wesley, Deputy P.A. Carl Ericson, Misdemeanor Probation Supervisor Jeff Breach, and Deputy Clerk Monica Reeves. The Board briefly discussed the upcoming interview schedule for the H.R. Director position, and the independent contractor agreement with Joe Bell; whether the Board wants to give P.V. Quinn and Company the right to author a book celebrating Canyon County's 120 year history; and a sobriety monitoring program for criminal offenders. Mr. Breach was present today for a discussion regarding jail crowding issues and how the Misdemeanor Probation Department is impacted. The Sheriff could not be reached so the Board decided to discuss the issue at tomorrow's legal staff update. The meeting concluded at 9:15 a.m. At 9:17 a.m., the Board went back on the record because the Sheriff and his staff arrived for the discussion regarding jail overcrowding. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Zach Wesley, Deputy P.A. Carl Ericson, Misdemeanor Probation Supervisor Jeff Breach, Sheriff Chris Smith, Lt. Daren Ward, Captain Dana Maxfield, PIO Joe Decker, and Deputy Clerk Monica Reeves. Over the weekend the misdemeanor probation office had an offender who needed to be sanctioned because he got a DUI and hadn't done anything the judge ordered him to do. When the probation officer took him to

the jail to serve his three days he was turned away because of a lack of bed space. Commissioner Ferdinand said in earlier discussions with the Sheriff he suggested that maybe the jail needs to designate bed space for probation violators. Dana Maxfield said more than half the jail population consists of probationers. A person comes in for three days discretionary jail time but the jail is at capacity and they can't accept anymore. Captain Maxfield said they have one inmate who is serving 145 days for not purchasing a driver's license and when everything is said and done it will cost over \$7,000 to house this person on something they were fined \$150 for and that is absurd. Commissioner Rule said these are the issues the public needs to know about because the overcrowding situation is preventing the probation officers from doing their jobs. Sheriff Smith said there is not much space to be had outside the county because the state is using county jails to house its prisoners. Staff recently informed him of a misdemeanor probation violator who was sentenced to 650 days in jail. Daren Ward said the judges have their hands tied with the people who have multiple offenses. (Deputy P.A. Mike Porter and Chief Deputy Sheriff Gary Deulen arrived at 9:32 a.m. Mr. Porter left at 9:38 a.m.) The group agreed that the judges need to be included in the discussion. Commissioner Rule said we can talk to the judges, but the issue is we do not have the capacity to enforce the programs that are working. Chief Deulen said the jail was built in 1992, and it's the same structure, yet look at how many new judges, probation officers, peace officers, prosecutors have been hired since then. The Board will discuss the issue with the administrative district judge. The meeting concluded at 9:45 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - PERSONNEL MATTER - DEPARTMENT HEAD PERFORMANCE EVALUATION

Commissioner Rule made a motion to go into Executive Session at 9:50 a.m. pursuant to Idaho Code, Section 67-2345(1) (b) to conduct a department head performance review. The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Weed and Gopher Control Superintendent Jim Martell, and Deputy Clerk Monica Reeves. The Executive Session concluded at 10:16 a.m. with no decision being called for in open session.

PUBLIC HEARING - REQUEST FOR COMPREHENSIVE PLAN "FUTURE LAND USE" MAP AMENDMENT AND REZONE REQUEST FROM "A" TO "R-R" FOR MICHAEL MCMICHAEL; CONSIDER SIGNING FCOS FOR COMP PLAN AMENDMENT AND REZONE

The Board met today at 10:36 a.m. to conduct a public hearing in the matter of a request by Michael McMichael for a comprehensive plan future land use amendment and rezone of approximately 28 acres from an "A" Agricultural Zone to an "R-R" Rural Residential Zone. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, DSD Director Kevin LoPiccolo, DSD Planner Deb Root, Jordan Child, and Deputy Clerk Monica Reeves. The property is located on the northwest corner of the intersection of Top Road and Middle Road. The subject properties are further described as a portion of the northwest quarter of Section 27, Township 4N, Range 4W, Boise-Meridian, Canyon County, Idaho. This case was heard by the Planning and Zoning Commission on February 2, 2012 and both the Comprehensive Plan Amendment and the subsequent rezone were recommended for approval to the Board. Deb Root gave the oral staff report. Kevin LoPiccolo offered comments on behalf of the Development Services Department. Jordan Child testified in support of the request. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to close testimony. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously to amend the future land use map amendment for RZ 2011-9. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the Findings of Fact, Conclusions of Law, and Order approving the requested rezone from "A" to "RR". The hearing concluded at 11:15 a.m. An audio recording is on file in the Commissioners' Office.

REVIEW AND CONSIDER COMMENTS RECEIVED REGARDING THE COUNTY'S INTENT TO CONVEY ODD LOT PROPERTIES TO ADJACENT LAND OWNERS

The Board met today at 1:36 p.m. to review and consider comments received regarding the County's intent to convey odd lot properties to adjacent land owners. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A Carl Ericson, Treasurer Tracie Lloyd, Kathryn Zaiss, and Deputy Clerk Monica Reeves. The following properties were considered:

ODD LOT PARCEL NO.

Parcel R26193
Parcel R36672
Parcel R38032017
Parcel R39140
Parcel R34692
Parcel R18537

ADJACENT LANDOWNER

Sarah J. Fisher
G.O. Investments
Earl Jones
Doris Ray
Marty Redd
Riverbend Estates, LC

Kathryn Zaiss offered comments regarding Parcel No. R39140. She said the legal consists of two parcels that are not contiguous and when the county references that parcel it includes her property and that makes her nervous. She wants to make sure her access rights are protected. Following comments it was decided that the county will not transfer Parcel No. R39140 at this point because there are issues with access for neighboring property owners. Carl Ericson will prepare a resolution for the other five properties that there have been no comment on. He will keep in contact with David Kerrick, the attorney who represents the neighboring owners, and advise that the county is open to resolving the situation with regard to Parcel No. R39140. The meeting concluded at 1:55 p.m. An audio recording is on file in the Commissioners' Meeting Room.

STATUS OF FUNDS HEARING FOR THE PARMA SENIOR CENTER IDAHO COMMUNITY DEVELOPMENT BLOCK GRANT

The Board met today at 2:01 p.m. for a status of funds hearing for the Parma Senior Center grant project. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Kendelle Vogt from IGOC (formerly known as Sage Community Resources), and Deputy Clerk Monica Reeves. Canyon County, on behalf of the Parma Senior Center, received an Idaho Community Development Block Grant in the amount of \$150,000 from the Idaho Department of Commerce. The funds are being used to install a new roof, a new ADA compliant bathroom and a new range/stove in the kitchen. Ms. Vogt said the project is nearing closeout. The total amount spent to date is \$133,786. There were a few changes due to construction cost overruns, but everything is now running smoothly. There may be a small amount of money left over so we may have to do a change order and give it back to the Department of Commerce. It was noted for the record that no citizens appeared at today's hearing to offer comments. The hearing concluded at 2:06 p.m. An audio recording is on file in the Commissioners' Office.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board resolved that the Chairman is authorized to sign an Alcoholic Beverage License for:

#12-022 Beer/Liquor License: Reyes Mexican Grill

CONSIDER SIGNING AN ORDINANCE DIRECTING AMENDMENTS TO THE CANYON COUNTY ZONING MAP FOR ROB ROBERTSON

The Board met today at 2:21 p.m. to consider signing an ordinance directing amendments to the Canyon County Zoning Map for Rob Robertson. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, DSD Director Kevin LoPiccolo, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. The subject property consisting of 5.665 acres is rezoned from an Agricultural Zone to a Rural-Residential Zone. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted

unanimously to sign the ordinance, a copy of which is on file with this day's minute entry. The meeting concluded at 2:34 p.m. An audio recording is on file in the Commissioners' Office. (#12-004)

NINTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO FEBRUARY 24, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
Commissioner Steve Rule
Commissioner Kathy Alder
Deputy Clerks Monica Reeves and Claudia Amaral

PAYMENT OF CLAIMS ORDER #2-24-12

The Board of Commissioners approved payment of County claims in the amount of \$96,688.84, \$93,369.64, \$131,803.04, \$86,005.00, \$135,657.09, \$9,372.53 for accounts payable.

PAYMENT OF CLAIMS ORDER #1210

The Board of Commissioners approved payment of County claims in the amount of \$1,106,360.99 for a county payroll.

SIGNED WELFARE DOCUMENTS

The Board signed the following welfare documents: 2012007342, 2012007343, 2012007344, 2012007346, 2012007341, and 2012007345.

APPROVED DECEMBER 2011 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of December 2011 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.

