

MARCH 2019 TERM
CALDWELL, IDAHO MARCH 1, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Right! Systems in the amount of \$5127.80 for the Information Technology department
- Commercial Tire in the amount of \$5499.96 for the Solid Waste department
- A-Gem Supply in the amount of \$4023.00 for the Facilities department

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

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider signing a medical professional liability insurance renewal. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner left at 9:15 a.m., Chief Marv Dashiell left at 9:15 a.m., Captain Daren Ward left at 9:15 a.m., Deputy P.A. Dan Blocksom left at 9:15 a.m., Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross.

Consider signing Medical Professional Liability Insurance renewal: Chief Dashiell explained this is the renewal of the jail medical insurance rider, however they just noticed in the contract it notes services provided solely at the Canyon County Jail but they have a nurse who provides services at the Juvenile Detention Center so they would like to postpone signing until they can get further clarification. In response to a question from Commissioner Van Beek, Chief Dashiell spoke about claims and that there are a couple different kinds of coverage – this one being for malpractice but claims against the county in tort fashion are covered by ICRMP. Additionally, if the county were to go out to a vendor for detention center medical services they would be providing their own insurance specifically to the medical side. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to continue this signing to March 5, 2019 at 9:00 a.m.

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 Dale 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 Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:27 a.m. with no decision being called for in open session.

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

PUBLIC HEARING - REQUEST BY LANSING INVESTMENT PARTNERS, LLC FOR A REZONE, CASE NO. RZ2018-0026

The Board met today at 10:02 a.m. to conduct a public hearing in the matter of a request by Lansing Investment Partners, LLC, for a rezone from an R-R (rural residential) zone to an R-1 (single family residential) zone, Case No. RZ2018-0026. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Jennifer Almeida, DSD Director Tricia Nilsson arrived at 10:15 a.m., Alan Mills, Tyler Hess, Spencer Kofoed, Dave Rogers, Lane Ranstrom, Mary Munson, Zach Porter, Monty Bell, Jon Rhodes, Jolene Zirbes, Jackie Grayson, and Deputy Clerk Monica Reeves.

Jennifer Almeida gave the oral staff report. The subject property consists of 69.95 acres and is currently zoned rural residential. Future land use for this area is also rural residential and is within Middleton's impact area. Middleton designates this area as residential as well and it's currently a mix of agricultural and residential uses. Within one mile there are 32 platted subdivisions for a total of 398 lots, with an average lot size of 2.46 acres. The proposed lot sizes, although smaller, would not create an incompatible land use. The zoning classifications in the area are primarily rural residential, however, there is R-1 zoning located approximately one-half mile northwest of the subject property. A portion of the property is located within a nitrate priority area. The applicant has conducted a preliminary nutrient pathogen evaluation of the site and it will need to be updated to reflect actual design conditions once the proposed lot layout is established, however, the preliminary evaluation found that the site could support 52 residential home sites. The highway district stated no objection to the rezone but did provide standards that would have to be met when platting is initiated. A traffic impact study would be required for the project and the scope of the study will be determined prior to the preliminary plat request. The Idaho Transportation Department indicated that future development of the parcel will require submittal of trip generations and may require a traffic impact study. Southwest District Health stated the applicant should schedule a predevelopment meeting to discuss the project. The property is located 1.5 miles from city sewer and water systems. No written concerns received from property owners. The P&Z Commission recommended denial of the rezone December 20, 2018. Staff has found the request to meet the standard of review for zoning amendment and is harmonious with the comprehensive plan and future land use map. The primary reasons the P&Z Commission recommended denial is because it did not meet the standards of review,

specifically noting that the proposed zoning map amendment was not compatible with surrounding land uses, and also that the proposed zoning map amendment would have a negative impact on the character of the area by introducing smaller lot sizes than those that currently exist within the vicinity. It also noted that the R-R zoning was more appropriate than rezoning the property to R-1.

Alan Mills testified on behalf of the applicant. In 2006 this property was zoned to R-R and at that time the designation allowed one-acre lots. Subsequent to that in 2010 the zoning ordinance changed and the R-R zone went from a one-acre average to a two-acre average but the owners of this property weren't aware of that until recently. Since 2006 the southern portion of the property was in the nutrient pathogen area and so they had to do a study on the entire property and the study is what determined the 52-lot potential. It was found to be compatible by a unanimous decision at that time. A nutrient pathogen study has been done and the final design will use that as the final determination of density. The property is identified as a transition area and is surrounded by R-1 density. In 2006 there was a large development to the north and east of the property that contemplated bringing sewer from Middleton and they were hoping it would come up Lansing Lane and be connectable but since then the developer annexed into the City of Star and their opportunity to bring sewer this way never did materialize. The owners of this property spent \$600,000 on that sewer line extension in Middleton and they won't get any of it back. When platting takes place the owners of this property will be giving up nearly 10% of the land for various public uses. The city wants roundabout right-of-ways and widths on those that are exceeding the highway district widths. There are some irrigation issues; the head gate serves five properties and they intend to bury it and realign it which will help save water because it's an open ditch now and it will take into consideration all the different users. Mr. Mills said they will work with the highway district on alternatives for access. A neighbor requested that the larger lots be placed adjacent to their property and the developer as agreed to do this. The average lot is 1.35 acres if the entire 52 lots are built out. With regard to irrigation, Commissioner Van Beek said there needs to be an agreement on who's going to service the ditch and keep it cleaned out. Mr. Mills said it will be highly regulated and will meet the Bureau of Reclamation's standards.

