

MARCH 2018 TERM
CALDWELL, IDAHO MARCH 1, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

CONSIDER INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Steve Rule, Customer Service Manager Robin Sneegas, Director of Indigent Services Yvonne Baker, Case Manager Camille Tilden and Deputy Clerk Jenen Ross. Per the Clerk's statement of findings the following cases do not meet eligibility criteria for county assistance: 2018-450, 2018-381, 2018-0453, 2018-403, 2018-473, 2018-470, 2018-551, 2018-452, 2018-579, 2018-471, 2018-315, 2018-472 and 2018-451. Commissioner Rule made a motion to issue initial denials with written decisions to be issued within 30 days. The motion was seconded by Commissioner White and the Board voted unanimously to issue the initial denials. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue an approval for cremation on case no. 2018-607. Director Baker brought to the Board's attention case no. 2015-976 which is a case that was approved in November 2017. She has received a letter from the applicant asking for complete forgiveness of the debt. The applicant has not been deemed disabled by Social Security but his inability to work is based on his own opinion due to a back injury. The total outstanding amount is \$21,753.89 and no payments have been made. The applicant is asking for the entire amount be forgiven as he does not have any income to repay the debt. Ms. Baker's understanding is that the applicant is fully supported by his mother and any payments that would be made would come from her. Ms. Baker recommends that the debt could remain with a notation to the file that it not be sent to collections with the lien remaining or at least require some payments be made prior to full lien forgiveness. Currently the payment amount is set at \$25/month but indigent services can accept as little as \$5/month. Commissioner White said she is not inclined to forgive something like this when the applicant has not been deemed disabled. Commissioner Rule asked why this person has not been deemed disabled to which Ms. Baker said there is a lot of criteria that has to be met before Social Security will deem a person disabled. The Board would like to see the lien left in place but the file noted not to be pursued thru collections. Ms. Baker also said she would be in contact with the applicant offering the \$5 monthly payment option. The meeting concluded at 8:59 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH GREG BULLOCK TO CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENT WITH BULLOCK AND COMPANY REALTORS

The Board met today at 9:31 a.m. to consider signing an Independent Contractor Agreement with Bullock and Company Realtors. Present were: Commissioners Tom Dale, Pam White

and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Greg Bullock, and Deputy Clerk Monica Reeves. Mr. Wesley said before we get to the contract signing he has a couple of issues to discuss in Executive Session under 74-206(1) (d) and (f), attorney work product matters, document review, documents that would be exempt from public disclosure and some surrounding issues around those to discuss before we enter open session.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

Commissioner White made a motion to go into Executive Session at 9:32 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Greg Bullock, and Deputy Clerk Monica Reeves. The Executive Session concluded at 10:21 a.m.

While in open session Commissioner Dale said the Board discussed matters relating to Idaho Code Section 74-206(1)(d) and (f) and no votes were taken during the session. Mr. Wesley said there are three layers to the agreement. The first portion is the Canyon County Independent Contractor Agreement that goes through the terms, the rate which was 2% for Mr. Bullock and 3% for a broker, and the standard contract terms. It provides for an auction, but if the minimum bid is not secured then the County will reimburse up to \$2500 in marketing costs. If it does sell at auction then the broker will absorb those costs. There is a seller's representation agreement that mirrors the terms in our independent contractor agreement. The listing price is \$1.4 million although that number is not final at this point, it's just an interim number as we go through and evaluate. Commissioner Dale said he is not comfortable listing the property at \$1.4 million and asked if the number can be altered now. Mr. Bullock said he won't put it in the MLS until he's told to do so. The representation agreement will indicated the price is TBD – to be determined. Mr. Wesley said the representation agreement also provides that this will be a dual representation sale so that Mr. Bullock can represent the County as our agent and then if another agent at his firm wants to represent the buyer they can do that. There is also an agency disclosure form that needs to be signed. All documents will be attached to the independent contractor agreement. Upon the motion by Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the Canyon County Independent Contractor Agreement with Bullock and Company Relators for the sale of the Highway 20-26 Prescott Lane property. (See Agreement No. 18-023.) The meeting concluded at 10:28 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH BRIANNE MCCOY WITH THE IDAHO STATE PUBLIC DEFENSE COMMISSION

The Board met today at 10:30 a.m. with Brianne McCoy from the Idaho State Public Defense Commission (PDC). Present were: Commissioners Tom Dale, Pam White and Steve Rule, Public Defender Aaron Bazzoli, Brianne McCoy and Deputy Clerk Monica Reeves.

Ms. McCoy reported that as of March 31, 2018 there are four standards that the counties must be in compliance with:

1. Attorneys must have seven units of continuing legal education in indigent defense every year. The bar requires that attorneys get 30 units every three years and we're saying if you want to do public defense you need to have seven units a year. They want to make sure the people that are doing public defense are qualified.
2. There must be a private meeting space where the attorney can meet with the client, in private, away from the prosecutor. Canyon County has space, but maybe not enough. She said Mr. Bazzoli told her there are three rooms on the second floor of the courthouse where the attorneys can meet, and they have a private meeting space in their office and they are making another one. There's a safety/privacy balance with clients coming to your office and they are working on that and coming up with some good plans so she thinks Canyon County is fine on that standard.
3. Vertical representation where the client has the right to have the same attorney throughout the process and who is in control of their case at all the critical stages. The attorney should also be at all the hearings but sometimes that doesn't work out and someone has to substitute in and that's okay. It's not that the attorney must be there but they have the right to have the same attorney being in charge of their case. There's a little bit of problem with that right now, but it's not Mr. Bazzoli's fault. Because of Odyssey the district judge is not assigned until the "prelim" so it's difficult to do that but they're working on it so that should be resolved and in the meantime Mr. Bazzoli has come up with a plan to give the best possible solution. The PDC wants the counties to comply but they understand you can't just have miracles and so to not be in compliance it has to be willful noncompliance. If you're trying to be in compliance that's totally acceptable and so the plan Mr. Bazzoli has presented is fine.
4. Having attorneys are first appearances. Canyon County is doing that and is meeting all the standards at this point and working on improving the ones that we have some difficulty with.

In front of the legislature now are three new standards which, if approved, will require counties to be in compliance with by March of 2019. Two of them don't have a lot of impact on counties, but one would.

- Capital Defense Standards – The PDC tried to come up with a balancing act to have attorneys that are qualified to do death penalty cases. They want them to have a certain amount of training and experience but they didn't want it to be so high that there were no attorneys available in Idaho who could meet these qualifications and she thinks they have come up with a good plan. The new standards are likely but they have to go through legislative hearing and then they become effective May 1, 2018 and counties will have to be in compliance by March 31, 2019. Mr. Bazzoli said there is already this set of standards it's just being monitored by the Supreme Court now but it would shift over to the PDC.
- Oversight Enforcement – It gives the PDC the ability to enforce the standards.
- Use of investigators – This could have a financial impact on the counties because it would say attorneys should use investigators when it's appropriate. The culture among defense attorneys is they use investigators on felonies when it's appropriate, but not so much with misdemeanors. Mr. Bazzoli said they use investigators for juvenile CPA cases as well as misdemeanor and felony cases if the attorneys request it. Typically you see them serving subpoenas, interviewing victims, taking pictures of the scene, and mostly interviewing and reviewing case files. Ms. McCoy said it looks like Canyon County is doing a good job in that area.

The one that is in process right now would not be in effect until March of 2020 and it's the workload study and the workload standard. The numbers have not been submitted to the PDC yet. With the ACLU lawsuit Boise State had negotiated a subpoena that they would turn the report over to the ACLU at noon yesterday but they had not done it as of 7:00 p.m. last night. She said even when the report comes out they are not going to recommend a standard, they are going to give information and that information will be presented to the PDC and they will come up with a standard. She said the County's input is valuable and they want to know how it's going to impact us so they can go to the legislature and say we need this much money because this is what Canyon County said it's going to cost. She encouraged the Board to email input, come to the meetings, and testify in front of the legislature because it will have a lot more impact coming directly from a County Commissioner. Commissioner Dale asked if Ms. McCoy sees a trend that says we will have to hire five new attorneys to keep up with our new standards. Mr. Bazzoli doesn't think we're seeing that trend as of yet but there are a lot of factors that will impact it. He doesn't see where we are so far below a curve of standard that says we've got to hire all these people. The ABA standard was a number drawn out that says this is how many cases you can devote an amount of standard time to. What's the standard time? Ms. McCoy said maybe there will be different numbers for different counties, but doesn't know what's going to happen but encourages input. Commissioner White said it would have to be different numbers for different counties because crime numbers are so vastly different. Ms. McCoy said hopefully the cases will be weighed by difficulty and that they will consider the experience of the attorney. There are a lot of factors that could be put in and hopefully the PDC will consider that and come up with something that will reflect each county. It's her understanding the PDC would not find the County in

noncompliance unless it was willful so if you didn't have the money to hire another attorney it's important they show how much we need so they can go to the legislature and report on the amount we do need. The state is required to provide public defense and they have pushed it to the counties and the question is have they given enough money to do it? Commissioner Dale said the answer is no. Ms. McCoy said their job is to find out how much more money we need and then go to the legislature and they may not give us that much but we wouldn't be out of compliance because it wouldn't be willful. She wants to work with counties to find something that will work and help us get the funds we need.

She emailed the grant application yesterday and Mr. Bazzoli will be filling it out. It is due by May 1, 2018. The PDC wants more details: where the grant money has been spent and where we plan on spending it. Commissioner Dale said based on the rolling average we are pulling in bigger numbers every year so we should be eligible for a larger grant next year. Mr. Bazzoli said it was 15%, but the problem is they were pulling back into our contract time but that will end now that we're at the 4-year mark. Ms. McCoy needs to double check that. She said there was a 15% cap where we received 15% of our local share but that cap goes away this year so she doesn't know if they will replace it or put in a new cap. She's not sure how it's going to work out but that's something to be aware of, and she thinks it applies to next year's grants. Mr. Bazzoli said as for total volume they are not that much lower than Ada County as far as the shared number of cases that each attorney is handling. They have a 55-person staff, nearly double of what Canyon County has and his office is only handling 1,500 fewer cases.

Ms. McCoy said the PDC has ELF money (from the Extraordinary Litigation Fund) that can applied for in the event of an unusual case and when you need extra investigators or expert witnesses. They budgeted \$250,000 a year and have given out \$150,000 so far for this fiscal year. They are trying to get a rule changed so that if the attorney doesn't ask for funds the counties can ask for funds retroactively. They also have scholarship funds available if attorneys want to attend trainings outside of what the PDC offers for free. They co-sponsor the criminal defense lawyers' seminar that's held in Sun Valley in April, it's continuing legal education. It's a good deal. There's a lot of drinking going on up there which is not good, but that's out of our purview. I know I've heard Canyon County parties...

In closing Ms. McCoy said Canyon County is doing a great job. She is aware of the funding issues and said Mr. Bazzoli has worked really hard to create some of the resolutions. Commissioner Dale thanked Ms. McCoy for the information; no Board action was required or taken. The meeting concluded at 10:55 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY JESUS DEL HOYO FOR A MODIFICATION OF CONDITIONS OF APPROVAL AND TO CONSIDER SIGNING A MODIFIED DEVELOPMENT AGREEMENT, CASE NO. DA MOD-PH2018-7

The Board met today at 11:05 a.m. to conduct a public hearing to consider a request by Jesus Del Hoyo for a modification of conditions of approval and to consider signing a modified development agreement for Case No. DA MOD-PH2018-7. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Debbie Root, Jesus Del Hoyo, Patricia Del Hoyo, Elpidia Del Hoyo, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The Del Hoyos are requesting a modification of a development agreement that's attached to a conditional rezone. The modification is to remove the requirement for platting by removing one requested lot; instead of three lots they would have two lots with a building envelope on the large acreage to protect and preserve the agricultural land. It does not change the development agreement or the conditional rezone or the requirements; the conditions have been modified to reflect their request and staff is recommending approval. The Prosecutor's Office has reviewed the agreement and conditions and made a few modifications to the language repealing the original development agreement and replacing it with this one. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Upon the motion of Commissioner Rule and the second by Commissioner White the Board voted unanimously to approve the modification of the conditions for Case No. PH2018-7 and accept the Findings of Fact, Conclusions of Law, Conditions of Approval, and Order, and to approve the signed development agreement. (See Agreement No. 18-024.) The hearing concluded at 11:11 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 2, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for John S. Nichols.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE, COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION AND ATTORNEY-CLIENT COMMUNICATIONS

Note for the record: As properly noticed the Board met today at 9:06 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and attorney-client communications. The Executive Session was held as follows:

Commissioner White made a motion to go into Executive Session at 9:07 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Planner Daniel Lister and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:26 a.m. with no decision being called for in open session.

CONSIDER SIGNING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER IN THE MATTER OF THE APPEAL REGARDING COPE SAND AND GRAVEL'S REQUEST FOR C.U.P. FOR A MINERAL EXTRACTION EXPANSION

The Board met today at 10:01 a.m. to consider Findings of Fact, Conclusions of Law, and Order (FCO's) in the matter of the appeal regarding Cope Sand and Gravel's request for a C.U.P. for a mineral extraction expansion, Case No. PH2017-52. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, and Deputy Clerk Monica Reeves. Zach Wesley said DSD staff, with review from the Prosecutor's Civil Division, has prepared the FCO's to reflect the majority decision of the Board at the February 15, 2018 deliberation. Commissioner Dale said the document reflects the essence of the conversations that were had in the discussion on this difficult matter and it has been very accurately portrayed and he appreciates the work that has gone into it. Commissioner Rule had several calls from various parties asking why he voted the way he did. He has an extensive history of leaning toward industry so when he voted against it he believes it caught many people off guard and he wants to go record as saying it was a very difficult decision. The one factor that pushed him to approve the appeal and deny the gravel extraction permit was the Nampa residential growth map that projects growth of residences around there, and developers who have already bought property around that area because they are planning on residential growth as dictated by Nampa, and by Canyon County as well. Commissioner White said her decision was based on the impact and compatibility and it had nothing to do with the business or practices of the business. It was one of the toughest decisions she has ever made. Commissioner Dale said it was a tough decision and he came down on the other side and it was a narrow deciding yea or nay on either one. It's good to have diverse opinions on these matters so that we get a good decision. He will stick with his vote but he supports the majority wholly. Commissioner White made a motion to sign the Findings of Fact, Conclusions of Law and Order in the matter of the appeal regarding Cope Sand and Gravel's request for a C.U.P. for a mineral extraction expansion. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule and White voting in favor and Commissioner Dale voting against the motion. The motion carried by a two-to-one split vote. The meeting concluded at 10:06 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH JEANNE HOEK TO DISCUSS APPLICATION FOR HARDSHIP CANCELLATION OF PROPERTY TAXES

The Board met today at 10:32 a.m. to consider Jeanne Hoek's application for a hardship cancellation of property taxes. Present were: Commissioners Tom Dale, Pam White and

Steve Rule, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Jeanne Hoek via conference call, Deputy P.A. Brad Goodsell, and Deputy Clerk Monica Reeves. The application is seeking a tax reduction based on the loss associated with a flood that occurred in the Burnie Subdivision. Treasurer Lloyd calculated the tax based on 131 casualty loss days. The original value was \$172,700 but after factoring casualty loss on the dwelling it comes down to \$123,800 resulting in a tax reduction amount of \$653.15 which will be credited to the second half taxes. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to grant the hardship cancellation of property taxes. The meeting concluded at 10:36 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM
CALDWELL, IDAHO MARCH 5, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 3-9-18

The Board of Commissioners approved payment of County claims in the amount of \$111,127.55, \$186,065.88, \$167,021.48, \$114,902.60, \$87,131.25 and \$29,677.54 for accounts payable.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:32 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Steve Rule, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. Mr. Decker reported on the following communications issues: he is working on a story on the Canyon Bike Project with juvenile probation and KBOI 2, west Middle School is doing a giveaway on March 22 so he'll time it with that event; he is working on a proclamation for Child Abuse Awareness Month in April; television stations are looking to do stories on the tablets used in the jail that inmates can use to listen to music and text their family and friends; there is an issue with the monitor displays in the lobby but IT is working on it; he is working with the Sheriff's Office and IT to resolve the issue with the distorted pictures that are being display on the current arrest website. The meeting concluded at 8:38 a.m. An audio recording is on file in the Commissioners' Office.