MEET WITH ERIC TRAYNOR AND AARON SHEFF FROM DEQ REGARDING BROWNFIELDS

The Board met today at 9:09 a.m. with Eric Traynor and Aaron Sheff from DEQ regarding brownfields. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Carl Ericson, Eric Traynor, Aaron Sheff, and Deputy Clerk Monica Reeves. The first topic of discussion was the former Mahafee Oil property in Parma. The property is in need of a cleanup, but more investigation is required. The expense is the tipping fees to the landfill and backfill. Mr. Traynor asked if the Board would waive the landfill tipping fees which will reduce the cost of cleanup by quite a bit. He also asked if there is a county-owned gravel pit that could be used for backfill. They are not asking for any cash from the county. DEQ will fund the excavation, trucking, backfilling and compaction. Mr. Traynor expects they will need 500 to 700 yards of backfill. With excavation, trucking fees and reporting, the total cost will be approximately \$30,000. Aaron Sheff said his program can cover the rest of that. His funding comes from EPA. He said they try to earmark as much as legally permissible for assessments and do limited cleanups and he believes the Mahafee property is a perfect site for that. Mr. Sheff said it is a long and arduous process because federal strings are attached with a free cleanup. If action is taken immediately they can do it in the summer. They have to do community involvement plan, which generally isn't a big deal and allow for a 30-day comment period on the cleanup plan. Also, there will be more regulations from EPA that require additional review. DEQ will take care of cost if the county waives the tipping fees and takes care of the backfill. The Board agreed to waive landfill fees. Commissioner Rule will find a source for the backfill in the next 3-4 weeks. The second item of discussion dealt with the Warrior of Idaho property (formerly Kit Manufacturing), which is located in Caldwell. Zions Bank holds the note on the

property and they have hired a company to do testing and they found some perc in the groundwater which is very concerning. Commissioner Ferdinand said the county wants to find out what kind of liability there is if it takes the property for back taxes, and whether we can access the brownfields program to get the property back on track. Mr. Traynor said the problem is we don't know what is happening on the property because the current owners have abandoned it. DEQ has filed a suit against Warrior of Idaho and they cannot get access. Mr. Sheff said without access we are dead in the water. He said taking a property by tax deed is considered an involuntary action and it triggers a defense liability. There are reasonable steps you have to take that include: removing the contamination from the property; allowing access for DEQ to assess property; 20% match; etc. Mr. Traynor said once the county takes it by tax deed an access agreement will give DEQ access to the property. He said brownfield does not get rid of waste, and he is not sure if DEQ has funding for that. Commissioner Rule is nervous about bringing on a tax burden unless the county is protected. Deputy P.A. Carl Ericson asked if we can reach an agreement with the enforcement group noting that the county is at a state to either take it and comply with the law or not take it and violate the law. A global agreement is needed. Mr. Traynor said enforcement has to do with what's in the buildings - the hazardous materials that are not being handled properly. He spoke about how easy it is to get rid of the waste. Mr. Sheff said it could take three months for the assessment, and if the site needs to be cleaned up we are operating on limited time. Mr. Traynor said if the county notifies him that it is moving forward he can do the preliminary steps to get permission to spend the funds. If funding can be provided they could go in and do it quickly. DEQ will forward additional information to the Prosecutor's Office and will stay in touch on this topic. The meeting concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

MEET WITH THE IDAHO ANIMAL DAMAGE CONTROL DISTRICT

The Board met today at 10:11 a.m. with the Idaho Animal Damage Control District. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Todd Grim from the Department of Agriculture, George Quenzer, Eric Hansen, Gregg Hansen, and Deputy Clerk Monica Reeves. Mr. Grim presented the Board with reports that show the activities the district has been involved with in Canyon County for the past two years. The reports include the time employees spend on predator control as well as the types of animals that are

targeted and the methods used to trap them. Commissioner Alder would like to see what each county pays, as well as how much funding the district receives from the state and federal governments. George Quenzer said Canyon County is the only county in the southwest area that is not contributing. Other counties contribute in the range of \$1,000 and \$6,500. Canyon County used to provide funding in the amount of \$1,000 and then it increased to \$2,000 but then it decided to stop funding the program. The Board thanked the gentlemen for the information and said it will consider the funding request during the budget process. Mr. Quenzer said the Boise office will send a letter requesting funds in the coming weeks. The meeting concluded at 10:31 a.m. An audio recording 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 10:45 a.m. for a biweekly meeting with the Fleet Director to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Fleet Director Mark Tolman, and Deputy Clerk Monica Reeves. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:57 a.m. An audio recording of the meeting is on file in the Commissioners Office.

TENTATIVE AWARD OF CONTRACT FOR DARK FIBER RFP

The Board met today at 10:37 a.m. for a tentative award of contract for the dark fiber project. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, CIO Rob Hopper, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Three bids were received; the highest bid was in the amount of \$110,000; one was over \$70,000 and the lowest bid was \$58,500. Rob Hopper talked to the low bidder (Circle H Construction) to make sure it included everything the county wants; he is satisfied with the bid. The low bidder is the same contractor who installed the last conduit. Zach Wesley has prepared a contract with Circle H Construction with a start date of March 5, 2012. The Board will consider the contract next week. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously to

tentatively award the dark fiber contract to Circle H Construction. The meeting concluded at 10:43 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - REAL ESTATE MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 11:03 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a real estate matter and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Alder made a motion to go into Executive Session at 11:04 a.m. pursuant to Idaho Code, Section 67-2345(1) (c) and (d). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Alder, Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Kathy Alder, and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, and Deputy Clerk Monica Reeves. Deputy P.A. Carl Ericson arrived at 11:24 a.m. The Executive Session concluded at 11:51 a.m. with no decision being called for in open session.

TENTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO FEBRUARY 27, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
Commissioner Steve Rule
Commissioner Kathy Alder
Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED PURCHASE ORDER

The Board approved the following purchase order: Parks - \$2,000.00.

PAYMENT OF CLAIMS ORDER #2-27-12

The Board of Commissioners approved payment of County claims in the amount of \$12,841.00 for a accounts payable.

APPROVED VACATION LEAVE TO OTHER EMPLOYEE FOR SICK LEAVE

The Board approved vacation leave to another employee for sick leave for: Stephanie Veach. A copy of the document is in this day's minutes.

CONSIDER APPROVING PRECINCT BOUNDARIES AND COMMISSIONER DISTRICTS

The Board met today at 8:15 a.m. to consider approving precinct boundaries and Commissioner Districts. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Clerk Chris Yamamoto, Chief Deputy Clerk Brad Jackson, GIS Mapping Supervisor Sarah Higuera, Elections Supervisor Terry Warwick, and Deputy Clerk Monica Reeves. The Board reviewed the maps that were prepared by the GIS department with input from the Elections Office. The maps will be effective for the May 2012 primary election. Roger Buhler and Public Information Officer Joe Decker arrived at 8:27 a.m. Upon the motion of Commissioner Alder, and the second by Commissioner Rule, the Board voted unanimously to the new precincts boundaries and commissioner districts. The approved maps are on file with this day's minute entry. The meeting concluded at 8:30 a.m. An audio recording is on file with this day's minute entry.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:36 a.m. for an office staff meeting. Present were: Commissioners David Ferdinand, Kathy Alder, and Steve Rule, Public Information Officer Joe Decker, Deputy Clerks Becky Chandler, Claudia Amaral and Monica Reeves. Items of a general nature were discussed. Ms. Amaral and Ms. Chandler left at 8:48 a.m. Mr. Decker reported on public information items. No Board action was required or taken. The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS MEETING

The Board met today at 9:05 a.m. for an elected officials meeting. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Clerk Chris Yamamoto, Chief Civil Deputy P.A. Sam Laugheed, Assessor Gene Kuehn, Treasurer Tracie Lloyd, and Deputy Clerk Monica Reeves. Sheriff Chris Smith arrived at 9:10 a.m. Today's discussion was general in nature and did not require Board action. The meeting concluded at 9:24 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - PERSONNEL MATTER: INTERVIEW EVALUATION

Commissioner Rule made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 67-2345(1) (a). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Zach Wesley, Tyson Rule, Doug Hetherington, Rich Wright, and Deputy Clerk Monica Reeves. Dwayne Newkirk arrived at 9:35 a.m., and left at 10:17 a.m. Shawn Smith arrived at 10:20 a.m., and left at 10:56 a.m. Audra Pratt joined the session via Skype at 11:02 a.m. The video conference call concluded at 11:40 a.m. Bruce Moore arrived at 11:45 a.m., and left at 12:17 p.m. The Board took a lunch recess from 12:17 p.m. to 1:10 p.m. The Executive Session resumed at 1:10 p.m. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Zach Wesley, Tyson Rule, Doug Hetherington, Rich Wright, and Deputy

Clerk Monica Reeves. Sherry Hartman arrived at 1:14 p.m., and left at 2:02 p.m. Jan Baxter arrived at 2:04 p.m., and left at 2:44 p.m. Holly Wimer joined the session via Skype at 2:45 p.m. The video conference call concluded at 3:35 p.m. Jeannine Eiband arrived at 3:37 p.m. and left at 4:20 p.m. The Executive Session concluded at 4:45 p.m. with no decision being called for in open session.