Commissioner Dale said we've had a number of these come through where in 2006 they were zoned to R-R which allowed one-acre lots and then after the ordinance changed the zone changed, and he asked if there's a way we can draft an amendment to that ordinance so that the lots that were deemed one-acre appropriate prior to the ordinance change would be grandfathered in. Zach Wesley said that is within the Board's authority and it would be equal to changing the R-R zone from two acres back to one acre, but maybe there are some exceptions to that depending on the map change. Commissioner Dale said maybe that's a discussion for another time because it doesn't pertain exactly to this, but perhaps it can be addressed at another time with some suggestions. Commissioner Van Beek said it appears the area is still heavily agricultural. Mr. Mills said it's in transition, it's been in the Middleton impact area for many years and it's been slowly developing and right now it's developing a little faster because of demand and growth. A lot of the properties were done by conditional use permit prior to rezoning so there's more out there than what it looks like. Commissioner White said there's less farmland than what is portrayed because there have been other rezones that have been submitted for that are already underway. Mr. Mills said there is a loss of farm ground, but it's not a total conversion because if this were to go into the city and

go into four units per acre that would be a total loss, but there is a use of hobby farming so it's still being utilized. There was a study done by the National Association of Homebuilders that showed for every \$1,000 increase in lot costs you eliminate 482 people that cannot buy it so if you have two-acre lots that are \$30,000 more than the one-acre lots there are 15,000 people that cannot handle the price increase. That's one of the reasons for the demand for more one-acre lots. With one acre by the time you build a home, a shop, driveway and a lawn you don't need as much maintenance, but it increases exponentially as you get more acreage and it demands more time, effort, and equipment. If someone is a serious hobby farmer they would probably have more than two acres.

Tyler Hess is a partner on this project and he grew up in the area. Last year he rezoned an R-R zone to an R-1 zone because builders and homeowners are looking for one-acre lots because they don't require as much maintenance. A two-acre lot is too small to farm but too big for those looking for one acre. Mr. Hess said there is a high demand for the 3-5-acre lots as well, but by densifying this a little more they are saving more farmland. They have a good reputation for building a quality product and they have a great connection with great builders. They have an average of 1.35 acres and will do some one-acre lots with some two-acre lots along the larger parcels adjacent to the site.

Spencer Kofoed lives south of this area and has a great desire for Middleton to become a beautiful community and to contribute to that. The people who own this land have owned it for 13 years and they approached him last year to partner on a quality project. He has developed and helped build out several projects that in R-1 zones. The type of product they develop are those that are sustaining to the area and pay for themselves and the infrastructure. They have a reputation for working well with neighbors and as stated they will try to work with the ones to the north that have larger lots and place their larger lots next to them. They have worked with Middleton and will help out with some roads and make sure they meet all the comprehensive plan, and they will build roads where required so that the city will connect in the future. They have met with the highway district and irrigation district. The neighbors had concerns about wells and septics and his response was those things will be engineered and addressed by professionals. All West Engineering did the nutrient pathogen study that verified the 1.35-acre average was sustainable here. Commissioner Van Beek said the letter from the City of Middleton's letter referenced the property has to be two acres to meet well and septic requirements. Director Nilsson said we rely more on the health district standards and their technical review.

Mary Munson lives at the corner of Lansing Lane and Purple Sage Road and she donated land to the highway district to be able to get a building permit and they told her the district couldn't put a roundabout in because it was too low. She also said there is a problem with the internet where the cell towers are jammed and you get very little cell service out there and she's concerned the development will put a lot more on it.

John Rhodes, who has a well system, asked if the homes will be on wells and septics or will public water be brought to the property. He is concerned about the impacts the development will have on the aquifer. He is not aware of any meetings the developers have had with neighbors. He loves the rural area and feels more subdivisions will ruin the ambiance, and he does not think the roads are able to handle things now, therefore, he said the infrastructure needs to be put in before development occurs. He asked if the rezoning will preclude people from having farm animals because some may not want to live near them.

Monty Bell testified he moved to the area for the rural setting and is concerned about the quality of life being negatively impacted, and the effects the project will have on the wildlife habitat as well as adding to the existing traffic problem. He asked if there are plans to extend Gray Hawk Drive to be an entry in and out of this project. Mr. Bell's main concern is the water situation and the possibility they will run out of water. He also noted that the internet service is terrible out there.

Jolene Zirbes lives on 9 ½ acres adjacent to the proposal and her main concern is water and the number of septic tanks. She spoke with Spencer Kofoed and he said he would try to accommodate her concern and put larger lots adjacent to her property. She also spoke of her experience in the banking industry and her concern that we may be entering another recession which could impact this project and how it could become a blight in the community and affect the property values.

Jackie Grayson said the property was granted R-R zoning in 2006 for one-acre lots but at that time the agreement was that city water and sewer would be supplied and so it passed with the understanding that they were not going to drill 60 new wells and septic tanks. She moved to the area over 20 years ago for the quality of life and she understands there will be development but the reality is they are sacrificing the quality of life for the existing homeowners for the new buyers coming in and she's not sure that's a fair tradeoff. Ms. Grayson said there is a major traffic issue in the area, in fact, they passed a fatality at the corner of Lansing Lane and Highway 44 as they were on their way to this morning's hearing. She has concerns about the density and the infrastructure not being done until after development commences.