FILE IN MINUTES

The Board filed the Assessor's 2017 Occupancy Assessed Value by Taxing District, 2017 Assessed Value by Category within District Supplemental Missed and Transient Property

and 2017 Missed Supplemental & Transient Assessed Value by Taxing District reports in today's minutes.

FILE IN MINUTES

The Board filed the Treasurer's monthly report for January 2018 in today's minutes.

PUBLIC HEARING – REQUEST FROM LEIGHTON, LLC, TO CHANGE A PRIVATE ROAD NAME FROM GOLDIE LANE TO TRIGGER RANCH LANE, CASE NO. RD2018-2

The Board met today at 9:33 a.m. to conduct a public hearing in the matter of a request by Leighton, LLC, to change a private road name from Goldie Lane to Trigger Ranch Lane, Case No. RD2018-2. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Jennifer Almeida, Trace Leighton, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. All property owners having frontage on the road have signed the road name change application. The proposed road name change is in compliance with the Canyon County Addressing Ordinance. Staff did not receive any negative comments from agencies regarding the change nor were there any comments from the public. Staff recommends the Board approve the request for a private road name change to change the name of Goldie Lane to Trigger Ranch Lane. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Upon the motion by Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the road name change. The hearing concluded at 9:35 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH HEIDI CALDWELL OF WESTERN IDAHO COMMUNITY ACTION PARTNERSHIP

The Board met today at 1:33 p.m. for a meeting with Heidi Caldwell of Western Idaho Community Action Partnership (WICAP). Present were: Commissioners Pam White and Steve Rule, Heidi Caldwell, Ella Dehoyos and Jackie German from WICAP and Deputy Clerk Jenen Ross. Commissioner Dale arrived at 1:43 p.m. Ms. Caldwell provided a handout reviewing their annual report for 2016. Ms. Dehoyos spoke about the food programs indicating that they are part of the USDA food program. Currently they are trying to expand into the more rural communities as a lot of their customers have a hard time making it into the WICAP office, especially during the winter. Right now they are talking with the president of the board at the senior center in Parma in the hopes of getting a food program in there. They are also speaking with organizations in Melba and Wilder on ways to get food distribution to those areas. Their goal is to meet a need that is not yet being met and not duplicating services offered by other organizations. Some of the other services they offer include energy assistance, homemaker services in some of the rural areas which provides someone to check in on high risk seniors and job services. Their goal is to help provide people

with resources or get them pointed in a direction to obtain the resource. They don't just assist seniors, they are a birth on up organization. They also offer the Early Head Start and Head Start programs. Right now they are working really hard to get pre-school into the schools, they are currently in four elementary schools in Caldwell. They also had a half year partnership with Caldwell School District; the school district was struggling to find someone to run the daycare program at Canyon Spring High School so at the beginning of this year they took over that program and they are finally getting to the point of the program being a success with about 8 students bringing their children to the daycare. They now have a classroom in Weiser School District and are looking at partnerships with Payette and Nampa School Districts. Right now they are inundated with crises for the energy assistance program as the moratorium is almost over and people are trying to figure out how they are going to pay their bill. Each year over \$1M goes into that program. Commissioner Rule asked how WICAP goes about finding the people they serve. Ms. Caldwell explained that WICAP has been around for a long time, 52 years; they depend a lot on word of mouth, and they do a lot of outreach thru the Head Start program in trying to reach the neediest areas, additionally there are a lot of partnerships and other agencies they work with that help spread the word of the work they're doing. A discussion ensued regarding the TANF Grant and the energy assistance program. A survey done this year by their customers, community members and staff members showed that there was a need for those wanting to obtain work or additional skills so they've worked to help people with their resumes and pre-computer skills to help build confidence for those things. The meeting concluded at 2:11 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 6, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Henry Claasen and Jeffrey Hamilton.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- DNA K-9 in the amount of \$9000.00 for the Sheriff's Office
- Curtis Blue Line in the amount of \$8910.00 for the Sheriff's Office

- Skyline Silversmiths, LLC in the amount of \$4350.00 for the Fair
- Pacific Steel & Recycling in the amount of \$14,810.70 for the Facilities department

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

The Board met today at 8:30 a.m. for a biweekly meeting with the Facilities Director to discuss general issues, set policy, and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Facilities Director Paul Navarro, and Deputy Clerk Monica Reeves. Topics of discussion included the following:

- Bids for the fencing project at 14th Avenue and Chicago Street in Caldwell - A contractor estimated it would cost \$70,000 to construct a fence so Director Navarro obtained bids for materials only at a cost of \$14,000. If the labor is done in-house he believes the project can be capped at \$20,000 resulting in a savings of \$50,000.
- Fairgrounds/O'Connor Field House – The Fair Director rents very expensive telescoping lights for the fairgrounds and they have eliminated three of them by doing LED arrays and he would like to put one at the corner of the charolais barn but the city is in the process of upgrading lights on the back of the O'Connor Field House with large LED's and they have agreed to turn one and face it back toward the ticket booth at gate 1 so we don't have to put one on the back of the barn. However, the city is having a hard time getting their electrician to do the work so they have offered to supply all the materials if we help install the lights. Director Navarro said his electrician and apprentice have the time (1 day) and the city will loan us a lift from the street division. Commissioner Dale has no problem with this. Director Navarro said at a recent meeting with the fair director, the city, and C of I officials they discussed doing some cleanup on the barn with the city offering to provide the materials if we provide the manpower to do painting and electrical work. He said the work can be done with the SILD and maintenance work force, which is something they have done before and documented it with an MOU. The Board has questions about the city not performing work on their structure and concerns with liability issues so the matter will be discussed with legal counsel. Commissioner White asked why the County does not own the barn if we are the heavy user. Director Navarro said the city does not want to sell or deed the structure to us.
- Tiling the Wilson Drain on the fairgrounds – The City of Caldwell is going to tile the Wilson Drain and they discovered a 24-inch sewer main that's buried 20 feet deep running adjacent to the drain so it makes it nearly impossible to move without having to spend millions to relocate the sewer so the plan is to tile it in place and cover it. No structures can be built on top of it. Brent Orton took a snapshot of the footprint of our existing building and it shows the structure can fit there outside of the sewer line

and outside of the drain. The County's portion of the project will cost roughly \$250,000. There have been discussions about doing a design for the building this year so that the drawings will be ready when we break ground next year at the same time the tiling project is completed so that both projects will be available for the fair in 2019. Director Navarro has discussed it with Sam Laugheed and he suggested the issue be discussed in a legal staff update this morning at 9:00.

- The jail annex and DMV roofing projects walkthrough is scheduled for today.

The meeting concluded at 8:44 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

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

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

Commissioner Rule made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Civil Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro, and Deputy Clerk Monica Reeves. Director Navarro left at 9:26 a.m. The Executive Session concluded at 9:38 a.m. with no decision being called for in open session.

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

The Board met today at 9:45 a.m. for a monthly meeting with the Human Resources Director to discuss general issues, set policy, and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, HR Director Sue Baumgart, and Deputy Clerk Monica Reeves. Director Baumgart reported on the #MeToo sexual harassment training she attended. She will work with the Prosecutor's Office on climate control survey for employees to make sure employees understand they can report sexual harassment, when to report it, and who they can report it to. A separate survey will be done for supervisors. It has been suggested that the County remove a sentence in its policy that says if you report something that is untrue you can be disciplined for it; the intent is to create a culture where everybody can come forward if they feel they need to. Discussion ensued about the importance of

awareness and making sure employees have adequate training and they are willing to report if they need to, but, there is also the concern of false accusations ruining lives. Director Baumgart said last year they did quite a few trainings but she wants to find out where we're missing points in the training. She wants to say "It's okay to talk about it, we're not going to retaliate against anyone", she wants to build that part up in the training. With regard to the wellness survey, she received 292 responses and will meet with Blue Cross to go over the peak program so she can present it to the Board next month. 41 employees indicated they want to play an active role in participating in and helping plan wellness activities. She is working on the Board's department administrators' performance evaluation surveys. The Board thanked Director Baumgart for the assistance she recently provided to the ambulance district. The items discussed were general in nature and did not require Board action. The meeting concluded at 10:02 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

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

The Board met today at 10:02 a.m. for a biweekly meeting with the IT Director to discuss general issues, set policy, and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, IT Director Greg Rast, Assistant Director of IT Eric Jensen, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Director Rast wants to use \$10,800 of the equity pay his department received last October. At the beginning of FY2018 he allocated \$6,750 to staff but he would now like to put the equity adjustments towards 10 employees who've put efforts into the CAPS project as well as other projects including security efforts. The CAPS program is the Canyon Application Processing System project for DSD that will replace their Accela program and will result in an annual savings of \$11,000. To date staff has 4040 hours into that program. \$1,800 of the \$10,800 will go towards on-call pay for the network architect through the rest of the fiscal year in order to comply with FLSA as well as the IT on-call policy. Commissioner White asked if the work is outside of what the employees were hired to do. Director Rast said the employees are going above and beyond the expectations, for example, one person worked 97 project hours last week (above and beyond his daily duties) and similar hours were reported in the preceding weeks. Commissioner Dale asked if we can expect that situation to vastly diminish once CAPS goes live. Director Rast said when we go live with CAPS it will stabilize back to where it should be. Commissioner Rule supports the request to use the equity pay. Commissioner White has no problem with the proposal, but as we go forward we need to look at the IT budget and discuss how to fix this so that we are ahead of the game. Director Rast said this is a position that needs merit pay because they are putting in extra time; it's an exception, it's a huge project with a deadline and he doesn't think it will set a standard by any means of being an HR issue. Zach Wagoner said we have a very good compensation plan and we do a good job of recognizing our employees but business ebbs and flows and he feels this is a great use of the 1% equity pay because it was given to offices/departments to use at their discretion based on situations, circumstances, merit, extra ordinary performances. It is well within what was approved for FY2018 and if the Board approves it will be added on to a paycheck as part of the regular payroll process. (Mr. Wagoner left at 10:23 a.m.) Department updates: They

went live with OnBase which replaces DSD's paperclip and papervision products. When CAPS goes live it will complete the solution of receipting, permits, code enforcement, etc. Director Rast praised his staff for coming up with a solution to improve the state's queuing system at DMV. It was a huge win and is one of the many spectacular things that are happening in IT right now. Eric Jensen said the strides being made in the department are because of Director Rast's vision and his ability to direct employees. The meeting concluded at 10:32 a.m. An audio recording of the meeting is on file in the Commissioners' Office.

MEETING WITH VALLEY REGIONAL TRANSIT TO PRESENT NEW SIX YEAR CAPITAL AND SERVICE PLAN CALLED VALLEYCONNECT 2.0

The Board met today at 1:33 p.m. with Valley Regional Transit to present their new six year capital and service plan called ValleyConnect 2.0. Present were: Commissioners Tom Dale and Pam White, Rhonda Jalbert from Valley Regional Transit and Deputy Clerk Jenen Ross. Ms. Jalbert explained that Valley Regional Transit is the regional public transit authority for Ada and Canyon counties and by state statute they are mandated to coordinate all of the public transit for both counties. It is not just fixed-route transportation or the access busses but also sidewalks and bikes; additionally, they are doing a lot of community transportation by working with St. Al's and St. Luke's providing rides for wellness. Being the regional public transit authority they are required to put together a short range public transportation plan. COMPASS creates the long-range plan and based off that they have created ValleyConnect 2.0 looking for the gap and at what they need to do in order to make Communities in Motion happen. ValleyConnect will include all modes of transportation but they plan to focus on fixed-route first and are looking for public input and education.

A discussion was had regarding funding and Ms. Jalbert explained the following points:

- They are a regional governmental authority but they have no taxing authority, there is no dedicated funding source and they operate at the pleasure of Canyon County, Nampa and Caldwell.
- VRT is the designated recipient for federal funding in Ada and Canyon counties for federal transit funds. ITD does get federal transit funds but they are rural funds, which can be used in Canyon County.
- VRT is not a subsidy. In Canyon County they get just enough money to operate the system which means the replacement of busses is based on the CNG rebate at the end of the year and advertising dollars from the sides of busses and they can use that for local match.
- \$190,000 is the CNG rebate plus another \$50,000 match for total of \$240,000 annually.
- Nampa did not provide an increase last year and the city of Star will probably not be giving VRT their annual appropriation. These shortages affect the region, not just the individual city.

- They have reached out to ITD and asked them about construction mitigation efforts and to fund the operation of an additional bus during peak times in the morning and evening but they have declined.
- Currently they are looking for ways to have better access such as dedicated lanes and HOV lanes.

Why ValleyConnect?

- One bus can take the place of 19 vehicles substantially reducing congestion. All of the busses have free Wi-Fi.
- Transit currently costs our region \$15M and households are spending \$1.5B annually.
- Hope to increase the number of jobs and households with access to transit. They would like to increase the amount service hours by 4X. Right now about 100,000 hours of service are provided and by 2025 they would like to be at 400,000 hours of service with 9 frequent routes across the Treasure Valley at 15 minute service. Currently routes vary from 15 to 60 minutes depending on the area of the valley.
- It is believed that increasing the hours would increase ridership. If they can increase to 400,000 hours they could increase ridership to 10-12 million.
- On-time performance is currently being tracked via the tablets onboard the busses which will allow them to create a grid of frequent and reliable public transportation.
- The operation of the busses is outsourced, however, all the assets are owned by VRT.
- The goal is to get 20% of the population within a ¼ mile of frequent service.
- They are trying to increase efficiency by doubling the boarding's per hour from 12 to 24 and then have an 8 fold increase in the annual ridership.
- ValleyConnect is a short-range plan, it's a 6 year plan and Communities in Motion is anywhere from 20-30 years. In designing ValleyConnect they have reviewed all the local comprehensive plans. They did have a stakeholders group in place to receive input and to make sure their plan is working in the local communities.
- Currently the fixed-route operation costs about \$10M and provides 100,000 hours of service at an estimated capital cost of \$15M. The intermediate goal is \$98M in capital costs with 200,000 hours of service and \$191M for the growth goal with 400,000 hours of service annually. Right now capital monies are being spent on bus expansion, maintenance facilities and technology. With the intermediate and growth plans they would also include corridor improvements, passenger amenities and park and rides.

The 5 Network Design Principles VRT uses are:

- Freedom of movement for everybody. The need is to be forward thinking and prioritize actions that increase overall public mobility
- Setting performance measures and how they'll reach those goals
- Maximize ridership
- Encourage long-term ridership growth and partnership collaboration
- Provide access to transit service across the region

Ms. Jalbert reviewed maps of the current public transportation network, growth scenario, premium corridors, secondary & express corridors and how each of those would provide more service to more people in larger areas. Their 'Ride Between the Lines' moto includes how to extend the reach, improve mobility in low-density or poor performing areas and community transportation such as with Metro Community Services and area senior programs. The final draft of ValleyConnect was presented to their Board of Directors in January and they are currently working on their public outreach and education, the final plan will be presented to the entire Board in April. A copy of the PowerPoint presentation Ms. Jalbert reviewed is on file with this day's minute entry. The meeting concluded at 2:18 p.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION TO CONSIDER PRELIMINARY NEGOTIATIONS INVOLVING MATTERS OF TRADE OR COMMERCE IN WHICH THE GOVERNING BODY IS IN COMPETITION WITH GOVERNING BODIES IN OTHER STATES OR NATIONS, PURSUANT TO IDAHO CODE § 74-206(1)(E)

Commissioner Dale made a motion to go into Executive Session at 2:32 p.m. pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Brad Goodsell, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Nampa Economic Development Director Beth Ineck, Representatives from Project Build, and Deputy Clerk Monica Reeves. The Executive Session concluded at 3:24 p.m. with no decision being called for in open session.