POSTPONE HEARING RE TIME EXTENSION REQUEST FOR WESTERN IDAHO DEVELOPMENT, CASE NO. RFE2011-5; POSSIBLE WRITTEN DECISION TO FOLLOW

The Board met today at 4:45 p.m. to consider a time extension request for Western Idaho Development, Case No. RFE2011-5. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, and Deputy Clerk Monica Reeves. Due to scheduling conflicts, today's hearing had to be postponed to later in the week. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to postpone the hearing to March 1, 2012 at 2:30 p.m. The meeting concluded at 4:46 p.m. An audio recording is on file in the Commissioners' Office.

ELEVENTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO FEBRUARY 28, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED KEY REQUEST

The Board approved the following key request: Dawn Gardner.

APPROVED PERSONNEL FORM

The Board approved a personnel form for: Bailey Wilson, Sarah Kipper, Jessica Hartley, Dawn Gardner, and Melinda Chynoweth.

SIGNED WELFARE DOCUMENTS

The Board signed the following welfare documents: 2012007586, 2012007582, 2012007583, 2012007584, and 2012007585.

CONSIDER SIGNING MOU BETWEEN THE IDAHO NATIONAL GUARD AND CANYON COUNTY SHERIFF'S OFFICE FOR USE OF IDNG SMALL ARMS RANGE FACILITIES

The Board met today at 8:46 a.m. to consider signing a Memorandum of Understanding of between the Idaho National Guard and Canyon County Sheriff's Office for use of small arms range facilities. Present were: Commissioners David Ferdinand and Steve Rule, Deputy P.A. Mike Porter, Mike Armstrong and Cary Salazar from the Sheriff's Office, and Deputy Clerk Monica Reeves. The MOU will grant access and license to the Sheriff's Office to use the IMD Orchard Training Area Small Arms Ranges and Facilities for small arms training and qualifications. Upon the motion of Commissioner Rule and the second by Commissioner Ferdinand, the Board voted unanimously to sign the MOU, a copy of which is on file with this day's minute entry. The meeting concluded at 8:52 a.m. An audio recording is on file in the Commissioners' Office. (#12-022)

LEGAL STAFF UPDATE

The Board met today at 9:03 a.m. for a legal staff update. Present were: Commissioners David Ferdinand and Steve Rule, Deputy P.A. Zach Wesley, Chief Civil Deputy P.A. Sam Laugheed, Lt. Todd Herrera, Sheriff's Project Manager Lorraine Elfering, and Deputy Clerk Monica Reeves. The following topics were briefly discussed: A call has been placed to The Hartwell Corporation regarding an insurance issue related to polling places; letter to Pat

Quinn regarding a county history book. At 9:08 a.m. a request was made to go into Executive Session as follows:

EXECUTIVE SESSION - PERSONNEL MATTER; LITIGATION MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Rule made a motion to go into Executive Session at 9:08 a.m. pursuant to Idaho Code, Section 67-2345(1) (a), (d) and (f). The motion was seconded by Commissioner Ferdinand. A roll call vote was taken on the motion with Commissioners Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand and Steve Rule, Deputy P.A. Zach Wesley, Chief Civil Deputy P.A. Sam Laugheed, Lt. Todd Herrera, Sheriff's Project Manager Lorraine Elfering, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:48 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.

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

The Board met today at 9:50 a.m. for a weekly meeting with the Chief Information Officer to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand and Steve Rule, Chief Information Officer Rob Hopper, and Deputy Clerk Monica Reeves. Mr. Hopper spoke about the amount of time his staff spends on the poll books for the Elections Office. The Board said the discussion needs to include the Clerk. (Sheriff Chris Smith arrived at 9:59 a.m.) Mr. Hopper wants to bring the Solid Waste Department (Landfill) onto the county's email and voice mail system, which will result in a small costs savings. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:09 a.m. An audio recording of the meeting is on file in the Commissioners Office.

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

The Board met today at 1:31 p.m. for a weekly meeting with the Public Information Officer to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Public Information Officer Joe Decker, and Deputy Clerk Monica Reeves. Mr. Decker reported on the issues he has been working on with various county offices and departments. The items discussed were general in nature and did not require Board action. The meeting concluded at 2:01 p.m. An audio recording of the meeting is on file in the Commissioners Office.

WEEKLY MEETING WITH THE PARKS, RECREATION AND WATERWAYS DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 2:01 p.m. for a weekly meeting with the Parks, Recreation and Waterways Director to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Public Information Officer Joe Decker, and Deputy Clerk Monica Reeves. Mr. Decker reported on the issues he has been working on with various county offices and departments. The items discussed were general in nature and did not require Board action. The meeting concluded at 2:11 p.m. An audio recording of the meeting is on file in the Commissioners Office.

MONTHLY MEETING TO DISCUSS E911 ACCOUNT

The Board met today at 2:15 p.m. for a meeting to discuss the E911 account. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder; Chief Deputy P.A. Sam Laugheed; Deputy P.A. Zach Wesley; PIO Joe Decker; Clerk Chris Yamamoto; Controller Zach Wagoner; Sheriff Chris Smith; Sheriff's Project Manager Lorraine Elfering; Dispatch Manager Roxanne Wade; Lt. Todd Herrera; Statistical Analyst Angie Stokke; Captain Craig Hanson; Sherman Kester; Ambulance District Director Greg Owen; Scott Tucker; Wilder Mayor John Bechtel; Wilder Fire Chief Doug Amick; Caldwell Mayor Garret Nancolas; Caldwell Fire Chief Mark Wendelsdorf; Caldwell Police Chief Chris Allgood;

Attorney Mark Hilty; Caldwell Finance Director ElJay Waite; John Engle and Russ Steiner from Melba Fire; Richard Davies, Nampa Fire; Parma Mayor Craig Telford; Parma Police Chief Albert Ericson; Gary Rohwer and James Cook from Parma Fire; and Deputy Clerk Monica Reeves. The topics of discussion were as follows:

Dispatch Manager Roxanne Wade reported that the dispatch center is down four call takers. She expects it will be a couple of months before they are staffed and trained.

Zach Wagoner reported that the county has a separate fund to account for e911 monies. As of September 30, 2011, there was a fund balance of nearly \$800,000. As of January 31, 2012, the balance was down to \$70,000. To date they have spent 70% of the annual allotment for the B budget (anything outside of salaries and benefits). The deposit for February has not been received. Lorraine Elfering said they typically deposit \$90,000 per month. She takes a certain percentage out for Nampa, but as of April 1st that will stop and everything will stay with the county. \$470,000 has been spent in the service contracts line item. Ms. Elfering reported that expenditures include the following: the monthly fee for Motorola for the 700 MHz system; annual maintenance of the Spillman system; Ada County to maintain the master site; and smaller maintenance with the four tower sites; 911 telephones in the dispatch center; Century Link for maintenance of the 911 database. Mr. Wagoner noted \$340,000 has been spent this year from the capital line item for communications equipment.

Lorraine Elfering submitted a request to purchase receivers from HipLink that enables smart phone technology to receive text messages for emergency calls for service within Canyon County from the Spillman CAD system. The cost for 250 receiver licenses and 10 user licenses is \$7,600. This will enable more receivers to be added to the existing system. Chief Wendelsdorf and Chief Amick stated they support the purchase of the system. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to approve the expenditure of funds for the HipLink system. A purchase order will be submitted to the Board at a later date. Caldwell Police Chief Allgood reported that the Caldwell Police Department is requesting funds to pay the quarterly ILETS access/user fee in the amount of \$1,406.25. Historically, E911 funds have been used to pay the fee. Sheriff Chris Smith is in support of the request. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the

Board voted unanimously to authorize the expenditure of funds in the amount of \$1,406.25 for the quarterly ILETS access/user fee.

Lt. Todd Herrera reported on the ISRUG (Idaho State Radio Users Group). He will look into purchasing radios and pagers for the Wilder Fire Department so they can be brought onto the 700 MHz system. He hopes to use homeland security dollars for the purchase, but if there isn't enough money he will ask the advisory board for e911 funds. Lt. Herrera reported that the master site computer in Meridian is starting to age and upgrades are necessary. Currently, the county pays \$28.85 per subscriber, per year for the 855 subscribers who are on the system. Motorola will upgrade the system from a 7.4 level to a 7.8, and then a 7.13 level. We will get a free upgrade to the 7.8 level (which is a \$50,000 to \$100,000 savings.) The county will have to pay for the next upgrade. It's been suggested that instead of making a large payment in a few years, we would go on a lifecycle plan where we pay a little each year toward upgrading the site. Lt. Herrera believes this will make it easier to know what we're budgeting for. The process is continuing and as he learns more information he will bring it to the Board. He noted that the fee is paid with E911 funds. In response to Commissioner Rule's question about running out of 911 funds, Ms. Elfering said she does not believe 911 funds will go away. She said the layout will change because we will move to next generation 911 so there will be changes as to how calls come into the dispatch center. Chief Amick said that is a concern, and he doesn't want to be on the 700 MHz system. Lt. Herrera said this group needs to evolve and do some long term planning. He reported that there are 1,297 channels that are authorized on the five communication tower sites.