Rebuttal testimony was given by Mr. Mills who said the Idaho Department of Water Resources conducted a nine-year study of the Treasure Valley and it was noted that this area is one of the best areas in the entire valley for aquifer. It has both quantity and quality. This area is in transition, it's a growth area that is not going to stay the same and if the request is denied the property will go into city densities at some point in the future, but that's not what anybody in this area wants. Mr. Mills said a traffic study will be done before platting takes place and it will identify the needs and that will have to be considered and dealt with at the platting level. It is yet to be determined where the roads will be built, but the highway district is anticipating a connection from Purple Sage Road. A traffic study will be completed. He said there's a misconception that the developer is going to get rich off of selling right-of-ways, but in reality the developer is giving away 10 acres for public infrastructure without a penny in return. In regards to the concern that was raised Mr. Mills said farm animals are allowed in the R-1 zone and spoke of the importance of 4-H and FFA projects and how they are a big part of living in the country. A traffic study will be completed before the design layout is done. The lot/home packages are anticipated to be between \$400,000 and \$700,000 so they are going to be a plus to the tax base.

Commissioner White inquired about the complaint of spotty internet service in the area. Director Nilsson said that is dealt with by the private sector service providers. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner White said properties are a person's investment/retirement and she cannot tell them can't get the maximum benefit of their property. With sales price that will range between \$400,000 and \$700,000 the neighbor property owners will not have to subsidize those homes. A traffic study will be required and the results will have to be addressed by the developer. She believes the proposal is a good

fit for the area and is not spot zoning. Commissioner Van Beek understands the concerns raised by the neighbors, but if this were to be annexed into the city the density would be much greater. She believes the developers are people who care about the quality of construction and they are increasing lot sizes to bring diversity and interest to the subdivision. There are traffic issues on Highway 44 and she wants to see how the mitigation takes place. She understands economic conditions may change, but we have someone presenting a plan that meets qualified development; the plan is well thought out and will add value to the community. Commissioner Dale appreciates the comments regarding the potential for a recession and he agrees that there will be another one at some point but we cannot make decisions based on what ifs. If a recession does come the risk is on the developer, not the present homeowners. A low density development within a city limits is 3-4 units per acre and so approving this at its original designation in 2006 of a one-acre average preserves the very low density that's desired here. The Board has no jurisdiction over internet/cell service or streets. He believes this is an appropriate request and he wants to honor the original zoning designation approve this to an R-1 zone. Commissioner White said there will be no driveways allowed directly onto Lansing Lane so perhaps that will give some peace of mind. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted unanimously to approve the rezone request to R-1 and approve the findings of fact, conclusions of law and ordinance, as well as the ordinance directing the change to the zoning map for Case No. RZ2018-0026. (See Ordinance No. 19-009.) The hearing concluded at 11:40 a.m. An audio recording is on file in the Commissioners' Office.

MEET WITH BOND COUNSEL – EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(D) TO DISCUSS RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION - NO ACTION ITEMS

The Board met today at 1:34 p.m. with bond counsel for a discussion in Executive Session to discuss records exempt from public disclosure and attorney-client communication. No action items will be considered. Commissioner Dale made a motion to go into Executive Session at 1:35 p.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Dale, White and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Clerk Chris Yamamoto, Controller Zach Wagoner, PIO Joe Decker, Bond Consultant Ysabel Bilbao, Bond Counsel Nick Miller, Christian Anderson from Zions Bank, and Deputy Clerk Monica Reeves. The Executive Session concluded at 2:55 p.m. with no decision being called for in open session.

MARCH 2019 TERM
CALDWELL, IDAHO MARCH 4, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale

APPROVED CLAIMS ORDER NO. 3/11/19

The Board of Commissioners approved payment of County claims in the amount of \$11,619.70, \$176,789.72, \$84,327.74, \$26,157.93 and \$8931.00 for accounts payable.

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto, Chief Deputy P.A. Sam Laugheed, PIO Joe Decker, Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Zach Wesley left at 9:38 a.m., Controller Zach Wagoner, Ysabel Bilbao, Kathy Alder left at 9:38 a.m., Larry Olmstead left at 9:38 a.m., Nicole Foy with the Idaho Press left at 9:38 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Bond Election Ordinance - New jail facility - May 21st election: Sam Laugheed said this ordinance was prepared by bond counsel, Nick Miller at Hawley-Troxell, who the county engaged last summer along with the county's municipal finance advisor, Christian Anderson from Zions Bank. It is a legal requirement for the county to sign such an ordinance or resolution prior to calling for a bond which includes all the relevant details. It includes the preamble, the normal recitals, and six sections. The first section is where the bond election is called for on Tuesday, May 21, 2019 and that the County Clerk will administer the bond election including scheduling and polling times and getting those notices published which have to be 12 and 5 days out of the election. The language of this ordinance has to be finalized 50 days out so we are well in advance of that but trying to give as much notice as possible. Section 3 is the form of the ballot which includes the relevant details of the actual ballot language that will be offered, the relevant financial details and even the way it will appear on the ballot. Section 4 is the notice of bond election that will be published and has the details and dates and will again cover the relevant financial details. Sections 5 and 6 are legal necessities, section 5 has to do with how the bond will require 2/3 of qualified registered electors of the county and section 6 addresses what would happen should bond election pass. Mr. Laugheed stood for questions providing they are in his realm of knowledge regarding this issue.

Commissioner Van Beek asked if section 6 about repayment could be clarified further. Mr. Laugheed doesn't believe he would be the person to clarify further but does think that it depends in part on how much is issued, when it's issued and he believes it would be built into the bond language itself. If in the event the bond election were to pass he thinks that certainly could be clarified down to a particular date range. Commissioner Dale said it is his understanding that at the issuance of the bonds is when you start being responsible for

payments. Zach Wagoner confirmed that is his understanding as well. At issuance it would be built in based on the property tax collections of the county. December and June are when significant property tax collections are received and that would be specified in the language and be tied to the collection of revenue that would go to pay for the bonds.

Commissioner Van Beek asked when the first call would be, if there is a time period for the first payment. Mr. Wagoner said that at present he does not know exactly what the call provisions would be.