MARCH 2018 TERM
CALDWELL, IDAHO MARCH 7, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White – out of the office
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 3/12/18 for a bridal social.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Waxie Sanitary Supply in the amount of \$2435.05 for the Parks department

APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Larry O'Dell, Lori Berry, Vickie Berry and Javier Guizar.

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 8, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Deanna Evans.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- D&B Supply in the amount of \$42,460.00 for the Fair

CONSIDER INDIGENT DECISIONS

The Board met today at 8:51 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Customer Service Specialist Robin Sneegas, Director of Indigent Services Yvonne Baker, Sr. Administrative Specialist Jamie Miller and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-611, 2018-474, 2018-476, 2018-497, 2018-491, 2018-490, 2018-489, 2018-631, 2018-475, 2018-604, 2018-612, 2018-606, 2018-477, 2018-500 and 2018-492. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue initial approvals with

written decisions to be issued within 30 days on the following cases: 2018-130, 2017-1667, 2017-1609 and 2018-17. Commissioner White made a motion to continue case nos. 2018-237 and 2018-51 to May 3, 2018. The motion was seconded by Commissioner Rule and the Board voted unanimously to continue the cases as read into the record. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to place case no. 2017-1564 in suspension. The hospital has submitted a withdrawal on the following cases: 2018-250, 2018-284, 2018-192 and 2018-99. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue final denials on the cases as read into the record. Commissioner White made a motion to amend the initial decision on case no. 2017-1263. The motion was seconded by Commissioner Rule and the Board voted unanimously to amend the initial decision. The meeting concluded at 8:56 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-164

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for case no. 2018-164. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Sr. Administrative Specialist Jamie Miller, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Julie Wood with Med Data for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to May 3, 2018. The hearing concluded at 9:07 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-131

The Board met today at 9:12 a.m. to conduct a medical indigency hearing for case no. 2018-131. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Sr. Administrative Specialist Jamie Miller, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for West Valley Medical Center, Karen Thurber for West Valley Medical Center, the applicant, the applicant's mother and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the case. The hearing concluded at 9:47 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1697

The Board met today at 9:52 a.m. to conduct a medical indigency hearing for case no. 2017-1697. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Sr. Administrative Specialist Jamie Miller, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Julie Wood with Med Data for St. Alphonsus, the applicant, the applicant's brother and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to continue the case to June 28, 2018. The hearing concluded at 9:57 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-40

The Board met today at 10:05 a.m. to conduct a medical indigency hearing for case no. 2018-40. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Sr. Administrative Specialist Jamie Miller, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Luke's, Courtney Kriss for St. Luke's, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the case. The hearing concluded at 10:18 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2017-1230

The Board met today at 10:20 a.m. to conduct a medical indigency hearing for case no. 2017-1230. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Sr. Administrative Specialist Jamie Miller, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Luke's, Courtney Kriss for St. Luke's and Deputy Clerk Jenen Ross. The applicant did not appear. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to approve the case. The hearing concluded at 10:24 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 10:25 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Sr. Administrative Specialist Jamie Miller and Deputy Clerk Jenen Ross. Neither the applicant nor the hospital appeared for the following cases: 2018-261, 2017-1037, 2017-1115, 2017-1201, 2017-1629, 2018-93, 2018-45, 2017-1561 and 2018-142. Upon the motion by Commissioner White and second by Commissioner Rule

the Board voted unanimously to issue final denials with written decisions to be issued within 30 days on the cases as read into the record. The meeting concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY MS & MB FARMS, LLC (BLUE BARN PRODUCE) FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND CONDITIONAL REZONE WITH DEVELOPMENT AGREEMENT, CASE NO. PH2017-42 & 43

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of a request by MS & MB Farms, LLC (Blue Barn Produce) for a comprehensive plan map amendment and conditional rezone with development agreement, Case No. PH2017-42 & 43. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Planner Kyle McCormick, DSD Director Tricia Nilsson, Bobbi Bicandi, other interested citizens, and Deputy Clerk Monica Reeves. MS & MB Farms, LLC (Blue Barn Produce) is requesting a conditional rezone of Parcel R34600, approximately 7 acres from "A" (Agricultural) to "CR-C2" (Conditionally Rezoned Service Commercial.) The request includes a Comprehensive Plan Map Amendment from "Agricultural" to "Commercial." Also requested is approval of a development agreement which would restrict the uses on site to not allow for special event facilities. The subject property is located at 16356 Highway 20-26 in Caldwell, in the SE ¼ of Section 08, T4N, R3W, BM. Kyle McCormick gave the oral staff report. The subject property is involved in an active code enforcement case and to bring the property into compliance they will have to obtain this land use approval as well as a building permit for the existing barn on the property. The commercial zoning would not be out of character with the area, it is currently a mix of agricultural, industrial, and commercial in nature with other industrial uses. The conditions in the development agreement were mainly placed on the applicant due to traffic concerns from the Idaho Transportation Department (ITD). As a part of the building permit process they would be required to obtain all required approach permits from ITD at which time they would look at the concerns they have and they would also need to improve it to commercial approach standards. The applicants have worked with the county engineer to complete a traffic analysis at which time they sent in their sales data to see if it would trip any requirements for left or right hand turn lanes. The engineer's determination showed that there were eight days from the time they were open from April to October where it tripped the threshold for a left hand turn lane. The applicant is still required to apply for an approach permit, but going forward to ITD with that data will help them obtain the permit. Staff has revised some conditions to satisfy some of those concerns such as placing a time limit on when they are required to apply for the building permit. They originally had the condition that prior to commencement of the commercial use the applicant must apply for the change of occupancy permit for the existing barn on the subject property. It was revised that to state the applicant shall apply for and be approved for the change of occupancy permit for the existing barn on the subject property. The applicant shall apply for that change within 90 days. Some of the conditions on the development agreement were that they provide the approach permit with their building permit application when they are ready to submit for that. No special event facilities will be allowed on the property. Conditions were placed to not allow for any additional structures for retail use although bathrooms will be a permitted

use. The retail use of the property is limited from April 1st to November 1st of each year. The P&Z commission recommended approval and staff is also recommending approval. Commissioner Rule asked why the operation is restricted from April to November. Director Nilsson said they have worked with ITD and the applicant to limit the activity to what's there today. ITD has concerns about them closing access to Highway 20-26 and developing new accesses, which would be significant costs to the applicant so they limited it to their current operating season for that purpose - to make the current use compliant with the zoning ordinance but in a way that doesn't trigger other infrastructure improvements that ITD would require. The Commissioners expressed their frustration with the requirements and restrictions that ITD is imposing on the applicants who are operating their agricultural business in an agricultural area. Director Nilsson said the area was added to Caldwell's impact area last year and so they thought this property should get to its intended use with the city and that would be commercial with no restrictions versus a conditional use where you are constantly bound to conditions, but they ran into the buzz saw with ITD. In order to maintain the speed on Highway 20-26 it would require things like deceleration lanes and such because of the commercial zone so that's why they kept the box the same as it works today. She hopes the business grows and they can do their access to be compliant with the state rules and have a good understanding of what that will take. Bobbi Bicandi testified about her efforts with the lengthy application process with the County and ITD. She said the cost of the turn lane into their facility is immense and although she would like to host an event outside of the stated timeframe at this point she just wants to make sure she will be able to open the business on April 1st and continue to work with ITD because there's no guarantee they will give her anything after the County approves this anyhow. Director Nilsson said the applicants have to get an approach permit from ITD to get the change of occupancy and so if that language is not in the agreement or they choose not to do it ITD might put conditions on the approach permit that would kill everything. This is not the ideal situation but it's probably the best we could get at this point. Again, the Commissioners spoke about how troubling it is that ITD is limiting this business when Canyon County wants to encourage and strengthen agricultural activities. Director Nilsson said after this gets approved staff wants to revisit how an agricultural approach is defined with ITD and examine our own zoning ordinance to see if we can increase the 400 square feet to some larger size without triggering unnecessary requirements on agricultural uses. Unfortunately a one size fits all doesn't really work for agricultural businesses, it's commercial whether it's a 7-11 store or Blue Barn Produce and so she also wants to talk to the county engineer about this as well. They are working with COMPASS to do a specific Canyon County trip generation rates for wineries and such because they get in the buzz saw as well; we just don't have good data so we're trying to work with COMPASS to create that and do traffic counts. She appreciates Ms. Bicandi's patience and willingness to come up with different ways of measuring traffic. ITD would have had her do a traffic study which would be incredibly expensive so using the flexibility in the County's fee schedule staff had the county engineer use her sales data because we wanted to demonstrate to ITD that the intensity of the use would be under those thresholds for turn lanes. They have put in extra effort to minimize this but it's still not a great situation. Commissioner Rule would like staff to work on the ordinance and make it so things are reviewed on an application basis rather than a square footage basis. Commissioner Dale said it points out a weakness in our ordinance that we need to change. He wants to send a strongly worded letter of support to ITD to allow this access

as needed for their operation to support agriculture in Canyon County. Director Nilsson will prepare the letter. Ms. Bicandi said the width of their entrance is 3-4 too wide for ITD's rules, but the gates are wide because that's what it takes to get their farm equipment through the gates. They pull off the highway into the parking lot in the evening so their equipment is not in the fields. Also, they installed a black top approach from Blue Barn back to the highway because they noticed cars were spinning out when they left the property. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to close the public hearing. Commissioner Rule made a motion to approve the comprehensive plan map change. The motion was seconded by Commissioner White and carried unanimously. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the resolution amending the comprehensive plan map from "Agricultural" to "Commercial". (See Resolution No. 18-027.) Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the rezone and the development agreement, and the ordinance directing amendments to the zoning map. (See Agreement No. 18-025 and Ordinance No. 18-008.) The hearing concluded at 2:01 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER VARIOUS NEW PROPERTY TAX EXEMPTION APPLICATIONS AND RENEWING VARIOUS EXEMPTIONS UNDER IDAHO CODE SECTIONS: 63-602B, 63-602C, 63-602D, 63-602E, 63-602W, 63-602GG, 63-602P, AND 50-2014

The Board met today at 2:12 p.m. to consider various new property tax exemption applications and renewing various exemptions under Idaho Code sections: 63-602B, 63-602C, 63-602D, 63-602E, 63-602W, 63-602GG, 63-602P, and 50-2014. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Administrative Analyst Jennifer Loutzenhiser, Imaging Specialist Christine Heimbigner and Deputy Clerk Jenen Ross. Ms. Loutzenhiser said there are 576 parcels in the county that qualify for these exemptions and she has received back 402 applications so far. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to approve 208 applications under Idaho Code 63-602B. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the following: 86 applications under Idaho Code 63-602C, 88 applications under Idaho Code 63-602E, 15 applications under Idaho Code 63-602GG, 5 applications under Idaho Code 50-2014. A spreadsheet is included with this day's minutes listing the specific parcels being exempted. After a brief recess the Board went back on the record at 2:47 p.m. to consider the following exemptions:

Idaho Code 63-602E

Educational Personal Property Tax Exemption

Great America Financial Services Corp. – PIN 60724000 0

Wells Fargo Vendor Financial – PIN 64806475 0

Wells Fargo Vendor Financial – PIN 61643740 0

Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to remove the exemptions on the PINs as read into the record.

Idaho Code 63-602E

Educational Property Tax Exemption

College of Idaho – PIN 00838000 0

College of Idaho – PIN 03954000 0

Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to deny the exemptions on the PINs as read into the record.

Idaho Code 63-602B

Religious Property Tax Exemption

West Valley Baptist Church – PIN 14990002 0

Upon the motion by Rule and second by Commissioner White the Board voted unanimously to grant the full exemption on the PIN as read into the record.

Idaho Code 63-602B

Religious Property Tax Exemption

International Church of the Four Square Gospel – PIN 13611000 0

Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to partially remove the exemption on the PIN as read into the record.

Idaho Code 63-602B

Religious Property Tax Exemption

Karcher Church of the Nazarene - PIN 31408000 0

Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to grant a partial exemption on the PIN as read into the record.

Idaho Code 63-602B

Religious Property Tax Exemption

Bethel Church - PIN 02748000 0

Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to remove an additional 10% exemption on the PIN as read into the record.

The meeting concluded at 2:58 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 9, 2018

PRESENT: Commissioner Tom Dale, Chairman

Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Laura Soto.

LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy Sheriff Marv Dashiell (left at 9:13 a.m.), Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter (left at 9:13 a.m.), Deputy P.A. Zach Wesley (left at 9:16 a.m.) and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

Consider signing a resolution authorizing the retirement of K9 "Andy": Mike Porter said "Andy" is being retired due to health issues. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the resolution authorizing the retirement of K9 "Andy" (see resolution no. 18-028).

Consider signing Addendum No. 1 to Canyon County FY2018 Jail Finance and Construction Research Request for Information: Sam Laugheed said the county received requests for clarification on March 1 with one coming in after the deadline. This addendum answers questions that were received as part of the RFI process. One of the questions was in regards to whether the responses would be kept confidential but due to several considerations about the transparency of the process trade secrets can be kept confidential but the entire response package cannot be held confidential from public inspection. There was a request for studies or reports related to the site and with the help of Director Navarro and Commissioner Staff several documents were able to be produced as part of the addendum. There were also several questions about credit rating and outstanding debt to which Mr. Laugheed worked with the Controller and Clerk to obtain the answers. Commissioner Rule asked if this addendum alludes to the fact that the jail will be built at the Pond Ln. site. Mr. Laugheed stated that Core Civic asked for the report related to the Pond Ln. site as the DLR Group's report was focused entirely on this property, but that nothing says anything will be built at that location. Commissioner Rule also asked about a proposed plan at this point. Mr. Laugheed said the DLR report culminated in the production of a concept design that was designed to fit the unique parcel shape at Pond Ln. Commissioner Dale said that a suggestion has been made to him that perhaps the jail could be built bigger and then contract with ICE for the extra spaces as a revenue source to pay for the jail. Chief Dashiell said the need is what the county needs to look to first before we try to develop a revenue source by contracting beds when we don't have enough beds to fit our own needs.

He does not believe it is beneficial to plan to rent beds out to another entity. Mr. Laugheed stated he believes DLR recommended against that strategy. The addendum will be issued today, the information packages will be due on March 19th then there will be a review process of those submissions. There is no contract or expenditure of funds associated with this process. The attachments referenced in the addendum can be obtained electronically. Commissioner White made a motion to sign addendum no. 1 to Canyon County FY2018 Jail Finance and Construction Research Request for Information. The motion was seconded by Commissioner Dale. Commissioner Rule is opposed. The motion carried in a 2-to-1 split vote with Commissioner Rule being the dissenting vote.

Zach Wesley presented to the Board a letter to Zions First National Bank in regards to the certificate of insurance on the administration building. This is a process that happens annually. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the letter to Zions First National Bank (a copy of this letter is on file with this day's minute entry).

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:

Commissioner White made a motion to go into Executive Session at 9:16 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:30 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.

MARCH 2018 TERM
CALDWELL, IDAHO MARCH 12, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 3-15-18

The Board of Commissioners approved payment of County claims in the amount of \$10,552.72 for accounts payable.

APPROVED CLAIMS ORDER NO. 3-13-18

The Board of Commissioners approved payment of County claims in the amount of \$33,526.24 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$2,577.16 for the Information Technology department

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:39 a.m. for an office staff meeting. Present were: Commissioners Tom Dale, Pam White, and Steve Rule, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. Mr. Decker reported on the following communications issues: an election will be held tomorrow for school bonds and levies; Channel 2 will do a story on the lack of female beds and female work release; there are some outlets looking to do another story on the Telmate tablets that are used in the jail; he will prepare talking points for the upcoming KBOI radio interview; April is Child Abuse Prevention Awareness month so there will be some events held; been working with Ross Garvin on the bike project and is assisting with media story for the bike giveaway that will take place on March 22 at West Middle School; and he will make some updates to the website. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

FILE IN MINUTES

The Board filed the Treasurer's Tax Charge Adjustments by PIN for February 2018 in today's minutes.