Sam Laugheed reported that there were three recommendations from the IECC following the mediation hearings. The first was to reestablish or modify the advisory board; the second was that cities, fire districts, ambulance districts, and other entities should contribute to the funding of the PSAP; and the third was that the entities that use the PSAP should use good faith in determining the formula used for funding which should be determined no later than May 1st of each year. The Board of Commissioners is seeking input about how to craft the joint powers agreement so it respects all the stakeholders' concerns and establishes a fair funding mechanism.

Angie Stokke said the funding formula includes the total number of calls that generated a unit to be dispatched to a citizen. The assist unit calls were not included. The formula does not include citizen inquiry calls, or transfers, or communication with the center. Sheriff Smith noted that the county gave a five percent (5%) discount to give the agencies credit for taxes that are paid within the city. Those agencies that had less than 5% of the calls were not charged. Only the City of Caldwell and the Canyon County Ambulance District were charged; both agencies received a 5% discount. Mayor John Bechtel said the City of Wilder appreciates being exempted from the fee because the city does not have the funds to pay for the calls, nor will the city agree to a fee. He suggested the county increase the levy across the county to pay for the costs. Zach Wagoner said that cannot be done because the justice fund is at its levy maximum.

Russ Steiner questioned the amount of calls to the dispatch center that were actual emergency calls. Ms. Stokke said the 80,000 to 90,000 calls that were received generated an incident number in the system and all communications after the initial incident was started were removed from the equation.

Mark Hilty said he has a redline version of the joint powers agreement that he hopes to send to the Prosecutor's Office by the end of the week that shows the direction the City of Caldwell is heading. He believes we need to move forward on two fronts: what is our joint powers board going to look like? And, how are we going to fund it? Mr. Hilty said the city's concern is that its residents need credit for paying taxes because when you draw from a pool that already has city tax dollars in it the city residents are paying their fair share. He suggested a working group be formed to address the issues; the group would consist of two representatives from each agency. Gary Rohwer recommended having one elected official and an operations person who can answer the technical questions the group may have. Sam Laugheed said there have been multiple meetings where we've tried to reach those agreements but they've fallen apart, but if the group can break it down and get the work done that would be great. Mayor Garrett Nancolas agrees with forming a working group; he and ElJay Waite will both serve on the group. During discussion, it was agreed that each agency will appoint two representatives to serve. With 16 entities and two representatives from each that will result in 32 representatives, which is a large group, but the hope is that as we reach common ground maybe the size of the group will shrink. Chief Wendelsdorf said there are two separate groups that need to be

established: one group should consist of first responders or agency heads taking more of an active role; the second group will assist in the management of the dispatch center. Mayor Nancolas agreed and said there are two separate issues: one will deal with governance, the other with funding, and they both need dealt with in their own realm. Sheriff Smith said the meeting needs to be set quickly because the May 1st deadline is fast approaching. Lt. Herrera will compile a list of agencies and set the meeting immediately. The meeting concluded at 3:24 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH THE MISDEMEANOR PROBATION SUPERVISOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 3:28 p.m. for a weekly meeting with the Misdemeanor Probation Supervisor to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Misdemeanor Probation Supervisor Jeff Breach, and Deputy Clerk Monica Reeves. Mr. Breach reported on departmental issues that were general in nature and did not require Board action. He did however ask the Board to consider changing his title from supervisor to chief officer or director so that it is reflective of what he does. The Board will ask the H.R. Director to look into a title change. The meeting concluded at 3:34 p.m. An audio recording of the meeting is on file in the Commissioners Office.

CONSIDER SIGNING CLOSING DOCUMENTS FOR THE SALE OF LOTS 14-15, HAPPY DAY BUSINESS CENTER TO CANYON COUNTY AMBULANCE DISTRICT

The Board met today at 3:46 p.m. to consider signing closing documents for the sale of Lots 14-15 of the Happy Day Business Center to the Canyon County Ambulance District. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Carl Ericson, Ambulance District Director Greg Owen, District Secretary Cindy Fullerton, Jill Farwell from Pioneer Title Company, and Deputy Clerk Monica Reeves. The Board of Commissioners also sat as the Board of Ambulance District Commissioners for this matter. There was some confusion as to which agenda should include the signing of the closing documents. The County Commissioners' agenda was updated during the

morning of February 27 to reflect the following action item: *Proposed amendment – Consider signing closing documents for the sale of Lots 14-15 of the Happy Day Business Center to the Canyon County Ambulance District.* Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously to amend the agenda to include the signing of the closing documents. Once closing costs are paid, the ambulance district will owe Canyon County \$114,395. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the closing documents for the sale of Lots 14-15 of the Happy Day Business Center. The signed documents are on file with this day's minute entry. The meeting concluded at 3:53 p.m. An audio recording is on file in the Commissioners' Office.

TWELFTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO FEBRUARY 29, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
 Commissioner Steve Rule
 Commissioner Kathy Alder
 Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED KEY REQUEST

The Board approved the following key request: Brenda Lawrence.

APPROVED PERSONNEL FORMS

The Board approved a personnel form for: Teri Whilden, Travis Rice, Josh Taylor, Debbie Gibson, Bobbi Jo Brown, Barbara Mayberry, Terry Warwick, and Kathy Zubiante.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders: Information Technologies - \$3,354.40, Facilities - \$1,993.00, \$3,604.50.

EXECUTIVE SESSION - PERSONNEL MATTER: INTERVIEW EVALUATION

Commissioner Alder made a motion to go into Executive Session at 4:01 p.m. pursuant to Idaho Code, Section 67-2345(1) (a) (b) (c). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, Alder and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Deputy P.A. Zach Wesley and Deputy Clerk Becky Chandler. Jeannine Eiband arrived at 4:02 p.m. Prosecuting Attorney Bryan Taylor arrived at 4:40 p.m. and left the meeting at 4:49 p.m. The Executive Session concluded at 4:50 p.m. At 4:50 p.m., on the record, Commissioner Rule made a motion to formally offer the position of Human Resources Director to Jeannine Eiband. Commissioner Alder seconded that motion and it carried unanimously. Ms. Eiband accepted the offer of employment. The meeting concluded at 4:51 p.m.

THIRTEENTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO

MARCH 1, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
Commissioner Steve Rule
Commissioner Kathy Alder
Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED PURCHASE ORDER

The Board approved the following purchase order: Sheriff - \$10,388.65.

CONTINUE MEDICAL INDIGENCY HEARINGS

The Board met today at 8:25 a.m. to continue medical indigency hearings by signed stipulation. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Welfare Director Leslie Pardue, Deputy P.A. Carl Ericson, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to continue medical indigency hearings by signed stipulation as follows:

Case No. 2011-1437 was continued to March 15, 2012 at 8:30 a.m.

The following cases were continued to April 12, 2012 at 8:30 a.m.: Case Nos. 2012-156, 2011-1372, 2012-230 & 2011-766.

The following cases were continued to April 26, 2012 at 8:30 a.m.: 2011-1365, 2011-192, & 2012-126.

The following cases were continued to May 31, 2012 at 8:30 a.m.: Case Nos. 2012-234, 2012-29, 2012-296, 2012-154, & 2012-112.

Case No. 2012-46 was continued to June 21, 2012 at 8:30 a.m.

The proceeding concluded at 8:26 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2011-1540

The Board met today at 8:50 a.m. to conduct a medical indigency hearing for Case No. 2011-1540. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Welfare Director Leslie Pardue, Deputy P.A. Carl Ericson, Attorney Mark Peterson, Vandy Damany from St. Luke's Regional Medical Center, the applicant, the applicant's friend, and Deputy Clerk Monica Reeves. Commissioner Rule left at 9:15 a.m. Commissioner Alder made a motion to close testimony and continue the hearing to May 31, 2012 at 8:30 a.m. The motion was seconded by Commissioner Ferdinand and carried unanimously. The hearing

concluded at 9:22 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-169

The Board met today at 9:26 a.m. to conduct a medical indigency hearing for Case No. 2012-169. Present were: Commissioners David Ferdinand and Kathy Alder, Welfare Director Leslie Pardue, Deputy P.A. Carl Ericson and Deputy Clerk Monica Reeves. Neither the hospital representative nor the applicant appeared for today's hearing. Upon the motion of Commissioner Alder and the second by Commissioner Ferdinand, the Board voted to continue the hearing to June 21, 2012. The hearing concluded at 9:28 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-149

The Board met today at 9:32 a.m. to conduct a medical indigency hearing for Case No. 2012-149. Present were: Commissioners David Ferdinand and Kathy Alder, Welfare Director Leslie Pardue, Deputy P.A. Carl Ericson, Attorney Mark Peterson, Jessie Barcroft from St. Luke's Regional Medical Center, the applicant, and Deputy Clerk Monica Reeves. Commissioner Alder made a motion to close testimony and continue the hearing to May 31, 2012 at 8:30 a.m. The motion was seconded by Commissioner Ferdinand and carried unanimously. The hearing concluded at 9:40 a.m. An audio recording is on file in the Commissioners' Office.