Commissioner Van Beek said depending on whether or not that passed and the amount of the sinking fund you could potentially pay the first payment with proceeds from either, if she understands it correctly, if we did not reach the amount of the bond you could use that difference, between what it cost and what you actually called for, to make the first payment and then use portions of the sinking fund thereafter to meet the general obligation. Mr. Wagoner gave an example stating that if \$187M were approved but it only cost \$150M you can only go to the market for \$150M or you could go for \$187M and then you'd have in essence \$37M to put into the sinking fund.

Commissioner Van Beek asked, for the sake of conversation, if they passed this and then we would call for the architectural and engineering portion and get a more definitive cost at that point. Is that how you anticipate this would go? Mr. Wagoner said that is his understanding.

In response to Commissioner Van Beek regarding interest on the sinking fund Mr. Wagoner said that the county will begin paying interest after the issuance of the bonds. Construction would carry over for multiple years so the full \$187M would not have to be asked for on day one, it could be issued in portions if that route was chosen but that the interest rate is determined at the time of issuance based on market conditions.

Commissioner Dale stated that in his opinion the preferable option is to get authorization and then go out for an initial amount. In a previous meeting Mr. Miller and Mr. Anderson had suggested maybe \$100M so that you make sure you have enough for the architectural and engineering needs and those kinds of things and then you can pinpoint more exactly what the cost will be of building the structure. What we have today is an estimate and once you get those construction documents you'd have that zeroed in and then you can know for sure what you need to do. Mr. Laugheed said that is his understanding as well. He thinks to get a fully engineered set of construction documents would cost upwards of \$10M so the county could spend \$10M and have a plan to take or go thru this process where we have a concept design and a needs analysis that comes up with the number of approximately \$187M and then should we get the authorization thru the bond election to move forward to the next step we could narrow down that cost. We could do the value engineering and those sorts of things with the construction manager/general contractor working with an architect to narrow down a cost and then we could get into the issuance issues on a phase by phase basis for construction and finance. He thinks those could be tied together in a way that would maximize the county's position.

Commissioner Dale spoke about his thoughts on the matter stating that it's been more than 15 years that we've known that the Canyon County jail is inadequate for providing public safety. 13 years ago the first jail bond was proposed but it failed to meet the required super majority. Since that time two more jail bonds have been proposed and those attempts have also failed, the last being in 2010 at the depth of the recession. While it would have been very nice if we could have built at that time because construction costs were at their lowest level in years that didn't happen. Since that last attempt there have been no bonds proposed. Since that last attempt the need for adequate space has continued to grow and it continues to grow with the growth of population we see happening at a very robust level in Canyon County and throughout the Treasure Valley. Since that last attempt the cost of construction has climbed exponentially and will continue to climb. Since that last attempt counties in Idaho have been given no additional tools with which to fund building a jail. When he ran for this office 5 years ago he stated that any plans for a new jail that did not include getting us out of the old jail as a place to house inmates was short-sided and still believes that today. He believed at that time that an in-depth strategic needs analysis was needed. There had been some needs analysis done, some evaluation done in the past but nothing of great depth like what was accomplished with the DLR study and that was the first step in presenting to the voters the need based on an unbiased, scientifically based analysis. The result is quite intimidating, it is what it is though. He also believes that when committing the public's money to build needed infrastructure, as public officials, they must build for the future. It is always cheaper to build today for the needs that we will have tomorrow. The \$187M cost is intimidating but we know one thing for sure, it'll continue to get more as we wait. His understanding is that the projected growth and construction costs and materials is around 5% which will just add more and more to the cost of building a jail that we need today and that need will not go away. He wishes there were other tools with which to fund jail construction but the only source he's seen for doing this type of a project is the property tax. You can talk about different ways to utilize that property tax such as lease/purchase or different types of things like that if that were to happen but it is still property tax. We considered in the past year utilizing some sort of approach with the great value that we have out in the landfill but the bottom line is that you still have to bring it back to the property tax because it wouldn't be enough to build a jail. By statute the only method allowed to access that source is a bond approved by 66 and 2/3 % of the voters. Today we are considering setting the amount and language for asking the voters to consider approving a bond to build a jail that would serve the public safety needs in Canyon County for the foreseeable future, we're talking 30, 40 years into the future plus room for expansion at that site; we already have the land free and clear. Infrastructure, water and sewer, are out there. This site was chosen 10 years ago to build a jail on and he still believes the folks that were involved with that selection committee made a wise choice. Commissioner Dale asked "can we do this?" "Can the voters approve this?" And he believes that yes, it can be done. Once the ordinance and bond language is approved there will be a very extensive educational process that will let people know what this will cost them. If someday we have the authority to ask for local option sales tax, if people were to approve that we could apply that to this and lower the cost. The bond language lays out that the approximate cost to taxpayers would be \$7.88 per month per \$100K of assessed value. Commissioner Dale said he is in favor of approving this resolution and made a motion to do so.

Commissioner White seconded the motion for discussion.