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

The Board met today at 9:36 a.m. for a monthly meeting with the Director of Development Services to discuss general issues, set policy and give direction. Present were:

Commissioners Tom Dale, Pam White and Steve Rule, Director of DSD Tricia Nilsson and Deputy Clerk Jenen Ross. Director Nilsson updated the Board on the following items: They are currently 45% ahead on revenue budget. Simplot will have a large permit coming in soon that will need a variance for height. Commissioner Dale asked Ms. Nilsson if she had heard anything on Treasure Valley Renewables; she said the last she heard is that they were still working on a financing issue. After the hearing last week regarding Blue Barn Produce Director Nilsson drafted a letter to ITD expressing the need for better tools that accurately reflect what is happening with the smaller ag businesses in the area. A discussion was had regarding platting requirements. Ms. Nilsson explained that as the summer approaches they are preparing for a very busy season; one inspector has given notice with his last day being March 23 so Eddie Alvarez will be moving into that inspector position and they will be recruiting for a plan reviewer. Ms. Nilsson is working on two new positions for next year's budget - a front counter plan reviewer and a planner with ½ their time spent working with the smaller cities in the hope that those cities would pay part of that persons salary. She plans to speak with some of those city leaders in April. Commissioner White asked about hiring contractors instead of full-time employees but Director Nilsson said there is a need for consistency amongst the industry. Commissioner Rule expressed his concerns regarding having a shared employee with the cities. He worries about the division of time and believes the DSD department will need a full-time employee in the end. Commissioner Dale suggested looking at having a full-time employee and then develop a fee structure for services as needed. The meeting concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER AN APPEAL OF CASE NO. PH2017-36 REGARDING A CONDITIONAL USE PERMIT FOR RAY & KEITH STILWELL

The Board met today at 10:30 a.m. to conduct a public hearing to consider an appeal of Case No. PH2017-36 regarding a Conditional Use Permit (C.U.P.) for Ray and Keith Stilwell. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Keith Schade, Simon Vander Woude, Tim Wright, other interested citizens, and Deputy Clerk Monica Reeves. The applicants, Ray and Keith Stilwell, are appealing the decision by the P&Z Commission regarding the denial of a Conditional Use Permit to operate and maintain a Recreational Vehicle (RV) Park Parcel R29039010. The use includes eight RV sites and eight future RV sites. The subject property is approximately 3.17 acres and zoned "A" (Agricultural) and is located at 4959 Kuna Road. Dan Lister gave the oral staff report. The appeal letter states the applicants have been working with agencies, such as DEQ, the Nampa Highway District, and Southwest District Health, and have shown the use is adequate for the site. The subject property is a 3.17 acre parcel resulting from a legal division in 1981; it's had multiple code enforcement complaints mostly between 2004 and 2015 regarding the multiple RVs on site. They cleaned them up and applied for this permit and since then they have added another 10 on the site without any approved permits. In addition to the RVs there is a single family dwelling that's been there since the 1930's as well as three manufactured homes (legal nonconforming) since the 1970's. In addition to these violations they also have violations with the Idaho State Department of Building Safety for illegal plumbing and electrical. Southwest District Health notified staff that there is a

septic failure on site due to an older septic system failing based on illegal uses (drainage into it). Existing services are not adequate to support the proposed density of the RV park which should be near a city sewer and waste and have the adequate systems to sustain this type of use. Potential impacts related to the use, water, wastewater, and property management have not be adequately addressed therefore the use may have some health, safety and welfare impacts. Exhibit #24 shows the pictures taken on January 3, 2018 and at the time staff counted 10 RVs on site. During the P&Z Commission hearing the applicants admitted to bringing more RVs on site without the approval of the C.U.P. Mr. Lister said when you think of an RV park as described in the zoning ordinance it states a parcel of land designed and intended for the use of recreational vehicles for a fee as temporary living quarters for recreation and vacation purposes, but this case doesn't seem like it's going to be used for that, it's going to be used for a living situation. Water and wastewater are not there to sustain such a use and the applicants are having trouble showing evidence that they can have that on the site. They have two wells and staff is unsure if one is legal, according to DEQ they need to require a public drinking water system. They have to have 15 units or 25 persons and based on what they have now which is 10 on site illegally and 4 additional units for a total of 14, they are possibly over the 25 persons. The applicants do not have the water rights for that type use, however, they are going through the application process with the Department of Water Resources to obtain it but they don't know if it will be approved. Southwest District Health reviewed the site and they are opposed to it without getting some information regarding how the septic system is going to be constructed. Based on the use depicted they are requiring a large soil absorption system which needs engineering and planning and so far we don't have any of that. Staff believes the P&Z Commission decision was correct and they are recommending denial of the appeal. Keith Schade testified on behalf of the applicants. He submitted a plot plan depicting where the units are located and he referred to the project design including their efforts in working with Southwest District Health. There are plans to have an engineered septic field. He spoke about the system that has failed and their plans for a new tank(s), depending on the engineer's recommendation. There will be a leach field and an engineered mound system. If their current system fails there is another area north of the house that could be used for another re-engineered system if the soil density requires it. Mr. Schade spoke about their plans to use lights to illuminate the entrances to the park. He said that neither the highway district nor ITD have any objections to the proposal. There is an old milk barn on the property that needs to be torn down before it falls. Plans for the space include a 1200 square foot office building that will include a dayroom, a laundry facility, and offices. There will be ADA compliant restrooms on the property. Mr. Schade said he has not spoken with Tim Wright from Southwest District Health regarding the tank proposals for the new septic system, but he has been in communication with a plumber about their proposed public drinking water system. Commissioner White asked what the project timeframe is. Mr. Schade said everything will be done in two years. It will be a three phase project with the first phase being the septic system and the engineered drain field, electrical and roads. The tenants will have to be moved to the front row once the final inspection is done and they have the occupancy for the first row. The second phase will be the design of the common area and the third phase will be the new office building. The estimated cost on the redesigned park is between \$300,000 and \$350,000. Mr. Schade believes the park has been there since the late 1960's, and the Stilwells have had owned it since April of 2017. Simon Vander Woude said the RV park was

denied in October but the applicants have not only continued to operate the park but they have expanded it as well. It needs to be shut down until it can be brought into compliance. He said the property had a home and two mobile homes which they have turned into an RV park and it's disgraceful that this kind of activity is going on in violation of County ordinances and requirements. The applicants have no business running an RV park in this area; it's a total disregard for law and County authority. Tim Wright said he outlined everything in a letter and he doesn't want to rehash it again (SWDH letter Exhibit #26). In his professional opinion he doesn't believe they have the space to do what the IDAPA rules require them to do. They have a lot of steps to go through in order to obtain approval. The permit they are currently under is a replacement for the two 2-bedroom mobile homes, and that's all it will support. As for the engineered mound that was referenced, Mr. Wright said he hasn't received the engineering on it but it must meet the standards and it has to be under an engineer. There's another lengthy process they are looking to go through if it is a commercial facility and that may require them to go through a nutrient pathogen study that will indicate whether they have to lower the nitrate count in the proposed flow of the wastewater so as not to impact the water wells. There are currently two wells, but one is undocumented. There are public water issues. Mr. Wright doesn't believe they have enough space to do what is required, but he said the department will entertain anything as long as they can meet the provisions of what he has outlined in his letter. No rebuttal comments were offered. Upon the motion of Commissioner White and the second by Rule the Board voted unanimously to close the public hearing. Commissioner White said she sees the effort in the drawings that Mr. Schade presented but she believes the park needs to go away. If they want an RV park it needs to meet all requirements. She does not support the continued operation of the RV park. Commissioner Rule said the parcel has a history of violations related to multiple RVs being inhabited on the property and currently it's in violation and the proposed plans do not completely remedy that. He needs to see an engineer's stamped plan before he would move forward on it. He cannot support the request. Commissioner Rule made a motion to deny the appeal. The motion was seconded by Commissioner White. Commissioner Dale said when he thinks of an RV park as defined in our ordinance it is temporary and it's for people passing through doing recreational things. It's not for a permanent mobile home quasi RV park permanent site for people to live on, that requires a different set of stipulations. There is no evidence that drinking water will be protected. In light of the history of violations with a seemingly disregard to correct the violations he is not inclined to vote in favor of the appeal or allow the RV park to continue. Also, there is a health and safety factor out there that's just waiting for something to happen and he think it should be cleaned up and then move forward if it's appropriate for that type of use. The motion to deny carried unanimously. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to sign the Findings of Fact, Conclusions of Law and Order on March 19, 2018 at 9:30 a.m. The hearing concluded at 11:11 a.m. An audio recording is on file in the Commissioners' Office.

MONTHLY MEETING WITH ADMINISTRATIVE DISTRICT JUDGE AND TRIAL COURT
ADMINISTRATOR TO DISCUSS GENERAL ISSUES

The Board met today at 1:30 p.m. for a monthly meeting with the Administrative District Judge and Trial Court Administrator to discuss general issues. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Administrative District Judge Susan Wiebe, Trial Court Administrator Doug Tyler and Deputy Clerk Jenen Ross. Mr. Tyler let the Board know that Gem, Payette, Washington and Adams counties will be going live with Odyssey on April 9th which means the system will be down on Friday April 6th in preparation for that. In anticipation of being offline they will keep the schedule light and only handling emergent matters on the 6th; court will not be held that day. Commissioner Dale asked if the realignment of priority of payments had been addressed yet. Mr. Tyler said it was on the Senate for the 3rd reading today but the meeting was adjourned to 3:30 p.m. If the Senate passes it, the misdemeanor probation payments will move to number 3 on the priority of payments. Judge Wiebe is still trying to work out her schedule but at this point she has set aside Monday afternoons to be in Canyon County and the Prosecutor's Office and Public Defender are in contact via email with any issues. Mr. Tyler said that John Klauer recently left for a position with the FBI but that Wes [Musser] will be taking over that position. They will have one of their part-time people step up to full-time and then a Sheriff's part-time person will come over to help cover. Judge Wiebe and Mr. Tyler said the courtroom situations are all working out well. Commissioner Dale asked what the responsibilities are of the Administrative District Judge; Judge Wiebe explained that her largest responsibility is court management but not necessarily how a judge runs his or her courtroom. Commissioner White expressed her appreciation of the work the courts are doing in regards to the jail situation, Judge Wiebe said she is well aware of the issues and realizes there is no easy fix. There was a discussion about changes that could take place at pre-trial and how it could affect the county and jail. Judge Wiebe also mentioned that once there is a sign off from the governor the crisis center will be a go. The meeting concluded at 1:53 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 13, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 3-13-18

The Board of Commissioners approved payment of County claims in the amount of \$13,348.00 for accounts payable.

LEGAL STAFF UPDATE AND CONSIDER SIGNING RESOLUTION FOR THE DESTRUCTION OF INDIGENT FILES 2018

The Board met today at 9:01 a.m. for a legal staff update and to consider signing a resolution for the destruction of indigent files 2018. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Zach Wesley said Director Baker has worked with the Board's staff to collect files that have been closed for decades. This resolution includes a paragraph that will allow those records to be transferred to Ms. Baker under the Clerk as the medical indigence director to classify those and then either retain or destroy them according to the resolution. Board files to be retained will be transferred to Director Baker to be maintained in the current management system. A list of the files to be moved to Indigent Services is included with this resolution. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution for the destruction of indigent files 2018 (see resolution no. 18-029). There were no items for discussion at the legal staff update. The meeting concluded at 9:06 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM
CALDWELL, IDAHO MARCH 14, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 1812

The Board of Commissioners approved payment of County claims in the amount of \$1,623,241.86 for a County payroll.

APPROVED CLAIMS ORDER NO. 3-26-18

The Board of Commissioners approved payment of County claims in the amount of \$149,774.74 and \$109,112.55 for accounts payable.

APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Eduardo Alvarez, Cassandra Jo Lamb and Thomas Moore.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for East Cleveland Beverage & Tackle, LLC dba East Cleveland Beverage (see resolution no. 18-030).

LEGAL STAFF UPDATE AND OPEN BIDS FOR 2018 CANYON COUNTY RE-ROOFING PROJECTS FOR JAIL ANNEX AND DEPARTMENT OF MOTOR VEHICLES

The Board met today at 10:02 a.m. for a legal staff update and to open bids for the 2018 Canyon County re-roofing projects for the Jail Annex and Department of Motor Vehicles. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro (left at 10:05 a.m.) and Deputy Clerk Jenen Ross. Director Navarro said it was budgeted this year to re-roof the DMV building and the jail annex. There were three companies that were invited to bid the projects and all three did attend the walk thru. There are currently only two bids to be opened but Director Navarro will reach out to the third company to see if they have a bid to submit. Sam Laugheed explained that the statute requires the county to get three bids and if we receive less than three a record will need to be created to show the effort that was made to obtain the three. Additionally, these bids will need to be validated against the requirements in general. Mr. Laugheed recommends opening the bids, looking at the bid forms to see what the numbers are and then he and Mr. Navarro will validate them. The bids were as follows:

Upson Company

Bid amount for the Jail Annex: \$189,800

Bid amount for the DMV: \$127,600

JB's Roofing

Bid amount for the Jail Annex: \$59,917

Bid amount for the DMV: \$92,143

Director Navarro indicated that the budget is more reflective of the bid by JB's Roofing. Mr. Laugheed said there is a presumption in favor of the apparent low bid but since only two bids were received instead of three and due to the significant differences he would like to discuss further with Mr. Navarro what the options and potential exposure could be. Mr. Laugheed expects to be back in front of the Board in the next few days with additional information.

As part of the legal staff update Commissioner Dale asked about giving DSD the authority to issue refunds up to a certain amount without having to come before the Board. Mr. Laugheed said he will need to speak with Director Nilsson but believes it may be something set in the ordinance that would need to be amended. Mr. Laugheed said he will check with Mr. Wesley to see what kind of conversations he may have had with Ms. Nilsson.

Mr. Laugheed said he has a letter prepared to Rick Ferguson as a response to a letter that was recently received from ICRMP; the other elected officials will also be copied on this response. Once the response letter is sent on behalf of the county there will be a meeting set with the other elected officials to discuss what happens next which could be a matter

discussed in executive session at the next elected officials meeting in a couple of weeks. Commissioner Dale asked if the letter received from ICRMP is considered a public record to which Mr. Laugheed confirmed it is.