UPHOLD ORIGINAL DENIAL DATES FOR MEDICAL INDIGENCY CASES FOR ST. LUKE'S REGIONAL MEDICAL CENTER

The Board met today at 9:44 a.m. regarding medical indigency cases for St. Luke's Regional Medical Center. Present were: Commissioners David Ferdinand and Kathy Alder, Welfare Director Leslie Pardue, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Ferdinand, the Board voted unanimously to uphold the original denial dates for the following cases: Case Nos. 2011-996 (original denial dated June 8, 2011); 2011-1061 (original denial dated July 13, 2011); and 2012-173 & 2012-137 (original denials dated December 14, 2011). The proceeding concluded at 9:47 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-119

The Board met today at 9:53 a.m. to conduct a medical indigency hearing for Case No. 2012-119. Present were: Commissioners David Ferdinand and Kathy Alder, Welfare Director Leslie Pardue, the applicant, and Deputy Clerk Monica Reeves. Commissioner Alder made a motion to close testimony and that the original denial dated November 30, 2011, be upheld. The motion was seconded by Commissioner Ferdinand and carried unanimously. The hearing concluded at 9:58 am. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-142

The Board met today at 10:01 a.m. to conduct a medical indigency hearing for Case No. 2012-142. Present were: Commissioners David Ferdinand and Kathy Alder, Welfare Director Leslie Pardue, the applicant and his wife, and Deputy Clerk Monica Reeves. Commissioner Alder made a motion to close testimony and that the original denial dated December 14, 2011, be upheld. The motion was seconded by Commissioner Ferdinand and carried unanimously. The hearing concluded at 10:15 am. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-241

The Board met today at 10:20 a.m. to conduct a medical indigency hearing for Case No. 2012-241. Present were: Commissioners David Ferdinand and Kathy Alder, Welfare Director Leslie Pardue, the applicant, the applicant's friend, and Deputy Clerk Monica Reeves. Commissioner Alder made a motion to close testimony and that the original denial dated December 14, 2011, be upheld. The motion was seconded by Commissioner Ferdinand and carried unanimously. The hearing concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2012-148

The Board met today at 10:37 a.m. to conduct a medical indigency hearing for Case No. 2012-148. Present were: Commissioners David Ferdinand and Kathy Alder, Welfare Director Leslie Pardue, the applicant, and Deputy Clerk Monica Reeves. Commissioner Alder made a motion to close testimony and that the original denial dated December 14, 2011, be upheld. The motion was seconded by Commissioner Ferdinand and carried unanimously. The hearing concluded at 10:43 a.m. An audio recording is on file in the Commissioners' Office.

UPHOLD ORIGINAL DENIAL DATES FOR MEDICAL INDIGENCY CASES FOR SAINT ALPHONSUS REGIONAL MEDICAL CENTER (NAMPA)

The Board met today at 10:44 a.m. regarding medical indigency cases for Saint Alphonsus Regional Medical Center (Nampa). Present were: Commissioners David Ferdinand and Kathy Alder, Welfare Director Leslie Pardue, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Ferdinand, the Board voted unanimously to uphold the original denial dates for the following cases: Case Nos. 2011-777 (original denial dated May 16, 2011); and 2012-127 (original denial dated December 14, 2011). The proceeding concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

UPHOLD ORIGINAL DENIAL DATES FOR MEDICAL INDIGENCY CASES FOR SAINT ALPHONSUS REGIONAL MEDICAL CENTER (BOISE)

The Board met today at 10:46 a.m. regarding medical indigency cases for Saint Alphonsus Regional Medical Center (Boise). Present were: Commissioners David Ferdinand and Kathy Alder, Welfare Director Leslie Pardue, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Ferdinand, the Board voted unanimously to uphold the original denial dates for the following cases: Case Nos. 2011-896 (original denial dated May 25, 2011); and 2011-1455 (original denial dated October 19, 2011). The proceeding concluded at 10:49 a.m. An audio recording is on file in the Commissioners' Office.

UPHOLD ORIGINAL DENIAL DATES FOR MEDICAL INDIGENCY CASES FOR WEST VALLEY MEDICAL CENTER

The Board met today at 10:49 a.m. regarding medical indigency cases for West Valley Medical Center. Present were: Commissioners David Ferdinand and Kathy Alder, Welfare Director Leslie Pardue, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Ferdinand, the Board voted unanimously to uphold the original denial dates for the following cases: Case Nos. 2012-47, 2012-17, & 2012-7, (original denial dated November 16, 2011); 2011-1441 (original denial dated September 26, 2011); 2011-1250 (original denial dated August 10, 2011); and 2012-111 & 2012-123 (original denial dated November 30, 2011). The proceeding concluded at 10:54 a.m. An audio recording is on file in the Commissioners' Office.

HOLD MEDICAL INDIGENCY CASES IN SUSPENSION

The Board met today at 10:57 a.m. to hold certain medical indigency cases in suspension. Present were: Commissioners David Ferdinand and Kathy Alder, Welfare Director Leslie Pardue, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Ferdinand, the Board voted unanimously to hold the two cases in suspension as recommended by the Welfare Director. The proceeding concluded at 10:57 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - LITIGATION MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 11:33 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a litigation matter and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Rule made a motion to go into Executive Session at 11:33 a.m. pursuant to Idaho Code, Section 67-2345(1) (d) and (f). The motion was seconded by Commissioner Alder. A roll call vote was taken on the motion with Commissioners Alder, Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder; Chief Civil Deputy P.A. Sam Laugheed; and Deputy Clerk Monica Reeves. Deputy P.A. Carl Ericson arrived at 11:37 a.m. Commissioner Rule left at 11:48 a.m. The Executive Session concluded at 12:02 p.m. with no decision being called for in open session.

CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENT WITH JOE BELL

The Board met today at 1:22 p.m. to consider signing an independent contractor agreement with Joe Bell. Present were: Commissioners David Ferdinand and Kathy Alder, Clerk Chris Yamamoto, Chief Civil Deputy P.A. Sam Laugheed, Joe Bell, and Deputy Clerk Monica Reeves. The agreement memorializes our relationship with Bell and for each project he works on there will be a different project scope of services so we can keep track of what issues he's working on. It allows the other elected officials to memorialize what their project is and then it will come back to the Board for review. No work will be authorized for Mr. Bell to do for compensation until the project scope of services is signed by the Board. (Chief Deputy Clerk Brad Jackson arrived at 1:28 p.m.) The compensation shall not exceed an hourly wage between \$12.00 and \$15.00 and the total sum of all such projects this fiscal year shall not exceed \$25,000. Mr. Bell will meet with the Board and the Clerk every two weeks for a report on the projects he is working on. Clerk Yamamoto said if the Board signs the agreement would like to negate the agreement he currently has in place with Mr. Bell. Commissioner Ferdinand

said that project (the Clerk's Office records retention) could be transferred to a scope of services form. Upon the motion of Commissioner Alder and the second by Commissioner Ferdinand, the Board voted unanimously to sign the independent contractor agreement with Joe Bell hourly wage between \$12.00 and \$15.00, with compensation not exceeding \$25,000. A signed copy is on file with this day's minute entry. The meeting concluded at 1:41 p.m. An audio recording is on file in the Commissioners' Office. (#12-023)

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

The Board met today at 1:44 p.m. for a biweekly meeting with the Chief Probation Officer to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand and Kathy Alder, Chief Probation Officer Elda Catalano, Trial Court Administrator Dan Kessler, and Deputy Clerk Monica Reeves. The items discussed were general in nature and did not require Board action. The meeting concluded at 1:54 p.m. An audio recording of the meeting is on file in the Commissioners Office.

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

The Board met today at 1:54 p.m. for a biweekly meeting with the Juvenile Detention Center Director to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand and Kathy Alder, Juvenile Detention Center Director Steve Jett, Administrative Assistant Marilee Davis, Trial Court Administrator Dan Kessler, Chief Probation Officer Elda Catalano, and Deputy Clerk Monica Reeves. The items discussed were general in nature and did not require Board action. The meeting concluded at 2:05 p.m. An audio recording of the meeting is on file in the Commissioners Office.

BIWEEKLY MEETING WITH THE PUBLIC DEFENDER TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 2:06 p.m. for a monthly meeting with Public Defender to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand and Kathy Alder, Public Defender Mark Mimura, Trial Court Administrator Dan Kessler, and Deputy Clerk Monica Reeves. The items discussed were general in nature and did not require Board action. A copy of Mr. Mimura's budget is on file with this day's minute entry. The meeting concluded at 2:14 p.m. An audio recording of the meeting is on file in the Commissioners Office.