Commissioner Van Beek said she has spent a lot of time looking at this and would like to address the points of agreement. She realizes the need for need for public safety is real. She has toured the jail with Captain Ward, she understands the limitations and agrees that a new facility is needed. She also agrees that she would not want to add to the current facility as the long range plan. She appreciates that the Clerk and Controller have kept the debt low and that the county is in a good position financially but we also need to take into consideration what this is going to do long-term. She believes that there are other sources of financing this which the Clerk and Controller have agreed to work with her to put heads together and try to identify some of those; some of those options may include tax incentives that are coming off of their exemption period and urban renewal dollars that are going to be returned to the county and how we use those. Due to the economic up-tic some other options may include permitting and other revenue sources than property taxes that she believes are available and need to be ferreted out before we ask taxpayers to pay more. She understands that Commissioner Dale's statement of it only costing about \$7.88 a month per \$100K of assessed value doesn't sound intimidating when broken down but in the meeting last week with Christian Anderson of Zions Bank the levy rate for the bond will carry its own levy as a line item on taxpayers' statements. It represents $\frac{1}{4}$ of the current mill-levy rate of 40 mills so that 40 mills is how we got to \$52M, it's public information, it's what we looked at for the 2018 budget year. And so 10 mills is $\frac{1}{4}$ of 40 and that's the reality, it is going to be a 25% increase to taxpayers of Canyon County on their property tax line. She does not agree that costs are going to continue to escalate; everything is cyclical so just like you don't buy stocks when they're high in, this instance you would wait for the market to cycle. We have a project in motion that will provide some space elevation by classification for inmates at the jail. The needs are real and we need to build at a time when it makes sense. You build in a market when you're not at the high. Amazon also announced last week that they will be pulling back and waiting 18 months on the construction of their new facility due to anticipated downturn in the economic climate and that would be to our benefit if it were true. Commissioner Van Beek would like to see a comprehensive plan developed so that there is a consistent plan from Commissioner to Commissioner and we can go to the future in perpetuity. She recently had a chance to review Ada County's annual financial report and in that report they have 32 pages of capital construction projects where they have utilized the capital construction fund as they are no longer bonding for their municipal projects. She feels that statutorily it is incorrect information to say there is only one funding option, we have more than one option available. One option would require that we set that up by ordinance, which she would hope that we could do a portion of that. The other one would be less restrictive but we could run excess revenues into that account to start building for the future and her position has always been that we need to look at what we can afford on an annual debt service. She feels that the other glaring issue is that the total maintenance and operation cost of the new facility has not yet been identified and that number is critical because that will also increase the amount that the taxpayers are expected to pay. As we look at how to present this best and easiest to taxpayers she would propose that most people do not live in a \$100K taxable house, her understanding is that it is closer to \$287K and a lot of homes being built are between \$400K and \$700K. If you take your total taxable value on your tax statement and multiply it by the mill rate of .001 you're going to get really, really close to what that looks like for your impact.

We have to consider in this environment what that's going to do for people on fixed incomes, people raising children, the impact of the school bonds. There are a lot of facts, this is not just a left and right balance scale, this is an equilibrium and it has to be maintained and with thoughtful consideration to the taxpayers. This is her position and she will not vote for this proposal, not because she doesn't believe in public safety but because she believes there are too many unknown factors and areas where we have not ferreted that out to the point where she can represent the people that put her in office.

Commissioner White addressed Commissioner Van Beek's comments stating that this board has acknowledged she has alternative ideas with regard to financing and have also acknowledged that the Board is willing to hear them. So she believes that part of the disagreement with moving forward on the bond is because we have not heard those issues yet and as the chairman she has said that time will come. This jail bond is already in motion and she is not going to have it look like a convoluted mess to the citizens yet one more time. Public safety matters and she has recently heard frustrations from law enforcement that they cannot fully do their job because there is no room to incarcerate. Taxpayers are paying for training, equipment, uniforms, vehicles, salaries and benefits for these individuals and they deserve the public safety. She believes that there has been a lot of due diligence put into this project, the DLR study was the first of its kind that was done for a needs assessment and the methodology that was used is indisputable. She does not feel any of this, including the cost, is a surprise to Canyon County taxpayers. Her feeling is that if this bond doesn't pass the only thing that will change is that the cost will go up and continue to go up. It doesn't matter what funding option is used the cost will continue to rise and there is the possibility that some of those funding options may no longer be viable. There are so many unknowns as we move forward with this but what we do know is that we need a new jail, this county knows that and the people in this county know that. The things we do know is that there was a study and that we have numbers that are substantiated by research and by studies that are defensible, that we own the property, that the infrastructure is in to the property and that we don't have the money to pay for this. We are using a financing tool that is available to cities and counties to fund this and that is a GO Bond, a General Obligation Bond to pay for it. She is the number one cheerleader for local option sales tax because that way everybody pays and we're not going to give up on that. She does not have a closed mind on other funding mechanisms, all options are on the table, but what we have today is in front of us and there has been a motion and a second to consider signing the bond ordinance for the new jail facility for the May 21st election.

Commissioner Dale offered some additional thoughts saying that in his earlier statement he said that we only have one source available for us today to do something of this nature and it is property tax. Perhaps there are different ways to use property tax - the tax incentive drop offs that were mentioned by Commissioner Van Beek, the urban renewal that's going to come from the city to the county when that sunsets in a couple years, new growth, new construction, that's all true, but all of those are property taxes. We can institute a capital construction fund and we could conceivably commit those tax incentive drop offs and those urban renew funds that are going to come to the county after the urban renewal sunsets and we could commit new construction growth to pay off this bond, but that's all property tax and the bottom line is that Canyon County residents are the ones that are going to pay for