The meeting concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY BAKER LAND MANAGEMENT, LLC, FOR A CONDITIONAL REZONE FOR CASE NO. CR-PH2017-41

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Baker Land Management, LLC, for a conditional rezone from "A" (Agricultural) to "CR-C2" (CR-Service Commercial). Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Deputy P.A. Zach Wesley, Todd Lakey, Dorena Schrader, David Baker, Scott Baker, Reese Verner, Terry Michaelson, Linda Hambleton, Richard and Sherry Kersting, Kathy Purvis, David Ward, Diana Stanford, and Deputy Clerk Monica Reeves. Debbie Root gave the oral staff report. The Bakers are requesting to conditionally rezone a 25.37 acre parcel from agricultural to service commercial. The applicants have not provided a specific land use for the property. The C2 zoning allows for uses that may not be compatible with adjacent and nearby residential development due to noise, traffic, industrial appearance, lighting, smell, etc. The P&Z Commission recommended the case be denied. The property currently contains one shop residence, an accessory structure that is not a permitted structure and significant personal storage of equipment, trailers, cars etc. There is also a small hog farm on the property. Approximately 16 acres of the subject property are in agricultural crop production. The neighbors and other property owners in the surrounding area received a flyer stating 6,000 hogs are soon coming to the property. The application does not allow for an animal facility to be established, the property is also not sufficient in size to have an allowed use that exceeds 500 hogs. Staff sent clarification of the ordinance allowance to all property owners within a mile radius of the subject property. The existing hog farm is clearly a concern for individuals in the area but this application is not about addressing a hog farm. There are currently no municipal water or sewer services available in the area. The uses in the C2 zone may require significant infrastructure improvements to mitigate traffic impacts and water waste treatment concerns. The property is within a nitrate priority area and all development will have to meet the requirements of the health department. Infrastructure impacts are a concern, specifically the impacts to water systems, traffic and sewage treatment. The surrounding areas are comprised of agricultural properties, residential developments and commercial development approximately ¼ mile to the north at Lake Shore Dr. and Highway 45. The Nampa City impact area extends to the north side of Lake Shore Drive but does not include the subject property at Deer Flat Road. The property is identified on the Canyon County Future Land Use Map as commercial but this area is identified as agricultural on the Nampa City Future Land Use Map. Staff originally recommended denial of the rezone because the intended uses are not identified and findings for compatibility infrastructure cannot be made. The applicant then proposed to work with the County to identify a potential path forward and requested that the application for rezone be changed to a conditional rezone

with a development agreement and they worked with staff to identify land uses that are designated as allowed uses in the land use matrix in the C2 zone, meaning that there would be no further review other than the requirement of the building permit for that development without the proposed development agreement conditions. This could have significant impacts to adjacent land uses and/or infrastructure including roadways, water, waste water, and other environmental concerns including lighting, noise, dust, etc. They have provided a potential means of managing the compatibility and infrastructure concerns through a site design review process that will require a director's decision and notification to the agencies and property owners within 300 feet. Conditions can be placed through the director's decision but they cannot be placed in a straight rezone. Staff is very cautiously recommending approval of the proposed rezone as conditioned by the development agreement and use of the director decision for the identified allowed uses in Exhibit 1, Attachment A.

Todd Lakey gave testimony on behalf of this clients stating they started out as a straight rezone based on the comprehensive plan, but based on the input they received from the neighbors and staff they changed their application to a conditional rezone with a development agreement that included some specific conditions to address the concerns of the neighbors as well as the concern staff had which would allow for additional public input and director decision regarding buffering and mitigation and the infrastructure needs. He said the P&Z Commission decision wasn't unanimous and the commissioner who spoke most in opposition to the project stated that he felt the property should not be designated as commercial in the comprehensive plan, but that is inappropriate. The comprehensive plan designates what it is, it's not the P&Z Commission's discretion to say it should be something different, that's the decision of the County Commissioners when adopting the comprehensive plan. This is an area that is designated and planned for commercial use, it has long standing historic commercial uses and it was designated because of the historic commercial uses in the area and it's also in recognition that it's an appropriate place particularly for ag related commercial uses. The application for commercial zoning is consistent with the comprehensive plan and it doesn't change the essential character of the area. There are some additional protections in the development agreement to deal with potential compatibility issues that provide an additional process for the director to review the application and whether it provides sufficient mitigation and buffering and the infrastructure needs. The comprehensive plan talks about designating suitable areas for commercial, industrial and residential and those designations need to be utilized and protected and provide that opportunity for businesses to come to Canyon County in those designated areas. When a business is looking at Canyon County they are looking for land that's already zoned and entitled, they don't want to have to go through the risk of an entitlement process. Mr. Lakey referred to other commercial uses in the area which he said demonstrates the historic nature of the commercial uses as well as the consistent and occurring commercial growth that's occurred. They have agricultural uses but with the commercial designation agricultural use is no longer the priority, the priority is for development into commercial use so they're not really looking at evaluating the quality of the agricultural ground but with that said it's a fairly small piece that has the less viable ground running through the middle of it so it's not a prime piece of ground for raising crops.

The applicants have taken additional steps in the development agreement to assure compatibility and mitigation.

Commissioner Rule asked Mr. Lakey for his thoughts on the anonymous flyer that was sent to neighbors about plans for a 6,000 hog farm operation. Mr. Lakey questioned whether that number is accurate, he also said they are not requesting a hog farm. Commissioner Rule said the property has had numerous code violations and the applicants have a history of saying they'll do things and not following through with it. The County revoked their permit due to non-compliance of conditions and so with that history why would the applicants comply with these new conditions. Mr. Lakey said there was a code enforcement issue that was pursued by the County but the court ultimately found there wasn't a violation, and, there aren't any violations out there currently. It's an agricultural zone so there are things that are used in an agricultural operation. The applicants want to find a commercial developer to purchase it and then they will no longer be involved with the property. He said the development agreement says they will follow the administrative review process, and so there will be an administrator level review which provides notice to the public and a comment period and then the director will make a decision and if those folks don't like the decision they have the opportunity to appeal to the Board of Commissioners. Commissioner White had questions about the plans for the property and types of uses the applicant is considering. Mr. Lakey said there has been some discussion but he doesn't know how serious the buyer was with some type of potential, but it looked like a commercial warehouse facility but there isn't a specific user or purchaser in place at this point. This is to zone it for commercial in advance so businesses that want to locate here have entitled property to look at.

Scott Baker stated the land is not good for growing crops due to the hard pan; he has hay on it but it doesn't produce enough revenue to cover the \$3,500 in annual taxes. He's raised hogs for four years and he's had good success with it and he'd like to buy another piece of ground to sustain a larger hog farm. He said neighbors have concerns about the hog farm smell and he told them when the rezone happens the hog farm will go to a new location. He had no knowledge about the anonymous letter that was sent to neighbors. He said a neighbor has stated that he (Mr. Baker) dumped human waste on the property but that never happened, it was a grease trap composting project code violation. Commissioner Rule asked Mr. Baker to identify the various items that are on the property. Mr. Baker said he had multiple cars and heavy duty trucks on the property but he's been slowly getting rid of things; he estimates there are 12 vehicles on the property. There is also a park area, landscaping, and a hog facility.

David Baker said they have been before the Board with questionable results in the past. Five years ago they asked for commercial zoning and staff and the P&Z Commission recommended approval and with a full Board of three two voted for approval with conditions and one voted against it and the case was tabled for that purpose. He said one month later, with no objections from neighbors, the Board met with only two Commissioners voting, one for and one against, with Mr. Rule casting the dissenting vote single handedly killing their request, time and money. Four months ago he drove 11 hours to attend the Board's hearing but was notified that only two Commissioners would be present, this time Mr. Rule was absent. He asked for the hearing to proceed but after several people showed up they were informed that Mr. Rule wanted the hearing rescheduled. For the hearing that was rescheduled to January they were informed that only two Commissioners would be present,

one being Mr. Rule who wanted to proceed with the hearing. Mr. Baker finds it suspect that Mr. Rule was happy to have a hearing where his vote can kill their project but not a hearing of two Commissioners where he's not present. He said they have worked hard with staff to have proper C2 zoning with limitations in place to protect the neighbors and they felt it would be better to get the proper zoning because with the current agricultural zoning it forces them to have a hog farm because the land isn't good for crops. They never intended for their actions to be interpreted as threats nor are they making threats against anyone. Going forward they expect to defend themselves with attorneys, the media, or any other tools necessary to protect their names and property rights. They wish to have commercial zoning and sell the property thus moving their hog farm farther away from people. Commissioner White asked if the hog farm will be leaving the property. Mr. Baker said they would prefer to move where land is cheaper and with the commercial zoning he believes this land will be worth more.

Dorena Schrader said she has been trying to learn more about the applicant's request but she finds it strange that the focus is on the hog farm threats. She sees no reason why the property shouldn't be rezoned to a commercial zone.

David Ward testified that he came to today's hearing because he received one of the flyers about the hog operations and it raised his interest. He said it doesn't look like the property is being used for agriculture. He wants to know what the allowed uses are so that he can make a judgement and he wants to make sure his property retains its value and that his quality of life is undisturbed.

Reese Verner stated he owns 32 acres adjacent to the Baker property and it's his hope that something can be done to make the development of the property compatible with the agricultural residential use of the adjacent properties. The development agreement calls for berming between his property and the Baker property which is good and if everything is in compliance with a properly drafted development agreement it would be in the best interest of everybody out there, but the question is whether it's going to be done and who's going to make sure it's done. He said perhaps the Board should consider C1 neighborhood commercial zoning for the portion of the property that abuts the adjacent residential property rather than C2 zoning for the entire parcel. Mr. Verner hopes that the Board's decision is in the best interests of the neighborhood and that there are specific requirements and that the property is developed with the full intent of the agreement.

Terry Michaelson testified that he has lived in the area for 40 years and he was surprised to hear testimony that the ground's not suitable for farming because that's what it was used for before the Bakers purchased it. He said the idea that the Bakers have never done anything that could be construed as a threat is just hogwash. Two days before the previous hearing Reese Verner received a letter from Mr. Lakey that said they would pursue legal remedies for damages resulting from false statements regarding the dumping of waste, and in his opinion that sounds like a threat. Mr. Michaelson responded with a letter to Mr. Lakey that included a certified letter from 2007 that was sent to Scott Baker and Western State Dewatering, Inc., the company that was dumping waste on the property. The information included a transcript of the response that Mr. Michaelson received from the president of the company saying "we're sorry, we'll immediately clean the stuff up" and a memo about Scott

Baker saying the waste would be cleaned up. He said if the property is used for a nursery or something compatible and if the County makes sure the conditions are enforced he will not oppose it, but, if it's a strip bar, for example, with noise, lights and traffic and all of those problems he will fight it.

Linda Hambleton said the anonymous letter about the hog farm has raised a lot of red flags and it seems as if the applicants only have it because they didn't get their request approved and that's concerning; she is opposed to the request.

Richard Kersting wants more information about what is going on. He asked if it is usual practice for the Board to decide a zoning matter without actually knowing what will be placed on the property. Commissioner Dale said the Board doesn't always know exactly what's going into an area before it's zoned, but that's why the County has a chart that says what uses are allowed in those areas. The charts are developed so that they can identify compatible uses to the surrounding areas for orderly growth. Commissioner Rule said oftentimes this is the format but there are also times when the applicants are more specific and have a plan. In this case there is a history with the property and it's sort of "broadcast" zoning and it makes him nervous because of what's happened over the past several years. If there was a plan it'd be a lot easier to consider but that's not what we have here. Mr. Kersting said that makes it difficult for the neighbors; they have lived in the area long enough and close enough to the project to be very concerned about what can happen to their investment.

Kathy Purvis said her concerns deal with setting a precedence to eliminate the agricultural land, and the strong arm tactics she believes the applicants have used. The prior owner, Gary Krajnik, used to grow crops but when Scott Baker bought the property he scraped the topsoil off and made a berm out of it so of course it's not going to grow anything. She said the residents are afraid to go to meetings and testify because they've been intimidated and threatened. She spoke about how a crop duster did a "flyby" and she felt like it was specific to her because she spoke up at a meeting, and, she found it odd that when she was approached about selling her land the person asked if her well was encased. Apparently there is a gas and oil well in the area that has been capped. On the evening of March 2nd there was a big boom and the roof on her house shook and the dogs went wild, and then the next night there was another boom and the whole house shook and it felt like it was coming from underground. Ms. Purvis is concerned about the potential to strong arm the neighbors and push them off their land.

Diana Stanford testified that no one is trying to prevent the Baker brothers from selling their property; they bought it as agricultural land, they can sell it as agricultural land. They told the previous owner they were going to build a nursery but it never came to be. She believes this is a ploy by a group of people that want to buy up the land and profit from it by turning it into subdivisions and selling the lots to other people. Ms. Stanford also spoke about her concern regarding water rights. She said there's a lot more involved in this but it all comes down to the same thing, the Baker brothers can sell their property at any time but it should stay zoned as agricultural according to the comprehensive plan.

The Board took a brief recess at 3:05 p.m. and resumed the hearing at 3:10 p.m.

Todd Lakey offered rebuttal testimony. The property is designated for commercial in the comprehensive plan and it's been that way for at least 20 years so the precedent is already there. He said there's been history with the property and a bomb was thrown in regard to the hogwash letter but this isn't about popularity or personalities, this should be about land use and the land use is designated as commercial and the area is growing out there, particularly with the commercial development that's related to agriculture. The conditional rezone and development agreement put additional scrutiny and requirements and gives opportunities for public input. With regard to the letter that Mr. Michaelson referenced, he said that was a professional demand letter and his request was simply to be accurate in regards to statements about the dumping of human waste on the property. That has not occurred, what was put on the property back in 2012 was composting and it wasn't managed correctly and it stopped; his request letter was simply to be factually accurate. This is an area that's used as and designated as commercial and this is an appropriate application that's different than the standard rezone with the terms of the development agreement to help address the concerns.

Upon the motion of Commissioner Rule and the second by Commissioner White the Board voted unanimously to close public testimony. Commissioner Rule said there was testimony that this is not farm ground but the exhibits indicate it is prime farm ground and there is farming all around the area. He has a sensitivity to this case because of the past history associated with the property, and he is aware of the violations and complaints that have been filed and it's a problem for him. He believes that when David Baker made the comment a few years ago that they would turn the property into a hog farm if their request was not approved it was a threat then and he believes it's a threat today. Commissioner White said the property is zoned agricultural and it is not within a city impact area, it's designated agricultural on Nampa's future land use map. The property is actually only designated commercial on the 2020 Canyon County Comprehensive Plan, it is not commercial, it's designated to be that on the comprehensive plan. She struggles with doing a blanket rezone and it bothers her that the applicant has not specified an intended use. In response Commissioner White's questions about "policing" the property and enforcing conditions, Director Nilsson said all properties are governed to be in compliance with the zoning ordinance and that's where code enforcement comes in but a development agreement has restrictions on how the property is used. In this case she thinks if we have a commercial zoning and a commercial developer they're going to come in and meet with staff before they do anything and staff will say "what's your use? The development agreement says this use is allowed or it's conditional or it's subject to a director review." Commissioner White said there was testimony that if the rezone is granted the hog farm will leave this location and she likes that because it addresses some of the concerns of the neighborhood. Commissioner Dale said there's a lot of evidence to weigh on both sides of this issue and although he doesn't have the long history that Commissioner Rule does he is aware of the documentation and he's trying to just look at the facts. He appreciates the clarification that this is about a land use issue and he appreciates the testimony from the neighbors but he does not believe there's a conspiracy to buy up all the land and turn it into houses. Furthermore, he's a pilot and familiar with crop dusting and if someone was purposely flying over a house to try to scare people they would lose their license in a heartbeat, so he doesn't believe that's being used by anybody as a scare tactic given how restrictive pilot licenses are. It's a highly regulated business. With regard

to the booms that Ms. Purvis heard he has no idea what it would be but he doesn't believe it's a part of a conspiracy to turn it all into oil wells. He said the neighbors have legitimate concerns but they are separate from what the Board is considering. Going north from Lake Shore there's commercial development that extends out and it's the same area that is designated commercial on the comprehensive plan map and he believes at some point this will be designated commercial. It was testified that the intent is to sell the ground for what it's designated to be, which is commercial, and he can't begrudge that fact. This is not a water rights issue, this is a land use issue and although he is not familiar with the water rights argument he can't believe that people who've lived there for 30 years do not have water rights. Commissioner Dale is leaning towards saying this is going to be commercial and that the sale of the land would solve a lot of the conflicts and so if there is a way to tighten up the development agreement he would be in favor of it, but it would take some discussion and negotiation. Commissioner Rule said the enforcement doesn't exist and given the history with this property he has concerns. He made a motion to deny the conditional rezone request for Case No. CRPH2017-41. Commissioner White seconded the motion noting that a previous approval was granted but then the permit was revoked due to non-compliance with conditions of approval. Commissioner Dale said he will vote in favor of the motion but he wants it noted for the record that we need to provide findings and facts stating what the applicant can do to obtain approval. Ms. Root said perhaps the applicant could come back with a dual request for a different zoning on that one portion as Commissioner Rule suggested and to find a buyer or developer who wants to put a particular use on the property. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to deny. The motion carried unanimously. The Findings of Fact, Conclusions of Law and Order will be prepared and brought before the Board on March 29, 2018 at 10:00 a.m. The hearing concluded at 3:45 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 15, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule – out of the office
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Mary Bybee, Joseph Dorn, Timothy Syreen, Nathan Cutler and Paige Gabiola-Reedy.