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

The Board met today at 2:15 p.m. for a monthly meeting with Trial Court Administrator to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand and Kathy Alder, Trial Court Administrator Dan Kessler, and Deputy Clerk Monica Reeves. The items discussed were general in nature and did not require Board action. The meeting concluded at 2:22 p.m. An audio recording of the meeting is on file in the Commissioners Office.

CONSIDER TIME EXTENSION REQUEST FOR WESTERN IDAHO DEVELOPMENT, CASE NO. RFE2011-5; POSSIBLE WRITTEN DECISION TO FOLLOW

The Board met today at 2:34 p.m. for a hearing regarding a request by Western Idaho Development, Inc., to extend the completion date of CU2005-70 by three (3) years. The subject property is located on the west side of Beet Road, approximately ¼ mile south of the intersection of Upper Pleasant Ridge Road and Beet Road, in Caldwell, in a portion of the NE ¼ of Section 34, T4N, R4W, BM and in a portion of the SE ¼ of Section 34, T4N, R4W, BM. The original conditional use permit was approved by the Board of Commissioners on February 16, 2007. The approval was for 27 residential lots. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, DSD Director

Kevin LoPiccolo, DSD Planner Jennifer Almeida, Susan Wildwood, Kurt Smith, Wes Porter, James Porter, Jon Watson, Dr. Brian Voortman, Kris Inouye, Carol Inouye, Keith Allcott, Janet Allcott, Melissa Close, Ardith McDermott, Wayne Maggard and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report in which she reported that staff recommends approval of the request. The following people testified in support of the request: Susan Wildwood, Kurt Smith, Wes Porter, and James Porter. Jon Watson offered neutral testimony. The following people testified in opposition to the request: Dr. Bryan Voortman, Kris Inouye, and Janet Allcott. Susan Wildwood offered rebuttal testimony. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to close testimony. During the Board's discussion, Commissioner Alder said the county is getting away from conditional use permits and time extensions are not the direction we want to go. She said if the area is to be rural residential they need to come back in with a rezone. Commissioner Rule said at the time he voted in support of the conditional use permit it was because of what was occurring in the Magic Estates Subdivision, but things have changed; there are hundreds of lots around the county and many are in weeds. And, there hasn't been a lot of evidence that the project was moving forward. Commissioner Ferdinand said times have changed and things are going to look different in the county. We want to see enterprise and marketing but we have to protect agriculture. Commissioner Rule asked for a brief recess to speak to legal counsel. The hearing recessed at 4:31 p.m. The Board went back on the record at 4:49 p.m. Commissioner Rule noted that the Prosecutor's Office was able to answer his question. Commissioner Alder made a motion to deny the request for extension mainly because the county is going in a new direction. She realizes the applicant has a right to ask for an extension of their conditional use permit, but she wants to deny it because it is five years down the road. The motion included directing staff to prepare Findings of Fact to support the decision. The motion was seconded by Commissioner Rule. He believes the applicant could have kept this project going but the parties involved chose not to use the remedies. Kevin LoPiccolo said if the Board is requesting staff to prepare Findings for denial then the applicant did not provide the burden of proof to demonstrate why an extension should be granted. He believes the Commissioners are saying we no longer use the conditional use permit and though the economy has faltered, the county now has a new process to move development forward and that's through the zone change process. The Board confirmed that is its position. Commissioner Rule said his primary reason to deny was on proof of cause; not solely because of a new process that allows them

FIFTEENTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO

MARCH 5, 2012

PRESENT: Commissioner Steve Rule, Acting Chairman
Commissioner Kathy Alder
Commissioner David J. Ferdinand, II - attending NACo Legislative
Conference in Washington, D.C.
Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED KEY REQUEST

The Board approved the following key request: Jeannine Eiband and Yvonne Baker

APPROVED PERSONNEL FORM

The Board approved a personnel form for: Jeannine Eiband and Yvonne Baker.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders: Juvenile Probation - \$8,574.30, Sheriff - \$6,078.40, Landfill - \$2,900.00.

SIGNED WELFARE DOCUMENTS

The Board signed the following welfare documents: 2012008598, 2012008600, 2012008604, 2012008601, 2012008597, 2012008603, 2012008599, 2012008602, and 2012008596.

FILED TREASURER'S MONTHLY REPORT

The Board filed the Treasurer's Monthly Report for January 1, 2012 through January 31, 2012. A copy of the document is on file in this day's minutes.

FILED CANYON COUNTY 2011 MARKET (ASSESSED) VALUES BY TAXING DISTRICT A-2B

The Board filed the Canyon County 2011 Market (Assessed) Values by Taxing District A-2B. A copy of the document is on file in this day's minutes.

FILED IDAHO STATE TAX COMMISSION ABSTRACT OF THE SUBSEQUENT PROPERTY ASSESSMENT ROLLS FOR THE TAX YEAR 2011

The Board filed the Idaho State Tax Commission Abstract of the Subsequent Property Assessment Rolls for the tax year 2011. A copy of the document is on file in this day's minutes.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:31 a.m. for an office staff meeting. Present were: Commissioners Kathy Alder and Steve Rule, Facilities Manager Paul Navarro, Public Information Officer Joe Decker, Deputy Clerks Becky Chandler, Claudia Amaral and Monica Reeves. Items of a general nature were discussed. Mr. Navarro reported on maintenance issues. Mr. Decker reported on public information items. Mr. Navarro left at 8:38 a.m. Ms. Amaral and Ms. Chandler left at 8:42 a.m. No Board action was required or taken. The meeting concluded at 8:52 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING CIRCLE H CONSTRUCTION/CANYON COUNTY PURCHASE AND INSTALLATION OF FIBER FROM CANYON COUNTY'S I-84 CONDUIT TO ITS EAST COMPLEX INDEPENDENT CONTRACTOR AGREEMENT

The Board met today at 9:00 a.m. to consider signing an independent contractor agreement with Circle H Construction for the purchase and installation of fiber from Canyon County's I-84 conduit to its east complex. Present were: Commissioners Kathy Alder and Steve Rule, IT Network Architect Chris Everett, IT Development Manager Jeff Wood, Deputy P.A. Zach Wesley, and Deputy

Clerk Monica Reeves. The dark fiber project allows connectivity of data to move back and forth between the courthouse and the east complex. The county went through a formal RFP process and Circle H Construction was the lowest cost bid. A tentative award was made over a week ago and no objections were received. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the notice of award, and the independent contractor agreement. The notice of award will be sent to the non-winning bidders. The signed documents are on file with this day's minute entry. The meeting concluded at 9:05 a.m. An audio recording is on file in the Commissioners' Office. (#12-024)

CONSIDER SIGNING RESOLUTION FOR COMPREHENSIVE PLAN "FUTURE LAND USE" MAP AMENDMENT AND ORDINANCE FOR REZONE FOR MICHAEL MCMICHAEL

The Board met today at 9:18 a.m. to consider signing a resolution for a comprehensive plan "future land use" map amendment and ordinance for Michael McMichael's request for a rezone from an Agricultural Zone to a Rural-Residential Zone. Present were: Commissioners Kathy Alder and Steve Rule, Deputy P.A. Carl Ericson, DSD Director Kevin LoPiccolo, DSD Planner Debbie Root, and Deputy Clerk Claudia Amaral. The Board approved the rezone request at a hearing held on February 23, 2012, and today's action finalizes that approval. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to approve the resolution for a comprehensive plan "future land use" map amendment and ordinance for Michael McMichael's rezone. The signed documents are on file with this day's minute entry. The meeting concluded at 9:20 a.m. An audio recording is on file in the Commissioners' Office. (#12-023 & #12-005)

LEGAL STAFF UPDATE

The Board met today at 9:33 a.m. for a legal staff update. Present were: Commissioners Steve Rule and Kathy Alder, DSD Director Kevin LoPiccolo, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Mr. LoPiccolo reported that his office has received complaints from citizens who attended a Planning and Zoning Commission hearing last Thursday night regarding a

feedlot at Purple Sage Road and Emmett Road. Some citizens are calling for the removal of two P&Z Commissioners. At 9:36 a.m. a request was made to go into Executive Session as follows:

EXECUTIVE SESSION - LITIGATION MATTER

Commissioner Alder made a motion to go into Executive Session at 9:36 a.m. pursuant to Idaho Code, Section 67-2345(1) (f). The motion was seconded by Commissioner Rule and carried unanimously. Present were: Commissioners Steve Rule and Kathy Alder, Deputy P.A. Zach Wesley, DSD Director Kevin LoPiccolo, and Deputy Clerk Monica Reeves. Mr. LoPiccolo left at 9:46 a.m. The Executive Session concluded at 9:49 a.m. with no decision being called for in open session.