this jail, it's not going to be the federal government, not going to be the state government, it's going to be Canyon County residents. Commissioner Dale posed the question to Mr. Wagoner asking that if we had \$4M-\$5M total of tax incentive drop offs, urban renewal coming back, new growth coming into the county year by year, would that allow us to not have as large a tax levy to pay the bond? Mr. Wagoner said that those proceeds could be used, that when you have a GO Bond the increment value gets added back in to the taxable value, for adding that increment value back in on a GO bond lowers the levy rate the tax payers will pay and that that levy rate could be lower thus reducing the yearly \$94 per \$100K of assessed value. Commissioner Dale stated that some wonderful things were able to be built in Nampa during the depth of the recession but we really don't have the luxury of waiting for every 'what if' scenario because the need is so great today and believes we need to move forward with what we know today. Commissioner Van Beek agrees there are a number of variables out there including a proposal from the legislature to cap property tax at 5% and remove new construction which would have about a \$750K negative revenue to the county. Her position remains, she understand the need for public safety and that Commissioner Dale is correct, it's mitigating for the increase in property taxes, there are some revenue sources that are not property taxes so that is a true statement that it would be a blend and understands that new construction added to the tax roll that would lower the levy rate but it will not lower the amount that's set. Mr. Wagoner confirmed that it would lower the levy rate but the payment amount would remain the same. A vote was taken on the motion with Commissioner White and Commissioner Dale voting in favor and Commissioner Van Beek voting against. The motion carried in a 2-to-1 split vote (see ordinance no. 19-010).

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 Van Beek made a motion to go into Executive Session at 9:38 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek, Dale and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Leslie Van Beek, Pam White and Tom Dale, Chief Deputy P.A. Sam Laugheed, PIO Joe Decker, Chief Deputy Sheriff Marv Dashiell, Controller Zach, Wagoner, Ysabel Bilbao and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:40 a.m.

Once out of executive session Commissioner Van Beek made a motion to continue the meeting to consider approving bond election educational outreach messaging to March 5, 2019 at 9:00 a.m. The motion was seconded by Commissioner White and carried unanimously.

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

PUBLIC HEARING - REQUEST BY JAY WALKER/ ALL TERRA CONSULTING FOR A REZONE,
CASE NO. RZ2018-0032

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Jay Walker with All Terra Consulting for a rezone from "A" (Agricultural) to "R-1" (Single Family Residential), Case No. RZ2018-0032. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Jay Walker, Brett Wilson, Corey Blaine, Craig Clapier, Mark Gilbert, Linda Overman, Stacie Humpherys, Larry Biederman, Mark Henderson, Robert Gray, Suzanne Overman, Ben Maxwell, Steven Squellat, and Deputy Clerk Monica Reeves. Jennifer Almeida gave the oral staff report. The subject property is 35.22 acres and is currently zoned agricultural. The future land use map shows this land as residential. The property is not within an impact area. City limits are located two miles southeast of the property. The area is currently a mix of agricultural and residential uses. The property is adjacent to Hollandia Estates Subdivision No. 1 and No. 2, and within one mile there are 30 platted subdivisions for a total of 422 lots with an average lot size of 1.17 acres. The proposed rezone would create lots similar to those that exist within one mile. It is adjacent to rural residential zoning. There is also R-1 zoning located south of Purple Sage Road. The property is located within a nitrate priority area. The applicant will be required to adhere to Southwest District Health requirements which will include a nutrient pathogen study to determine how many lots can be supported on the site with individual wells and septic systems. The property has frontage on Freezeout Road which is a public road. Canyon Highway District indicated that a single road approach generally located in the center of the property would be acceptable. They also recommended that a stub road be provided to the parcel to the north in an effort to provide neighborhood connectivity. The highway district also indicated that the project trips would be below the threshold that would require a traffic impact study. ITD has no objections. The P&Z Commission recommended approval on January 17, 2019. Staff has found the rezone meets the standard of review for zoning amendment and is harmonious with the comprehensive plan and future land use map.

Testimony in support was as follows:

Jay Walker with All Terra Consulting testified in support of application by Oak River Homes, LLC. The property is in the land use residential growth area although it is north of Purple Sage Estates and is outside the Middleton impact area. They have noted the requirements by the highway district; they requested a stub road to the north and they are willing to extend that right-of-way if that requirement is retained. They will do a temporary cul-de-sac for the turnaround at that location touching the north property boundary. They will split the property with an access onto Freezeout Road. To the south are one-acre lots and although that's zoned appropriately as R-1 and to the west is Hollandia Subdivision which was zoned as R-R (rural residential) the lot sizes range from .47 acre to one acre. The development was grandfathered in and so they don't have to adhere to the current zoning regulations. Mr. Walker said this would be a very good transition with 1+ acre lots, and that's why they are asking for an R-1 rezone. They agree that the local road is under classified and in the near future would be classified as a collector road and they are prepared as an ownership and development team to dedicate that additional needed right-of-way, whether it be 30 feet or 40 feet in addition to the prescriptive right-of-way that's 25 feet today. The public right-of-