APPROVED JANUARY 2018 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of January 2018 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.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:58 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale and Pam White, Customer Service Specialist Robin Sneegas, Customer Service Specialist Rebecca Lawhorn and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility requirements for county assistance: 2018-506, 2018-504, 2018-510, 2018-676, 2018-677, 2018-505, 2018-507 and 2018-647 upon the motion by Commissioner White and second by Commissioner Dale the Board voted unanimously to issue initial denials on the cases as read into the record with written decisions to be issued within 30 days. Case nos. 2018-517 and 2018-499 meet the criteria for county assistance. Upon the motion by Commissioner White and second by Commissioner Dale the Board voted unanimously to approve the cases as read into the record with a written decision to be issued within 30 days. The meeting concluded at 9:00 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER SIGNING 2018 CANYON COUNTY COURTHOUSE PAINTING PROJECT INVITATION FOR BIDS

The Board met today at 9:01 a.m. for a legal staff update and to consider signing the 2018 Canyon County Courthouse Painting Project Invitation for Bids. Present were: Commissioners Tom Dale and Pam White, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. Director Navarro said that the courthouse has needed to be painted for several years. The second and third floors of the building are joined with what are called 'double Ts' which are deteriorated in several places allowing insects and bats among other things into the building. Due to the deterioration the building will first be properly prepped with repairs made to the joints prior to painting. Additionally, there are some windows that need to be property sealed to avoid leakage before the painting is done. Along with repairs to the building there is some soffit repair to be done and Director Navarro believes it will also be possible to paint the backside of the jail annex which is the back of the courtyard. The county may supply the materials on this project as they are able to be purchased without the sales tax and the county has several contract suppliers where we may be able to get a better price vs. a contractor purchasing it. The budget for this project is approximately \$450,000 and Director Navarro hopes to have the painting done in the spring/summer. Upon the motion by Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the 2018 Canyon County Courthouse Painting Project Invitation for Bids.

Zach Wesley and Director Navarro said a third bid for the jail annex and DMV re-roofing project was received approximately 3 hours past the deadline. The county chose to accept the bid which helps with the three bid requirement. Commissioner White asked about the large price difference between the two bids that were opened yesterday. Director Navarro has reached out the JB's Roofing who explained that their bid was lower because there is some material that can be reused instead of replaced as the other bids indicated. Additionally, the bid from Upson Company used a higher end product that was not requested by the county making their bid outside the scope of work. Zach Wesley has indicated that a letter has been prepared letting all three contractors know that JB's Roofing will be awarded the contract with a separate letter being prepared for JB's Roofing. Work is anticipated to begin between May and June with the painting portion to begin later in the summer. Director Navarro would like to see the painting happen in the evenings to avoid over spraying cars. All vehicles that are here afterhours will be notified of the painting and moved around as needed. Mr. Wesley also let the Board know that he did receive the letter for reconsideration from Borton-Lahey regarding Cope Sand and Gravel. Once he has a chance to review the letter he will come back to the Board with more information but did indicate that the county has 60 days to respond. The meeting concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING FINAL PLAT FOR STANCIU SUBDIVISION

The Board met today at 10:33 a.m. to consider the final plat for Stanciu Subdivision, Case No. PH2015-55. Present were: Commissioners Tom Dale and Pam White, TJ Wellard, DSD Planner Debbie Root, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner White and the second by Commissioner Dale, the Board voted unanimously to sign the final plat for Stanciu Subdivision. The meeting concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 16, 2018

PRESENT: Commissioner Tom Dale, Chairman – out of the office
Commissioner Pam White – out of the office
Commissioner Steve Rule – out of the office
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 19, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Nicole Brock.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Grizzly Sports in the amount of \$14,964.00 for the Fleet department
- Grizzly Sports in the amount of \$15,764.00 for the Fleet department
- Caxton Printers in the amount of \$26,293.39 for the Trial Court Administrator

APPROVED CLAIMS ORDER NO. 3-26-18

The Board of Commissioners approved payment of County claims in the amount of \$74,230.97, \$14,859.00 and \$78,843.24 for accounts payable.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:32 a.m. for an office staff meeting. Present were: Commissioners Tom Dale, Pam White, and Steve Rule, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. The meeting concluded at 8:36 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND OPEN SUBMISSIONS FOR CANYON COUNTY FY2018 JAIL FINANCE AND CONSTRUCTION RESEARCH REQUEST FOR INFORMATION

The Board met today at 9:03 a.m. for a legal staff update and to open submissions for the Canyon County FY2018 Jail Finance and Construction research request for information. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Sheriff Kieran Donahue (left at 9:11 a.m.), Chief Deputy Sheriff Marv Dashiell (left at 9:11 a.m.), Jail Captain Daren Ward (left at 9:11 a.m.), Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Sam Laugheed said this was the request for information that was

initially signed in February, with questions and clarifications in March and today is the day submissions were due. There was also a public records request that was received asking for the content of the submissions. The initial response to that request will refer back to the addendum that was signed recently regarding the confidentiality of that information; once the submissions are reviewed for confidentiality and any trade secrets a full response will be issued.

Submissions were received from the following companies:

Piper Jaffray

101 S. Capital Blvd.

Suite 603

Boise, ID 83702

Received March 19, 2018 at 8:28 a.m.

Hunt Development Group, LLC

4401 N. Mesa

El Paso, TX 79902

Received March 16, 2018

The Molasky Group of Companies

100 N. City Parkway

Suite 1700

Las Vegas, NV 89106

Received March 14, 2018 at 10:25 a.m.

CoreCivic, Inc.

10 Burton Hills Blvd.

Nashville, TN 37215

Received March 16, 2018 at 9:03 a.m.

Mr. Laugheed said that all the packages will be gone thru and the information distributed as necessary to start the review process. Once the submissions have been reviewed he anticipates having an open meeting with the Board and the other stakeholders to discuss the response packages and where to go next.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication, and communicate with legal counsel regarding pending/imminently likely litigation. The executive session was held as follows:

Commissioner White made a motion to go into Executive Session at 9:12 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners

Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Steve Rule and Pam White, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:25 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 FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR RAY AND KEITH STILWELL'S C.U.P. APPEAL

The Board met today at 9:31 a.m. to consider signing the Findings of Fact, Conclusions of Law and Order for Ray and Keith Stilwell's appeal for a conditional use permit to operate a recreational vehicle (RV) park at 4959 Kuna Road. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. The Board denied the appeal on March 12, 2018. Zach Wesley has reviewed the document and said it is consistent with the Board's decision. Upon the motion of Commissioner Rule and the second by Commissioner White, the Board voted unanimously to approve the Findings of Fact, Conclusions of Law and Order for Case No. PH2017-36. The meeting concluded at 9:32 a.m. An audio recording is on file in the Commissioners' Office.

CANVASS ELECTION

The Board canvassed the March 13, 2018 Election results today which are on file with this day's minute entry.

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

The Board met today at 10:33 a.m. for a monthly meeting with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman presented the Board with a couple non-qualified commuter vehicle authorization forms to be signed which will allow the users to be taxed for use. Several titles were presented for the chairman's signature which will allow the vehicles to be put up for auction. The fencing project is continuing to move forward with some of the electrical being done today. The meeting concluded at 10:37 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:32 p.m. for a monthly meeting with the Parks Director to discuss general issues, set policy and give direction and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Parks Director Nicki Schwend, Facilities Director Paul Navarro (left at 1:49 p.m.), Chief Deputy P.A. Sam Laugheed (left at 1:49 p.m.), Deputy P.A. Zach Wesley (left at 1:49 p.m.) and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

Consider signing host site agreement for Celebration Park between Canyon County and Lori Berry: Ms. Berry will live in her camp trailer at the park behind the visitor's center. This agreement lines out the relationship between the county and Ms. Berry and clarifies the difference between her park host duties and park employee responsibilities. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the host site agreement for Celebration Park between Canyon County and Lori Berry (see agreement no. 18-026).

Celebration Park well project procurement update: Director Navarro said this is a complicated system as it is a DEQ public well water system. Six businesses were invited to submit bids, 3 attended the walk-thru and 2 submitted bids. There are several challenges with this project including working with both the EPA and DEQ and the soil conditions are not ideal for well drilling. Currently the county DSD holds the building permit which is going on year 6; once the well is completed they will be able to close the building and sheetrock it to finally receive the certificate of occupancy. The lowest bid received was \$44,000 which is approximately \$4000 more than the grant amounts that have been awarded for this project. Director Schwend said they did have a grant that was BLM money and ITD grant money for \$40,000. A discussion was had about Ms. Schwend's budget and where this project would come in. Sam Laugheed said since this bid amount is under \$50,000 there would be no issues with the procurement process. The next step would be to have the contract drawn up with the change order issues and scope of work to be addressed in that. Mr. Laugheed's understanding is that Ms. Schwend has the money in her budget and the Controller understands the purpose of the project and is willing to do what he needs to do to facilitate it. If the contract is awarded, the company would be able to start in late May or early June with the project taking 2-3 weeks to complete.

Ms. Schwend continued with her regular meeting updating the Board on the following items:

Staffing: Currently at full staff for interpretive specialists and seasonal parks techs.

Overhead metal bay doors: The doors are being installed this week.

Keyless locks: Director Navarro has these on order.

Storage container: Director Schwend has been working with Director Tolman on purchasing a couple of these containers, unfortunately, they have skyrocketed in price due to a shortage of availability.

Lake Lowell fishing dock: A new, longer fishing gangway needs to be purchased as the current one is too short and it has to be moved several times a week. With the well project going over budget this year Ms. Schwend will wait until next fiscal year to budget for this.

Historic Preservation plan and public meeting: The online survey results were just submitted to Preservation Solutions. The second public meeting will be held the end of May. Director Schwend and her staff have also attended a number of outside meeting including the Canyon County Historical Society Annual meeting, a Greenleaf City Council meeting, a Return of the Boise Valley People tribal meeting and a meeting of the Shoshone Bannock tribe.

Scanner and camera equipment: Most of the equipment has been purchased with funds from Idaho State Historical Society Community Enhancement Grant. They have worked with the IT department to find the best equipment for what they are working to accomplish.

Meeting with the Deer Flat National Wildlife Refuge: They are exploring the option of pressure padded gates so that if someone gets locked in after hours they can get out without having to call or someone having to come let them out.

Gun Range: Landfill staff arranged a tour all around the landfill, gun range and all the county facilities on that piece of property in order to better understand the challenges. At the next meeting they plan to talk about a budget and will be in contact with the PA's office regarding signage that can be put up. They are also looking at having guest speakers to talk about small improvements that can be made with minimal cost.

GEAS Grant Award: Canyon County Parks was awarded a \$400 grant from the Golden Eagle Audubon Society which will be used to purchase owl pellet dissection kits as part of the Winter Desert Ecology field trip.

Donation from Dr. Plew: Upon his retirement Dr. Plew has offered to donate a large portion of his professional library including books, journals, articles, files and reports to the Canyon Crossroads Museum.

Indian Creek Plaza: The boulders being donated from Celebration Park will be moved to the Indian Creek Plaza this week. They have already been checked multiple times for petroglyphs but they will checked again before they are moved.

The meeting concluded at 2:13 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM
CALDWELL, IDAHO MARCH 20, 2018

PRESENT: Commissioner Tom Dale, Chairman

Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 3-23-18

The Board of Commissioners approved payment of County claims in the amount of \$483.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 3-26-18

The Board of Commissioners approved payment of County claims in the amount of \$18,522.52, \$39,708.31, \$58,428.86, \$63,882.43, \$44,999.98, \$12,030.01 and \$63,925.16 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Staats in the amount of \$4988.76 for the Fair

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 4/7/2018 for a wedding reception.

BIWEEKLY MEETING WITH THE DIRECTORS OF FACILITIES AND INFORMATION TECHNOLOGY TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:34 a.m. for a biweekly meeting with the Directors of Facilities and Information Technology to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Steve Rule, Facilities Director Paul Navarro, Director of IT Greg Rast, Assistant Director of IT Eric Jensen and Deputy Clerk Jenen Ross.

Director Navarro updated the Board on the following items:

Fairgrounds: The interior of the concession stand is being remodeled.

Landfill: The UPS system is being installed. Three UPS systems were installed, one at each scale house and one at the server rack. The ones at the scale houses are online and functioning but the one at the server will need to be done after hours. Additionally, with the work that has been done by Idaho Power it seems as though most of the issues have been

resolved in regards to the outages they were experiencing. The UPS system will allow about 32 minutes of runtime in the event of a power failure which means that credit cards can still be run and they will be able to let people in and out of the landfill.

Fleet fence: Maintenance staff has started on the fence at 14th and Chicago.

Security master plan: The 256-page plan arrived yesterday so it is now being reviewed by the committee. They met yesterday and have some recommendations which will be headed to the Board soon.

NW Valuations: Recently evaluated all the buildings for ICRMP for replacement value.

Capital projects: There are several project in the works including the roofs at the DMV and Jail and the well at Celebration Park, contracts will be headed to the Board soon for those projects, the Courthouse exterior paint project is out for bid and the generator for DMV is scheduled to be here April 12th and installed shortly thereafter.

Director Rast updated the Board on the following items:

Landfill: Director Loper is happy with the new connection, they have not been down once and thruput is good.

DSD: Recently went live with their new software; they are now using CAPS 100% at this point. Accela is no longer being used with the data conversion taking place this past weekend. The old servers will be repurposed.

GIS rebuild/restructure: All parties involved in this project have now signed off and they are able to start this project; IT anticipates it should be done in about 45 days.

Scanning: Director Rast provided a breakdown of the return on investment for the new scanning position that was added this year. There are still several years of scanning remaining to be done. Next fiscal year a second position may be requested as long as it can sustain paying for itself, however, we're not quite at that point yet.

Lake Lowell internet service: With the switch over to microwave connectivity and the internet service being cancelled there will an approximate \$7000 cost savings.

The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:04 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach

Wesley, HR Director Sue Baumgart (left at 9:13 a.m.), Controller Zach Wagoner (left at 9:13 a.m.) and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

Consider signing Blue Cross of Idaho Wellness Program agreement: Director Baumgart said she's met with both the Controller and the PA's Office to review the wellness program and both are very supportive of the Peak Program which is \$60/month for all county employees and includes 2 challenges with incentives provided by Blue Cross. She proposes to roll out the program by May 1st since the hydration challenge will start in June. There is an additional incentive in May to those who sign up on the portal to track their wellness. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the Blue Cross of Idaho Wellness Program agreement (see agreement no. 18-027).

Consider signing fee waiver resolution for Canyon Highway District: This is a resolution to waive a \$70 fee for a floodplain development permit at Hartley Gulch. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to sign the fee waiver resolution for Canyon Highway District (see resolution no. 18-031).

There were no items for discussion at the legal staff update. The meeting concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

MONTHLY MEETING WITH DIRECTOR OF JUVENILE DETENTION TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:04 a.m. for a monthly meeting with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Juvenile Detention Steve Jett and Deputy Clerk Jenen Ross. Director Jett updated the Board on the following items: Highlights from the 'End of Academy Student Evaluations' were provided to the Board. The ILEETA conference is happening this week, 4 staff members are attending the conference this year. The Rule of 80 was recently in front of the state legislature where it was approved in the house committee and house along with the senate committee but failed on the floor of the senate. Director Jett has been meeting with Commissioners from the other counties that contract with the Juvenile Detention Center to let them know the contract rate will be going from \$160/day to \$170.00/day. The average daily cost is approximately \$175/day but due to the convenience of Canyon County having the detention center and the other counties having additional costs in transportation and such Mr. Jett feels the \$170 daily rate is fair. Candy Martilla has retired but it has been worked out for her to return on a part-time basis to run the horse program. There are currently three open positions but Director Jett believes they have good candidates that they will be meeting with next week. Taga Bah has started his weight-loss program and had about 20 people in his lunch hour fitness class recently. The meeting concluded at 10:14 a.m. An audio recording is on file in the Commissioners' Office.