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

CONSIDER SIGNING 2012 ARBOR DAY PROCLAMATION

The Board met today at 10:15 a.m. to consider signing the 2012 Arbor Day Proclamation. Present were: Commissioners Steve Rule and Kathy Alder, Parks Director Tom Bicak, Brittany Jones from the Parks Department, Public Information Officer Joe Decker, and Deputy Clerk Monica Reeves. Tom Bicak said the proclamation is required in order to qualify for the Idaho Arbor Day program "*Planting Idaho*." Money comes primarily from the Idaho Department of Lands and Idaho Power. There is a \$300 award if the county signs a proclamation and provides a 25% match in in-kind donations. Arbor Day was invented in Nebraska and was a conservation measure to conserve soil and water across the state. It caught on and became a national holiday. Lawyer Nursery will provide conservation grade trees and bushes at an amazing discount, each for under \$1.00 apiece. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the proclamation which proclaims April 27, 2012 as Arbor Day in Canyon County. The signed proclamation is on file with this day's minute entry. The meeting concluded at 10:21 a.m. An audio recording is on file in the Commissioners Office.

PUBLIC HEARING TO GATHER COMMENT REGARDING THE INTENT TO SELL REAL PROPERTY TO THE VALLIVUE SCHOOL DISTRICT; CONSIDER SIGNING RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY TO THE VALLIVUE SCHOOL DISTRICT, AND CONSIDER SIGNING A REAL ESTATE PURCHASE AND SALE AGREEMENT FOR SAME

The Board met today at 1:31 p.m. to conduct a public hearing to gather comment regarding the intent to sell real property to the Vallivue School District and to consider signing a resolution authorizing the sale of the property to the school district and to consider signing a real estate and purchase agreement. Present were: Commissioners Steve Rule and Kathy Alder, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Notice of today's meeting was published in the Idaho Press-Tribune on February 23. No comments were received. The surplus lots (Nos. 8 through 13) are located in the Happy Day Business Complex, next to the Department of Motor Vehicles. The purchase price is \$160,736. The county will share the closing costs, the survey, and the title insurance. The Board recessed from 1:35 p.m. to 1:37 p.m. so that Commissioner Rule could pull a map that shows the location of the lots. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the resolution and the real estate purchase and sale agreement. The signed documents are on file with this day's minute entry. The meeting concluded at 1:39 p.m. An audio recording is on file in the Commissioners' Office. (#12-024 & #12-025)

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

The Board met today at 2:08 p.m. for a biweekly meeting with the Fleet Manager to discuss general issues, set policy, and give direction. Present were: Commissioners Kathy Alder and Steve Rule, Fleet Manager Mark Tolman, and Deputy Clerk Monica Reeves. The items discussed were general in nature and did not require Board action. The meeting concluded at 2:17 p.m. An audio recording of the meeting is on file in the Commissioners Office.

SIXTEENTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO

MARCH 6, 2012

PRESENT: Commissioner Steve Rule, Acting Chairman
Commissioner Kathy Alder
Commissioner David J. Ferdinand, II - attending NACo
Legislative Conference in Washington, D.C.
Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED PERSONNEL FORMS

The Board approved a personnel form for: Kerree Wiley and Maria Martinez.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders: Sheriff - \$1,626.18, \$3,656.67, \$3,169.15, \$5,833.00, \$3,837.11, Facilities - \$1,100.00.

PAYMENT OF CLAIMS ORDER #3-6-12

The Board of Commissioners approved payment of County claims in the amount of \$679.22 for an accounts payable.

SIGNED WELFARE DOCUMENTS

The Board signed the following welfare documents: 2012008633 and 2012008634.

MEETING TO DISCUSS JAIL OVERCROWDING ISSUES

The Board met today at 9:01 a.m. to discuss jail overcrowding issues. Present were: Commissioners Steve Rule and Kathy Alder, Misdemeanor Probation Supervisor Jeff Breach, Deputy P.A. Carl Ericson, Sheriff Chris Smith, Chief Deputy Sheriff Gary Deulen, Captain Dana Maxfield, Administrative District Judge Thomas Ryan, Trial Court Administrator Dan Kessler, Lt. Tami Faulhaber, Captain Craig Hanson, Public Information Officer Joe Decker, Marilee Davis, Roger Buhler, and Deputy Clerk Monica Reeves. Commissioner Rule said we recently had a situation where a multiple offender with a second DUI was taken in for an alcohol violation but the jail was full and the offender was turned away. The Board wanted to make Judge Ryan aware of this problem. The strategic plan that was prepared by Carter Gopal Lee recommended building a new juvenile detention center using the existing recreation area and gym, and turning the existing juvenile facility into a women's correction center. Captain Maxfield said unless a major remodel is done that facility will not work for women because they would be treated differently than the men in that there is no dormitory setting. He said a solution would be to take the maximum security prisoners and move them to the juvenile center and move the women into the unit that was vacated. Carl Ericson noted that the ACLU is very concerned about making sure men and women have equal benefits and conditions of confinement. We have not approached the ACLU with this idea nor do we have a definite idea to approach them with. Judge Ryan said judges are imposing jail sentences with community safety being the primary consideration and when they impose a jail sentence it has to be complied with. There are some questions about whether the administrative orders that have been entered up until now that allow the sheriff to make discretionary calls on who gets day reporting or some other level of supervision and whether that is an abrogation of the court's authority to the sheriff. Judge Ryan said we're at a crossroads where judges are imposing sentences but we don't have physical space to comply with it. It is appropriate to get the ACLU involved and say we'd like to have an amendment to the consent decree and that will allow their input as to whether they would be accepting of some of these ideas. He also said the public needs to be aware that we are to the point where this is a public safety issue. Commissioner Rule said three jail bond elections have told us no matter what the situation is, the public is not willing to pass a bond to build a new jail. Without a judicial mandate ordering the Commissioners to build a new jail it won't happen. Mr. Ericson said it's not a court order mandating we build a jail. The Board could make a decision to say it

is necessary to build a jail and that we need to go beyond a bond election and file a petition with the court asking for authorization to be able to incur debt to build the jail. As of today, there are 403 inmates in custody. There are 750 individuals who are participating in alternative sentencing programs; and 122 in the work release center. Commissioner Alder said we've tried to convince the public that we have a problem, but they don't believe we are doing everything possible to reduce the numbers. We need a new campaign and we need input from the judges to confirm that the worst of the worst are in our jails, and that we are doing alternative sentencing with 1,500 people on misdemeanor probation. She asked if the courts can help inform the public about the need. Judge Ryan said judges are not allowed to comment on pending cases and that includes people who are on probation. The only way he would get involved is if he had approval from the judicial counsel and executive director who are in charge of disciplining judges and determining what, publically, a judge can do. He said whether the county has jail space is not part of the criteria the judges have to consider when imposing sentences. Chief Deulen said our problem is not housing people; it's having too many people that are presentenced in custody. If we didn't have 60% presentenced we would have plenty of space to put probation violators and the people sentenced to jail. He said there are hundreds of counties in the same situation and when you read the two federal studies that were done the problem is with the numbers we hold in pretrial. Captain Maxfield said a man was recently sentenced to work release for two years on a probation violation on a misdemeanor offense, but he has to spend the first 145 days in jail so he's lost his job after spending those days in jail. After serving time he goes on work release and ends up sitting in our jail for a total of two and half years. Roger Buhler asked if the juvenile inmates can be released back to their families and holding them responsible for their kids' actions. Judge Ryan said the idea is excellent but often times the family has been in worse trouble than the kid. Mr. Kessler noted that the juvenile inmate population is less than half of what it used to be. Sheriff Smith said two weeks ago the Idaho State Board of Corrections had 436 inmates in county jails, and they expect an additional 500 by next year so the thought of housing inmates in surrounding county jails is not an option. The meeting concluded at 9:38 a.m. An audio recording is on file in the Commissioners' Office

CONSIDER SIGNING RESOLUTION TO REAPPOINT NORM BROWN TO THE CANYON COUNTY MOSQUITO ABATEMENT DISTRICT BOARD OF TRUSTEES

The Board met today at 9:38 a.m. to consider signing a resolution to reappoint Norm Brown to the Canyon County Mosquito Abatement District Board of Trustees. Present were: Commissioners Steve Rule and Kathy Alder, Deputy P.A. Carl Ericson, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to reappoint Norm Brown to the Canyon County Mosquito Abatement District Board of Trustees for a term of four years. The signed resolution, No. 12-025, is on file with this day's minute entry. The meeting concluded at 9:39 a.m. An audio recording is on file in the Commissioners' Office. (#12-025)

EXECUTIVE SESSION - LITIGATION MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 9:41 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a litigation matter and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Alder made a motion to go into Executive Session at 9:42 a.m. pursuant to Idaho Code, Section 67-2345(1) (d) and (f). The motion was seconded by Commissioner Rule and carried unanimously. Present were: Commissioners Steve Rule and Kathy Alder; Prosecutor Bryan Taylor, Deputy P.A. Carl Ericson, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:57 a.m. with no decision being called for in open session.