way and the prescriptive 25 feet on either side of centerline and any additional dedication would be outside the flood map zone and will not be impacting buildable lots. They have proceed with a nutrient pathogen study by MTI and they have provided what's needed for individual septic and wells and they have also determined through test pits the ground water and listed all of the specifications that are needed in order to meet DEQ and SWDH regulations. There were no concerns. They met with Black Canyon Irrigation District and have a concept irrigation plan in place. They have spent time coordinating with all agencies as well as staff. On the northerly property boundary there will be an easement provided for irrigation. Mr. Vandenberg has recently piped all of the facility through his property and constructed a beautiful estate lot and he's also piped the tail water from a new pivot that goes to the south of the property which will continue through the backs of these properties and discharge in the historic location of discharge. There will be an access road to the pump station location and to any manhole locations. Mr. Walker said they have done a significant amount of well log studies. DEQ and SWDH require 100 feet of separation between wells and septic systems and the developers have accommodated that with the larger lot sizes. They do not plan on having any shared wells on the 27 lots. The patterns show the aquifers and water-bearing strata are sufficient for what is planned and through those insulators they will protect the ground water in both applications. At the neighborhood meeting they stated that if R-1 zoning was allowed they would pipe a facility that has been on the shared boundary between Hollandia and Blaine Estates and they would tile that overflow drain ditch which would pick up the overflow from the pump station and some runoff from their lots as well as the overflow from the property to the north and they would convey that rather than create problems with water in their backyards. Commissioner White asked what the neighbors' concerns were. Mr. Walker said there were concerns about the impact to their wells and the tiling of the common drain that hadn't been maintained in years, in fact, it had silted over and many owners adjacent to the parcel were being flooded through the conveyance of water or the lack thereof. He said there were well logs that showed there's plenty of water-bearing strata and given the depth and appropriate ceiling there shouldn't be any problem. There were comments about traffic and that's why they committed to dedicate right-of-way and appropriately plan for the future transition from a local road to a collector road. In response to Commissioner Van Beek's question about why the ditch hasn't been cleaned, Mr. Walker said a 15-inch pipe has been determined to take all those flows. They have been forthright in their approach to make sure they know what the irrigation district needs. He is not sure previous owners or downstream users understood the amount of discharge from Hollandia Subdivision into this coordinated drain ditch and everybody just let it go until it impacted some of the farming activity and backyard mowing of adjacent owners. He said the developers are actively involved in helping them resolve that problem. Commissioner Van Beek asked about the neighbors' concerns about their right to farm being protected as well as their concerns that aerial spraying could be impacted. Mr. Walker said there is no farming agreement on this property and he doesn't know if anybody controls the crop dusting and what goes on there. It was indicated that most of it is occurring on the east side of Freezeout Road. If they are spraying that needs to be addressed by whoever is spraying in those areas because there is development of subdivisions and properties to the south.

Brett Wilson testified that he is an owner of the property with his brother-in-law, Corey Blaine, and they have been working with Jay Walker to meet the requirements in order to

build homes on this parcel of land. He believes R-1 zoning fits the surrounding area with the lot sizes.

Corey Blaine testified that he has relied heavily on Jay Walker who has been involved with some high-end projects and he has a great portfolio of past history which is why they hired him. Their proposal is to have high-end custom homes. Mr. Blaine farms and ranches 840 acres north of Eagle. He does not believe the additional homes will impede farming operations or aerial spraying. Commissioner White asked if the developers have considered larger lots. Mr. Blaine said he will defer to Mr. Walker, but in order to pipe for the Hollandia development they really need the R-1 zoning "for it to pencil." They have told a resident that they will take care of his flooding issue and he was pleased to hear that, and, that will benefit all of Hollandia. They have no plans to tile the drain.

Neutral testimony was as follows:

Mark Gilbert lives in Hollandia Subdivision and his backyard abuts the subject property. He asked if the development will have a one-acre minimum or whether there will be an average lot size of one acre because there's an important distinction between the two. When he purchased his property last year his well was found to be in violation of the nitrate standard and it was suggested that he install a special filtration system to clean up his water. Ms. Almeida said R-1 zoning calls for a one-acre average minimum.

Craig Clapier testified that he is a real estate agent and his client owns property to the south of subject property and he is here today to see how they can market it for the best use. He said the Hartley Gulch was a cattail patch this summer and it needs to be tiled to allow water to exit out to Purple Sage Road. Mr. Clapier also wants to know what the density for the proposed development will be.

Opposition testimony was as follows:

Linda Overman lives on Freezeout Road east of the subject property and she and her mother have an 80-acre farm, which is their livelihood and they are concerned about the impact the proposal will have on their farming operation by inhibiting their ability to use aerial spraying and by impacting the water table. Other concerns include increased traffic and the already overcrowded schools. Ms. Overman would like the number of houses to be limited to 8-10. She spoke of how her family has used aerial spraying on their crops for 50 years and they are very worried about the potential for that to be discontinued due to housing developments. She said Caribou Acres and Arroyo Court have recognized the need for aerial spraying and they utilized larger lots and building envelopes to ensure that FAA clearances have been met. They also recognized the right-to-farm act. Ms. Overman is concerned about the rural quality of life being severely impacted by development and she asked the developer and owner for a compromise of lots that are 5 to 7 acres in size. She has farmed this ground and she understands the drainage situation and the water backing up and has even cleaned out the ditch. In talking with the irrigation district the tile that was put in for Purple Sage Road was two feet higher than what it needs to be and if it's not maintained and cleaned out it will back up. The property to the north is owned by Bill Vandenberg and he put in a pivot which has eliminated a lot of the surface runoff from siphon tubes. By using sprinklers you won't have near the runoff so that's going to be a major help as well. Ms. Overman testified that she and other area farmers use Freezeout Road to move their farm equipment rather than using Highway 30.

Stacey Humpherys testified that she lives in Caribou Acres, a development with 10 homes. When it was developed in 2002 there was extensive discussion about aerial spraying and

they made concessions to have a corridor for safe spraying. The development also recognizes the right-to-farm act. Freezeout Road looks very different than El Paso Road which is more suburban, there is a lot of agriculture even with the smaller lots and they want to keep it that way. She wants to make sure the Overmans can continue to farm, and she also wants the rural lifestyle maintained.

Larry Biederman testified that the area from Purple Sage and on to the north is a very different than the surrounding areas. The area on Freezeout Road has five-acre or larger parcels along the road. Caribou Acres has some one-acre lots but they are set back to west of larger parcels that are along the road and it was designed that way so that aerial spraying could be possible. They did allow some one-acre lots to set back away from the road so they would not be affected by the aerial spraying that goes on down the road. Development is imminent but the area would be better suited if at least along the roadway there were five-acre parcels adjacent to the road and, if desired, smaller parcels could be placed behind it to maintain the style of the neighborhood. Mr. Biederman believes one-acre lots will impact traffic, aesthetics, farming operations and aerial spraying and it would be contrary to the lifestyle of the neighborhood. He said the Treasure Valley is rapidly growing and we know there is a need for new houses but at the same time we should not make the mistake and get so carried away with rapid growth that we lose the character and beauty.