MONTHLY MEETING WITH DIRECTORS OF JUVENILE PROBATION AND MISDEMEANOR PROBATION TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:15 a.m. for a monthly meeting with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Chief Probation Officer Elda Catalano, Director of Misdemeanor Probation Jeff Breach, Joe Langan and Brenda Garrett from the Idaho Department of Juvenile Corrections and Deputy Clerk Jenen Ross. Director Breach updated the Board on the following items: The office closure on April 6th has been worked out with everyone's hours being balanced out for that week. They have been experiencing some computer issues lately in regard to speed with any of their programs that are internet based. In working with IT they've discovered that many of the computers are old and just don't have enough memory. A temporary solution for the desktops has been worked out but they are continuing to have issues with the laptops. They are scheduled to be replaced in the next budget year and are looking for ways to get thru until then. New schedules have been worked on for the PO's to ensure enough evening hours are being worked. There is one vacant PO position that has been posted. An LSIR training is planned for the DUI court coordinator so that she can start doing LSI screenings on DUI court applicants which will take a lot of weight off Director Breach's DUI court PO in having to do all those screenings. The Supreme Court has communicated their next wave of go-live dates and requested that Canyon County employees go out to the other counties to help them with their work but Mr. Breach has let them know that we won't be doing that. The county's position is that we aren't going to use Canyon County taxpayer dollars for work to be done in other counties. Additionally, some of the counties getting ready to go-live contract with companies to provide probation services so we'd essentially be doing the work for a private company.

Chief Probation Officer Catalano updated the Board on the following items: She too is experiencing issues with their laptop computers, she is looking to replace a couple computers and is able to use state funding to do that. Mr. Langan provided a review of the Canyon County Annual Juvenile Justice Report giving statistics of the following areas: juvenile arrests, juvenile petition filing, offenses listed on petition, intakes and releases, average age at point of intake, demographics of who is coming into juvenile probation, community service hours performed, restitution collected for victims, successful completion of probation, juveniles that recidivated, one day snapshot of juveniles on probation, juveniles in IDJC custody and number of commits; percentage of State funding to county budget, breakdown of funds received from JCA, tobacco & cigarette tax, lottery and SUDS. A copy of this report is on file with this day's minutes.

Commissioner Dale asked about the priority of payments. Director Breach believes that cost of supervision was moved up to number 3, however, we will still see a deficit from last year. Ms. Catalano said one frustration she's had with the Odyssey system is that there doesn't seem to be any way to track payments of restitution. She has made the Supreme Court aware of the issue as her department needs to know when juveniles owe so that it can be enforced. She has worked with the Controller who has been able to produce a report that shows the total amount paid but doesn't give a clear picture of who owes, when they're making

payments or if her department's efforts are making any difference. The meeting concluded at 10:58 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM
CALDWELL, IDAHO MARCH 21, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Horsewood's to be used 3/24/18 for a wedding.

No meetings were conducted today.

MARCH 2018 TERM
CALDWELL, IDAHO MARCH 22, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Lawrence Archuleta.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:50 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Customer Service Specialist Robin Sneegas, Customer Service Specialist Rebecca Lawhorn, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-0656, 2018-0532, 2018-0642, 2018-0570, 2018-0558, 2018-0536, 2018-0539, 2018-0530, 2018-

0534, 2018-0569, 2018-0637, 2018-0688, 2018-0652, 2018-0537, 2018-0535, 2018-0567 and 2018-0553. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue initial denials on the cases as read into the record with written decisions to be issued within 30 days. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to approve case no. 2018-0707 for cremation with a written decision to be issued within 30 days. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to place case no. 2018-0655 in suspension. The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 8:54 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Customer Service Specialist Robin Sneegas, Customer Service Specialist Rebecca Lawhorn, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases meet the criteria for county assistance: 2018-200, 2018-113 and 2018-119 upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue final approvals on the cases as read into the record. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to approve case no. 2016-1683. The following cases have been pulled from suspension and meet all the eligibility requirements for county assistance: 2015-1298 and 2016-130, upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to issue final approval on the cases as read into the record with written decisions to be issued within 30 days. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to continue case no. 2018-249 to May 31, 2018. The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-170

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for case no. 2018-170. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Luke's, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Courtney Kriss for St. Luke's, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner White and second by Commissioner Rule the Board voted unanimously to approve the case. The hearing concluded at 9:17 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-90

The Board met today at 9:22 a.m. to conduct a medical indigency hearing for case no. 2018-90. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Attorney Mark Peterson for St. Luke's, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Ashley Hesteness for St. Luke's, the applicant and Deputy Clerk Jenen Ross. Commissioner White made a motion to approve the case with Commissioner Dale seconding the motion. The motion carried in a 2-to-1 split vote with Commissioner Rule being the dissenting vote. The hearing concluded at 10:04 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2018-245

The Board met today at 10:12 a.m. to conduct a medical indigency hearing for case no. 2018-245. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Deputy P.A. Jim Cornwell, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Julie Wood for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Rule and second by Commissioner White the Board voted unanimously to approve the case. The hearing concluded at 10:14 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 10:15 a.m. to consider indigent matters. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Neither the applicant nor the hospital appeared on the following cases: 2018-140, 2018-157, 2018-207, 2018-135, 2018-146, 2018-224 and 2018-230 upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue final denials on the cases as read into the record with written decisions to be issued within 30 days. The meeting concluded at 10:16 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 23, 2018

PRESENT: Commissioner Tom Dale, Chairman – out of the office
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Grainger in the amount of \$4784.73 for the Facilities department
- Overhead Door Company in the amount of \$3850.00 for the Facilities department

LEGAL STAFF UPDATE AND CONSIDER SIGNING REIMBURSEMENT/CLOSE OUT REPORT FOR MATCH FUNDS OF THE IDAHO DEPARTMENT OF PARKS AND RECREATION GRANT #WW18-3-141

The Board met today at 9:01 a.m. for a legal staff update and to consider signing the reimbursement/close out report for match funds of the Idaho Department of Parks and Recreation Grant #WW18-3-141. Present were: Commissioners Pam White and Steve Rule, Chief Deputy P.A. Sam Laugheed, Lt. Ben Keyes and Deputy Clerk Jenen Ross.

Consider signing reimbursement/close out report for match funds of the Idaho Department of Parks and Recreation grant #WW18-3-141: Lt. Keyes said the boat is at the county shop being fitted for lights and radio, etc. This is the reimbursement from the state parks department for the grant that was received in the amount of \$62,750. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the reimbursement/close out report for match funds of the Idaho Department of Parks and Recreation grant #WW18-3-141.

There were no items for discussion at the legal staff update. The meeting concluded at 9:05 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM
CALDWELL, IDAHO MARCH 26, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:32 a.m. for an office staff meeting. Present were: Commissioners Tom Dale, Pam White, and Steve Rule, PIO Joe Decker, Deputy Clerk Jenen Ross, Sr. Administrative Specialist Jamie Miller, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. Mr. Decker reported on the following communication issues: The auto licensing department will be closed next Wednesday for training; notice has been posted in the office and on the website and Mr. Decker will inform the media. He has a few things to do for Start by Believing and Child Abuse Prevention and Awareness Month; he filmed some new election training videos for the Elections Office and will have the finished product to staff by Friday; he will attend a planning meeting for the

law enforcement memorial ceremony; working on the landfill free day on April 28; April 9-13 is the United Way Book Drive and they would like to place a bin in the front of courthouse and administration building; reviewed the rotation schedule for the KBOI radio interview. There was a discussion regarding whether to have weekly staff meetings and it was decided that the staff meetings will now be held biweekly with the idea that there will be a more in-depth review of the calendar to look beyond the day-to-day appointments. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER SIGNING SPRING 2018 CANYON COUNTY LANDFILL OFFICE ADDITION SOLICITATION OF BIDS

The Board met today at 9:05 a.m. for a legal staff update and to consider signing the Spring 2018 Canyon County Landfill Office Addition Solicitation of Bids. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross.

Consider signing Spring 2018 Canyon County Landfill office addition solicitation of bids:

Brad Goodsell explained that the Facilities department will be doing a lot of the work on this project and that Director Loper has already done a lot of the ground prep-work. The solicitation is for the contractor to do everything but certain things that are listed that will be handled by the facilities staff. This solicitation will be sent to five contractors Director Navarro felt were well qualified for the project. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the Spring 2018 Canyon County Landfill office addition solicitation of bids.

Commissioner Rule spoke about a letter that he received yesterday from Paul Braun regarding the objection to a dairy farm in Middleton. Mr. Goodsell said he would provide the letter to Zach Wesley to ensure it was received by DSD.

The meeting concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' MEETING

The Board met today at 9:32 a.m. for an elected officials' meeting. Present were: Commissioners Tom Dale and Pam White, Treasurer Tracie Lloyd, Coroner Vicki DeGeus-Morris, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Assessor Brian Stender, Sheriff Kieran Donahue, PIO Joe Decker, Nicole Foy from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Prosecutor Taylor chaired today's meeting:

- **Request from public to speak at elected officials' meetings:** Chris Boguslawski inquired about attending this meeting regarding his ideas for software. It was the

consensus of the group that this is not the forum for such a request and the person should contact the IT Director as it appears to be a sales call.

- **Office updates:** Treasurer Lloyd reported that the interest rates are up therefore the County is receiving a little more interest income. Commissioner White said staff is scheduling budget meetings so if anyone has a conflict please let the Board's scheduler know. Coroner DeGeus-Morris said they have been able to assist Owyhee County by conducting a couple of autopsies for them. Her office is seeing a lot of opioid overdoses, practically every other case, and their toxicology bills are outrageous. Discussion ensued about how the media are not portraying the opioid crisis as a problem in our area and there needs to be a public awareness campaign about this serious issue. Sam Laugheed said there is an item related to Executive Session on this topic and the discussion is informative enough that we can pull into it. In February the Clerks and Boards of Commissioners throughout the state were contacted by Dan Chadwick who's working as an attorney with the law firm of Crueger Dickinson, and his email suggested that on behalf of the law firm he's looking for counties who are interested in being part of a litigation against opioid manufacturers and distributors. The lawsuits are happening nationally and the initial letter from Mr. Chadwick suggested the counties needed to make a decision in early March because the federal cases are being consolidated in northern Ohio, but, the March deadline has abated a little bit. We were also contacted by former Idaho Supreme Court Justice Jim Jones who is working with another group of law firms some of which are associated with national firms who are also involved in the opioid litigation. Both groups have approached to see if we would be interested in joining in this litigation. The proposals are very similar; it's a contingent fee basis. The Chadwick group would take 25% of any settlement the County got and the Jones group would take 20%. Mr. Laugheed said he reviewed the register of action in the federal case and the first 91 pages are the lawyers who are participating. They want to do it locally, start in state court and then it's possible it would get moved to federal court. The question is whether the Board wants to join on to one of these lawsuits. It would require a resolution from the Board and an attorney fee agreement with one of the law firms, and it would require choosing between the different proposals. The Prosecutor doesn't have the resources to pursue this kind of litigation but would be involved in reviewing the pleadings and representing the County but basically they'd be signing over the County's legal representation to one of these firms on this issues. There wouldn't be any direct dollars upfront but there would be resource expenditures because the group will have to figure out how to quantify the damages associated in Canyon County and that would require resources from the Clerk to figure out how many medical indigency cases are related, as well as resources from the Sheriff to figure out how much training time and deputy time is spent dealing with opioids, and resources from the Coroner and then trying to quantify it. The defendants are the Big Pharma companies. One of the main objectives he's see to this litigation is what kind of regulation or policy change can be achieved through

litigation. They draw comparisons to the Big Tobacco litigation and how that led to some regulation and to some financial benefit to states that never trickled down to the county level and he believes that's why the counties are so involved this time. Generally he would recommend against being on the sharp edge of anything, but there is a time component especially if we are interested in the federal litigation. The judge is taking a very unique approach and he's trying to streamline and push to settlement. They could have a smaller trial called Bellwether trials in the east to see if they can calculate the damages before a class goes forward. Commissioner White asked if by joining the litigation it could be seen as a deterrent. Sheriff Donahue believes it would and any effort to slowdown the onslaught would be helpful. Opioids are being stolen from bathrooms and traded on the black market. It's a matter of oversupply and black market organizations with the cartels that are trafficking them via clandestine labs that are producing pills by the millions. Prosecutor Taylor said it goes back to the point of public awareness, and what is the economic impact on the state, especially a county. He would like to invite Mr. Chadwick and former Chief Justice Jones to meet with the Board to make pitches and get an informational gathering aspect. Clerk Yamamoto questioned what will be fixed by this lawsuit. The tobacco litigation didn't fix anything, but it cost the end users a dollar a pack. Another point to consider is how this will impact someone's ability to get pain pills when they need them. He is totally opposed to joining the litigation because it's a rat hole that will go nowhere. Sheriff Donahue doesn't disagree but said it'd be interesting to hear what both groups have to say and it would be beneficial to have a public discussion about it. Commissioner Dale wants the groups to identify what's to be gained? Is it to get money out of Big Pharma or bring attention to the need to get some regulatory changes? What are the anticipated outcomes? Prosecutor Taylor said we are not committing to anything other than a presentation; if it's only about money then the elected officials need to have that conversation and ask whether it's worth it. Sheriff Donahue made a motion to invite both groups to make informational presentations and take into account that the County wants to be cautious in its approach. The motion was seconded by Commissioner Dale. There was no opposition. The motion carried. Brian Stender reported that the Assessor's Office is three months into the property tax reduction program (circuit breaker), and they are in the initial phase of value studies; values are still on the rise in Canyon County. Clerk Yamamoto said given the unavailability of some elected officials there are a total of four weeks (two in June and two in July) where we won't be able to have budget meetings and so that's going to make for a crowded timeline to get through the budget process. This summer they will switch from ADP to Paylocity; the advantages are: they can do more reports without having to do them by hand; their timeline is better than ADP's timeline so that makes it easier on everybody, particularly the Sheriff's Office; their online timecards look better and simpler than what we're currently doing. The cost is the same, perhaps a little less. He reported that overall Odyssey is good although the financial side has been a struggle, in fact, the County's revenues have dropped by 50% because of problems with priority payments and it's likely the County will have to

subsidize the misdemeanor probation department. Some of the issues won't be fixed until the entire state is rolled out, which is two years from now. The primary election will be held on May 15. The test ballots (all 3,048 of them) have been delivered and staff will fill in the bubbles by hand and run them through the tabulators to ensure they are working correctly. The Clerk reported that the language access for the County is getting bigger and bigger, but they have a very shallow pool of interpreters to draw from which is due to applicants finding it difficult to pass the certification test. With some of the immigration issues they're seeing it's going to get more difficult and a lot more expensive. Commissioner Dale asked for an update on the Request for Information (RFI) for the jail construction and finance project. Mr. Laugheed and Sheriff Donahue said they need more time to go over the proposals, but they are expecting to meet with the Board and the other stakeholders to discuss it. Commissioner White said there was value in the proposals and she's glad the County did an RFI because we are doing our due diligence on a funding option for construction. Sheriff Donahue agreed and said he's finding that people are not opposed to the 1% local option sales tax but unfortunately the legislative body failed to act on that this year and it's disappointing that our local delegation didn't act on it. The idea has value but the legislators need to be involved. Commissioner White spoke about the offers of support she's had from citizens for the sales tax proposal and she wants to know if this group of elected officials will support the 1% local option sales tax to fund construction of a new Canyon County jail. The petition doesn't have anything to do with a potential initiative, it is outreach and education. Commissioner Dale asked that the language be clarified so that petitioners understand we're just asking the legislature for permission to ask the voters if they want to do this. Sheriff Donahue made a motion to support the petition that Commissioner White had prepared for wide distribution and use by all elected officials. The motion was seconded by Clerk Yamamoto. The motion carried.