CONSIDER SIGNING FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER RE WESTERN IDAHO DEVELOPMENT'S REQUEST FOR TIME EXTENSION

The Board met today at 10:03 a.m. to consider signing the Findings of Fact, Conclusions of Law and Order (FCOs) regarding Western Idaho Development's request to extend the completion date for CU2005-70 by three years. Present were: Commissioners Steve Rule and Kathy Alder, DSD Director Kevin LoPiccolo, DSD Planner Jennifer Almeida, and Deputy Clerk Monica Reeves. At a public hearing held on March 27, 2012, the Board voted unanimously to deny the applicant's request and directed staff to prepare FCOs supporting the denial because the applicant could not demonstrate good cause for the extension. Today, Commissioner Alder made a motion to approve the FCOs. The motion was seconded by Commissioner Rule and carried unanimously. The signed document is on file with this day's minute entry. The meeting concluded at 10:06 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION - LITIGATION MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Today's Executive Session took place at the law offices of Moffatt and Thomas located at 101 S. Capitol Boulevard in Boise.

Commissioner Alder made a motion to go into Executive Session at 1:30 p.m. pursuant to Idaho Code, Section 67-2345(1) (d) and (f). The motion was seconded by Commissioner Rule and carried unanimously. Present were: Commissioners Steve Rule and Kathy Alder; Prosecuting Attorney Bryan Taylor; Deputy P.A. Carl Ericson; Attorneys Jim Martin and Randy Peterman from the law firm of Moffatt and Thomas; and Deputy Clerk Monica Reeves. Attorney Jeremy Gugino arrived at 1:55 p.m. Attorney Wyatt Johnson arrived at 2:10 p.m. Mr. Gugino and Mr. Johnson left the session at 2:35 p.m. At 2:52 p.m., a conference call was placed to Randall Spencer at ICRMP. The call concluded at 2:57 p.m. Mr. Gugino and Mr. Johnson returned to the session at 3:00 p.m. The Executive Session concluded at 3:03 p.m. with no decision being called for in open session.

SEVENTEENTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO

MARCH 7, 2012

PRESENT: Commissioner Steve Rule, Acting Chairman
Commissioner Kathy Alder
Commissioner David J. Ferdinand, II, - attending NACo Legislative
Conference in Washington, D.C.
Deputy Clerks Monica Reeves and Claudia Amaral

APPROVED PURCHASE ORDER

The Board approved the following purchase order: Facilities - \$1,848.32.

PAYMENT OF CLAIMS ORDER #3-7-12

The Board of Commissioners approved payment of County claims in the amount of \$605.00 for an accounts payable.

APPROVED VACATION LEAVE TO OTHER EMPLOYEE FOR SICK LEAVE

The Board approved vacation leave to another employee for sick leave for: Laurie Balmer. A copy of the document is in this day's minutes.

EXECUTIVE SESSION - LITIGATION MATTER AND REAL ESTATE MATTER

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 litigation matter and a real estate matter. 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) (c) and (f). The motion was seconded by Commissioner Rule and carried unanimously. Present were: Commissioners Steve Rule and Kathy Alder, Deputy P.A. Carl Ericson, and Deputy Clerk

Monica Reeves. The Executive Session concluded at 9:24 a.m. with no decision being called for in open session.

EIGHTEENTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO

MARCH 8, 2012

PRESENT: Commissioner Steve Rule, Acting Chairman
Commissioner Kathy Alder
Commissioner David J. Ferdinand, II, - attending NACo Legislative
Conference in Washington, D.C.
Deputy Clerks Monica Reeves and Claudia Amaral

SIGNED TEMPORARY ALCOHOL LICENSE

The Board signed a temporary alcohol license for LaRanchera in Nampa, Idaho.

APPROVED PERSONNEL FORM

The Board approved a personnel form for: Kelly Martinez.

EXECUTIVE SESSION - LITIGATION MATTER

Note for the record: As properly noticed the Board met today at 9:03 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a litigation matter. The Executive Session was held as follows:

Commissioner Alder made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 67-2345(1) (f). The motion was seconded by Commissioner Rule and carried unanimously. Present were: Commissioners Kathy Alder and Steve Rule, Deputy P.A. Mike Porter, Deputy P.A. Carl Ericson, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:27 a.m. with no decision being called for in open session.

NINETEENTH DAY OF FEBRUARY TERM, A.D., 2012
CALDWELL, IDAHO

MARCH 9, 2012

PRESENT: Commissioner David J. Ferdinand, II, Chairman
Commissioner Steve Rule
Commissioner Kathy Alder
Deputy Clerks Monica Reeves and Claudia Amaral

PAYMENT OF CLAIMS ORDER #1211

The Board of Commissioners approved payment of County claims in the amount of \$1,105,377.70 for a county payroll.

PAYMENT OF CLAIMS ORDER #3-9-12

The Board of Commissioners approved payment of County claims in the amount of \$4,697.43, \$201,299.40, \$100,372.65, \$120,024.63, \$259,849.36, \$85,124.10, \$167,735.50 for accounts payables.

LEGAL STAFF UPDATE

The Board met today at 9:01 a.m. for a legal staff update. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Carl Ericson, Deputy P.A. Greg Swanson, Facilities Manager Paul Navarro, and Deputy Clerk Monica Reeves. Mr. Swanson requested the Board's permission to hold the annual Liberty Bell BBQ on July 11 in the courtyard. The BBQ is an annual fundraiser for the Third District Bar Association. The Board granted the request. Mr. Swanson will make sure the date works for the bar association and then he will work with the Facilities Department. At 9:11 a.m. the Board went into Executive Session as follows:

EXECUTIVE SESSION - LITIGATION MATTER AND RECORDS
EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Alder made a motion to go into Executive Session at 9:11 a.m. pursuant to Idaho Code, Section 67-2345(1) (d) and (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Alder, Rule and Ferdinand voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners David Ferdinand, Kathy Alder, and Steve Rule, Deputy P.A. Carl Ericson, and Deputy Clerk Monica Reeves. The Executive Session concluded at 9:32 a.m. with no decision being called for in open session.

PROPOSED AMENDMENT TO AGENDA: CONSIDER SIGNING LITIGATION
SETTLEMENT AGREEMENT

The Board met today at 9:32 a.m. to consider a proposed amendment to the agenda. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Deputy P.A. Carl Ericson, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Rule and the second by Commissioner Alder, the Board voted unanimously to amend the agenda to enable a timely a filing of a bankruptcy document because it would be impractical and impossible to properly file the document without amending the agenda. Upon the motion of Commissioner Alder and the second by Commissioner Rule, the Board voted unanimously to sign the litigation settlement agreement and mutual lease in the matter of the John T. Bujak and Pepper R. Bujak bankruptcy hearing. The signed document is on file with this day's minute entry. The meeting concluded at 9:34 a.m. (#12-026)

MEET WITH ROGER BATT FOR A FOLLOW-UP ON THE TULARE AG SHOW

The Board met today at 1:30 p.m. for a follow-up meeting with Roger Batt on Tulare Ag Show. Present were: Commissioners David Ferdinand, Steve Rule and Kathy Alder, Roger Batt, PIO Joe Decker, and Deputy Clerk Monica Reeves. Mr. Batt reported that 106,000 people attended this year's show. He did more direct marketing and targeted businesses best suited for Canyon County, such as:

irrigation, fabrication, dairy, and agri-business companies. He was able to get 18 really good leads. Commissioner Alder said there is huge potential with contacts and maybe we should give those names to the Caldwell Economic Development Council, the Nampa Development Corporation, and Western Alliance. Commissioner Rule agreed and said we should provide all the contact information to the groups rather than divvying up the names like we did last year. Commissioner Ferdinand said the Commissioners are not closers; the follow-up needs to be done by the expert groups like Boise Valley Economic Partnership. There was discussion about the marketing strategies that can be used for next year's show. Mr. Batt will let the Board know what amount should be put into next year's budget. The meeting concluded at 2:04 p.m. An audio recording is on file in the Commissioners' Office.

BIWEEKLY MEETING WITH JOE BELL TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 2:08 p.m. for a biweekly meeting with Joe Bell to discuss general issues, set policy, and give direction. Present were: Commissioners David Ferdinand, Kathy Alder and Steve Rule, Joe Bell, Public Information Officer Joe Decker, Clerk Chris Yamamoto, and Deputy Clerk Monica Reeves. Mr. Bell has contracted with the county for records preservation. Today he reported on the issues he has been working on with local communities. Commissioner Ferdinand asked Mr. Bell to fill out the task sheet/scope of services form for the projects he is working on. The items discussed were general in nature and did not require Board action. The meeting concluded at 2:37 p.m. An audio recording of the meeting is on file in the Commissioners Office.

COMMISSIONER FEBRUARY TERM ADJOURNED

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

THE MINUTES OF THE FISCAL TERM OF FEBRUARY 2012 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:

Commissioner David J. Ferdinand, II, Chairman
Unavailable for signature
Commissioner Steven J. Rule
Commissioner Kathy Alder

ATTEST: Chris Yamamoto, Claudia Amaral,
Clerk Deputy

DATE: 4-2-12