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

Commissioner Dale made a motion to go into Executive Session at 10:36 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) to discuss records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Pam White, Treasurer Tracie Lloyd, Coroner Vicki DeGeus-Morris, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Assessor Brian Stender, Sheriff Kieran Donahue, and Deputy Clerk Monica Reeves. The Executive Session concluded at 11:33 a.m. with no decision being called for in open session.

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

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 27, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule – out of the office
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$1523.00 for the Information Technology department

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

The Board met today at 1:33 p.m. for a monthly meeting with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, Public Defender Aaron Bazzoli, Assistant Public Defender Scott James and Deputy Clerk Jenen Ross. Mr. Bazzoli updated the Board on the following items: Budget to date; for the most part all the budget lines are on par. There are a couple of investigators attending a four day conference right now and in April eight attorneys will be attending the Idaho Association of Criminal Defense Lawyers conference in Sun Valley. Review of attorney active caseloads; 165 active child protective cases, 1426 active felonies, 517 juveniles, 2031 misdemeanors. Breakdown of clearance rates for February and March of 2018. Mr. Bazzoli recently attended the PDC meeting where some of the new rules were discussed. He's reviewed them and with the exception of the contract aspect we're in compliance. He spoke with Mike Porter today who confirmed the PA's Office is continuing to work on the contract portion for conflict attorneys. Mr. Bazzoli is continuing to work on his indigent defense grant and hopes to have it to the Board by mid-April. The person he had hired for his open office manager position changed her mind so he will keep that position but underfund it with another LSS III (Legal Support Secretary III) which will come in at about \$48K vs. \$65K for the office manager position. Within the office they are going to create lead support staff but not have an office manager per se and Mr. Bazzoli will continue to maintain the lion-share of those duties. Leads will work on supervising, training and invoicing while he works on budgeting. It is believed that the office will work more efficiently by redesigning some roles. The meeting concluded at 1:58 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:01 p.m. for a monthly meeting with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Pam White, Solid Waste Director David Loper and Deputy Clerk Jenen Ross. Director Loper updated the Board on the following items: February waste amounts were up 3.64% and FY2018 is up 15% over last year. The Title V Permit has been issued and the hand off meeting will take place April 24th, once that happens a request will be made to delete the consent agreement that is currently in place. There will be some annual fees and reporting along with inspections that will be required. Ground water sampling was done in early March, it was the second round of sampling done with the new pumps. They've been working with consultants on some of the data they've received back and what to do with it. For FY2019 they are planning to do more work towards the expansion as far as doing some core drilling and sampling. Ideally, he'd like to make the expansion as big as possible and has been working with Tetra Tech to move the site certification line about 500 feet to the west which will substantially increase the airspace and the volume by possibly 40%. Director Loper has been working with Director Navarro and Brad Goodsell on the office expansion. Within the last month the connectivity project has been completed and the landfill is now fully connected to the county and is no longer using a 3rd party vendor. Additionally, they also now have some back-up batteries but since Idaho Power has put in the new line they haven't had near as many issues and things seem to be more stable. He will still budget for a generator in FY2019 but he doesn't anticipate many problems even with irrigation season coming up. Landfill 'Free Day' will take place on April 28th and the Household Hazardous Waste day will take place June 9th at the Idaho Center, notices about the hazardous waste day will be included with tax notices. Director Loper will meet with Brad Goodsell to start the discussion on fees; his plan is to start with a focus on the special waste fees such as concrete and bio-waste which take more attention. He would also like to possibly institute a non-secured/non-covered load fee. The meeting concluded at 2:35 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 28, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 1813

The Board of Commissioners approved payment of County claims in the amount of \$1,560,310.21 for a County payroll.

APPROVED CLAIMS ORDER NO. 4-10-18

The Board of Commissioners approved payment of County claims in the amount of \$63,056.50, \$52,787.68 and \$110,358.35 for accounts payable.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

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 records exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:

Commissioner White made a motion to go into Executive Session at 9:02 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:16 a.m. with no decision being called for in open session.

MEETING WITH TINA WILSON TO DISCUSS WESTERN ALLIANCE FOR ECONOMIC DEVELOPMENT CURRENT EVENTS

The Board met today at 1:33 p.m. for a meeting with Tina Wilson to discuss the Western Alliance for Economic Development current events. Present were: Commissioners Tom Dale and Pam White, Deputy P.A. Brad Goodsell, Controller Zach Wagoner, HR Director Sue Baumgart, DSD Director Tricia Nilsson, Tina Wilson, Executive Director of WAED, Parma Mayor Nathan Leigh, Dave Lincoln, Golden Gate Highway District, Clerk Lee Belt from the City of Greenleaf and Deputy Clerk Jenen Ross. Chief Deputy Assessor Joe Cox arrived at 1:35 p.m. Tina Wilson said that at the Board of Directors meeting on March 19th Commissioner Aberasturi from Owyhee County informed the Board that at the end of the fiscal year they are withdrawing their support from the Western Alliance for Economic Development (WAED). He explained they are rewriting their comprehensive plan and in surveying their citizens learned that 90% of the responses said they wanted no further economic development, no new business and no new people moving into Owyhee County. The Board of Commissioners for Owyhee County in listening to their citizens said they would pull out of WAED. Currently, Owyhee County holds the MOU with the Department of Commerce for the Economic Development Professional Grant that comes in annually; the award this year is \$30K. Additionally, they provide \$7000 in financial support to the WAED as well as in-kind services of administrating all of the WAED finances. They are the fiscal agent which means

they receive all monies and write all checks for payments. Ms. Wilson is an employee of Owyhee County and receives full benefits thru their employee program including healthcare and PERSI as well as her cell phone is part of their plan and she holds a county credit card to cover the day to day expenses such as gas, all of which are paid thru the WAED. In her conversation with Commissioner Aberasturi he indicated that he thought an appropriate time to do a transition would be sometime in late summer, at the latest September 1st. The grant year for the Department of Commerce goes from July 1st to June 30th and those funds are available during that time frame. It's a Rural Economic Development Grant program and Ms. Wilson confirmed with Jerry Miller at the Department of Commerce that with Owyhee County pulling out of WAED Canyon County would still be eligible to make the application for the Economic Development Rural Professionals Grant program. The grant program application opens the first week of April with the application due mid-May. Any funds coming out of that grant would be available on July 1st and transitioning between July 1st and September 1st would work best. Ms. Wilson explained that at this time funding for WAED comes from Owyhee County, Canyon County and the cities of Parma, Notus, Greenleaf and Wilder. Cities pay in at \$1.50 per citizen based on the 2010 census population counts. Monies for this fiscal year have already been given to Owyhee County and are paid out in two installments of \$15K each and can only be used for salaries and benefits. All other monies that go for the benefit of the WAED are fundraised by the WAED. Commissioner Dale said the bottom line we're talking about here is a transition and he sees Canyon County taking over becoming the fiscal agent with Owyhee County choosing to withdraw from the WAED; he feels it would be similar to the way the SAUSA program is administered. Mr. Goodsell said he is not familiar with the SAUSA program but he asked HR Director Sue Baumgart and Controller Zach Wagoner to the meeting to help address some of the HR and accounting questions. Mr. Wagoner stated that from an accounting standpoint when you bring on a full-time employee every cost needs to be shown including salary, benefits, health insurance and PERSI and upon the review of the WAED budget it appears there is a widening gap between revenue in and cash out and employee cost never stay static, they always increase thus possibly leaving Canyon County to make up some of those shortages. He also stated that the county could be the fiscal agent only, receiving in a lump sum and paying out a lump sum but that would make Ms. Wilson essentially an independent contractor. Ms. Wilson has also been approached about perhaps working with Gem County in a collaborative effort but she would prefer to stay working in Canyon County as this is where she has formed relationships and she is familiar with the communities and businesses here. There was discussion as to if there is a different way to model the WAED and perhaps it's time looking at restructuring the model. Commissioner Dale really does not want to see the WAED dissolved, he believes there is great value in the buy-in from the individual cities and communities although he would like to see more entities, as far as additional cities, business or even highway districts, become involved to help make up some of the shortfall left from Owyhee County or that each of the 14 entities already involved will have to budget the additional funds to make up the \$7000. Mr. Belt wanted to express that the City of Greenleaf very much believes in this program and are trying, as a smaller community within the county, to do their part; instead of being at the \$1.50 per capita they're at almost \$1.90 and two of the city council members decided to take their small businesses and joined the WAED last year. As a community, the City of Greenleaf is very supportive of this program and do see it as one of those situations where a rising tide raises all boats. Even though they may not see a business directly in

Greenleaf they have seen activity in the area around them and they believe that has happened because of the WAED and they see that indirect benefit on their community. The WAED Board's understanding is that the state really doesn't want to work with the organization or the cities so they feel this is something that really falls to the county to help with as far as the Economic Development Professional Grant from the Department of Commerce goes. Ms. Wilson said that in order to write the grant application she needs to be able to define what the fiscal arrangement will be for the new grant period starting July 1st. Mr. Goodsell asked Ms. Wilson to send him all the documents she has in regards to the agreement with Owyhee County; once he receives those and is able to review them he suggests having an executive session with the key players to talk about any legal risks and then the Board can move forward with a decision with the goal of having a decision by the next WAED Board meeting on April 17th. The meeting concluded at 2:40 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 29, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED SALARY RATE REQUEST AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Sheri McCain.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Wall 2 Wall Flooring in the amount of \$16,290.00 for the Facilities department

CONSIDER INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Director of Indigent Services Yvonne Baker, Customer Service Specialist Rebecca Lawhorn and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2018-0584, 2018-0523, 2018-0566, 2018-0636, 2018-0574, 2018-0588, 2018-0740, 2018-0573, 2018-0587, 2018-0521, 2018-0520, 2018-0608, 2018-0572, 2018-0531, 2018-0586, 2018-0683 and 2018-0591. Upon the motion by Commissioner White and second by Commissioner Rule the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days. Director Baker brought to the Board's attention case no. 2018-0744 for cremation.

The deceased passed away on March 16th and his sister provided an interview to Indigent Services. The deceased man lived with the sister and per her he didn't work. The only documents missing at this point are the debit/credit card statements, however, they are no longer able to get ahold of the sister. Ms. Baker has been in contact with Flahiff Funeral Chapel and they state they have not received any payment. She does not believe there are any real assets. In January the deceased was interviewed for another case and stated he worked but there was no proof of that. His sister said he was not working that is why he was living with her. Director Baker believes this case meets the criteria for approval. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to approve the cremation for case no. 2018-0744. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENT FOR COURT INTERPRETER HAMED FARHAD

The Board met today at 9:04 a.m. for a legal staff update and to consider signing an independent contractor agreement for court interpreter Hamed Farhad. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Allen Shoff, Clerk's Executive Assistant Taryn Peterson and Deputy Clerk Jenen Ross.

Consider signing independent contractor agreement for court interpreter Hamed Farhad: Mr. Farhad speaks Pashto, Dari and Farsi and understands Urdu and Tajiki. He currently works for the Orange County courthouse in California but is available when we need him. There is a case happening right now where he has been scheduled during his lunch hour at Orange County. The \$75/hour rate is slightly higher due to the rarity of the languages. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the independent contractor agreement for court interpreter Hamed Farhad (see agreement no. 18-028).

There were no items for discussion at the legal staff update. The meeting concluded at 9:06 a.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE THE SIGNING OF THE CONSIDER THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR BAKER LAND MANAGEMENT, LLC

The Board met today at 10:01 a.m. to consider the Findings of Fact, Conclusions of Law and Order for Baker Land Management, LLC, Case No. CR-PH2017-41. Present were: Commissioners Tom Dale, Pam White and Steve Rule, DSD Director Tricia Nilsson, DSD Planner Debbie Root, and Deputy Clerk Monica Reeves. The Board held a public hearing on March 14, 2018 and denied the requested conditional rezone. Staff advised that the Prosecutor's Office needs more time to review the document. Upon the motion of Commissioner White and the second by Commissioner Rule, the Board voted unanimously to reschedule the matter to April 5, 2018 at 2:30 p.m. The meeting concluded at 10:03 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH TINA WILSON OF WESTERN ALLIANCE FOR ECONOMIC DEVELOPMENT TO DISCUSS TRI APPLICATION AND SUPPORT LETTER

The Board met today at 10:34 a.m. with Tina Wilson from the Western Alliance for Economic Development (WAED) to discuss a Tax Reimbursement Incentive (TRI) application and support letter for Project Green. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Tina Wilson, Deputy P.A. Brad Goodsell, a representative from Project Green, and Deputy Clerk Monica Reeves. Ms. Wilson said the Board signed a letter of support for the project a year ago but she has some updated proprietary and confidential information she would like to discuss with the Board in Executive Session. Mr. Goodsell said there is updated confidential information that's part of preliminary discussions with an entity that we are in competition with other governmental entities for obtaining their investment in Canyon County so it would be appropriate to go into Executive Session to discuss it.

EXECUTIVE SESSION – CONSIDER PRELIMINARY NEGOTIATIONS INVOLVING MATTERS OF TRADE OR COMMERCE

Commissioner White made a motion to go into Executive Session at 10:35 a.m. pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce. The motion was seconded by Commissioner Rule. A roll call vote was taken on the motion with Commissioners Rule, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Tina Wilson, Executive Director of the Western Alliance for Economic Development, Deputy P.A. Brad Goodsell, a representative from Project Green, and Deputy Clerk Monica Reeves. The Executive Session concluded at 11:01 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.

MARCH 2018 TERM

CALDWELL, IDAHO MARCH 30, 2018

PRESENT: Commissioner Tom Dale, Chairman
Commissioner Pam White
Commissioner Steve Rule
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 4-10-18

The Board of Commissioners approved payment of County claims in the amount of \$46,635.35 and \$64,750.78 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Oracle in the amount of \$4000.00 for the Information Technology department

LEGAL STAFF UPDATE AND CONSIDER AGENDA ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider agenda items. Present were: Commissioners Tom Dale, Pam White and Steve Rule, Deputy P.A. Mike Porter, Deputy P.A. Allen Shoff, Controller Zach Wagoner, Assistant TCA Benita Miller and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

Consider signing addendum to memorandum of understanding for Canyon County DUI

Court: Mike Porter said this addendum has been reviewed by legal and serves to update names, target groups and criteria for getting into DUI court. Benita Miller said the main change is the admin order pro tems Judge Orr who has been presiding over the DUI court since 2010 and will now start accepting felonies into that court, previously it's been just misdemeanors. Upon the motion by Commissioner White and second by Commissioner Rule the Board authorized the chairman to sign the addendum.

Consider signing a resolution authorizing the destruction of certain Auditor records:

Allen Shoff said these records include county claims and taxing district statements dated 2012 and older which are classified as semi-permanent. Zach Wagoner said they will only be destroying the paper records but that they will maintain the electronic records. Upon the motion by Commissioner Rule and second by Commissioner White the Board voted unanimously to sign the resolution authorizing the destruction of certain Auditor records (see resolution no. 18-032).

There were no items for discussion at the legal staff update. The meeting concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

FILE IN MINUTES

The Board filed the Treasurer's monthly report for February 2018 in today's minutes.

THE MINUTES OF THE FISCAL TERM OF MARCH 2018 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO. DATED this 8th day of May 2018. Signed by Commissioners Steven J. Rule and Tom Dale. Attest: Chris Yamamoto, Clerk by J.Ross, Deputy Clerk