Robert Gray testified that he lives on five acres on Freezeout Road, north and east of the subject property, and he moved there to get a rural setting and not have close neighbors. On Freezeout Road, from Purple Sage to Galloway, it's a mile stretch and there are only six houses. It's a very rural area with little traffic, but there is large farm equipment, and spray planes. He is opposed to one-acre lots; he prefers to see three to five-acre lots or larger. He is worried about some of the issues with irrigation on his property. He will be the only one from the southern portion of the section clear to the north that's going to get water out of the open area not being piped. He is also worried about the effects on his well. He spoke to his neighbor, Cliff Cordova, who is opposed to the rezone. Commissioner White said the Board received a letter from Michael and Suzanne Cordova, which she read aloud and which states, in part: *"...As residents we are directly impacted by this decision. We are strongly against the rezone. Freezeout Road is a quiet rural road that is primarily used by farmers and horse and dog enthusiasts. Most parcels are still primarily for agricultural use and are a minimum of five acres plus. This rezone is going to eliminate the farming and livestock rural appreciation of the community we have enjoyed for years. There are better locations for this growth. As previously stated we will be extremely discouraged and disappointed to see this agricultural area become over-populated by this dense rezone. It will be a direct impact as adjacent property to our rural pasture, barn and roping arena."*

Ben Maxwell testified that he is the agricultural pilot who services the area. It's an intense area and there are several plots that are hard to identify and for those who own small, isolated acreages their only option is to use Mr. Maxwell's aerial spraying services but when properties get boxed in he has to tell them, sorry he can no longer spray. He lives at the corner of the Overman property and he services the entire area. He flies every field and most of the open ground. The subject property is located directly under their low-level take off and approach path for all of their northern customers. It's their main flight path; it is also under the main approach for the Caldwell airport so it is an area for intense air traffic. They use the area for turnaround to service several people that are just to the east of the Overman property. From June through September they conduct night operations from 9 p.m. to 6 a.m.

The smallest area they spray is 60 feet wide by 60 feet long so we can hit a small patch of ground and he can hit it accurately.

Steve Squellat testified that he lives on Elk Way in Caribou Estates and his main concern is the density of the development because it will destroy the character of the neighborhood and the view.

Commissioner Van Beek asked Zach Wesley for his thoughts on right-to-farm statement. Mr. Wesley said we've heard a lot of comments about the commitment to right-to-farm and sometimes the statement will be included on the plat but that doesn't impact the application of the right-to-farms laws. It's commonly done to provide notice that those platted areas will comply with the right-to-farm but what the right-to-farm act does is limit a local government's authority to respond to agricultural nuisance complaints so as long as a farmer or agricultural operator is in compliance with modern agricultural practices. If a resident has a complaint about the smell of a dairy across the street, the local government is restricted from taking action on that complaint.

Rebuttal testimony was offered by Jay Walker. There is a misconception about this area because of the flood map. With regard to Caribou Subdivision, he said the only reason the developer didn't develop more one-acre lots closer to Freezeout Road is because of the flood mapping, it wasn't because of buffering Freezeout Road by any means. Some of the area to the north is difficult because of that flood map designation area otherwise there would be more one-acre lots contiguous to the acre lots that are available. He said the applicants are not doing anything outside of what's occurring in this area; most of the backyards were placed up against Freezeout Road so there is that buffering and they made that concession after hearing from the neighbors. This is a beautiful area and they need to keep it that way with larger estate lots. They are planning on doing larger lots than even the one-acre minimum average and providing that transition to the properties circuitous. According to Mr. Walker, aerial spraying is going to happen and they can make adjustments to avoid areas of concern in the drifting and discharge of spray. He said they moving the houses away from Freezeout Road and away from the out parcels on the perimeter. This is the right of the property owner to provide large estate lots, including for themselves. If somebody wanted to buy this ground they should have bought it and continued to farm it but unfortunately that wasn't the case. In response to a question from Commissioner White, Mr. Walker said the largest lot will be 1.24 acres, and there are other lots that are 1.19 acres in size. The lot size is governed by the nutrient pathogen study and the separation of meeting the requirements of DEQ and SWDH. He said they have provided not only the dedication of additional right-of-way but for future road expansion. The homes will be buffered equal to or greater than the Caribou Subdivision where the developer didn't develop down in the flood zones. Commissioner Van Beek asked Mr. Walker to address Mr. Gilbert's concern about lots being divided in a non-proportionate way. Mr. Walker said if they go with the larger lot size of 5+ acres you run the risk of redevelopment in the future and then you end up with even more density than the protected feel of the larger estate lots. It's a Catch-22. If you go larger it's highly likely somebody will want to redevelop it into smaller ½ acres. In this case it's big enough to maintain that open feel and provide for the viewing corridors yet small enough that they won't redevelop again. Commissioner Van Beek asked how that can be restricted. Ms. Almeida said if they were developed into 5 or 10 acre lots the owner would be within their right to develop it further if they chose to but they would have to go to public hearing to attempt to replat it. She heard mention of CC&R's but said they are not enforced by the

County. Commissioner Dale said one of the biggest concerns for neighbors is aerial spraying and he asked if the applicants would be willing to work with Ben Maxwell to ensure that wherever the homes are placed there's enough clearance so it does not impact aerial spraying. Mr. Walker said they would and they will also honor the right-to-farm statement on the deeds for the CC&R's that says that there is a right-to-farm clause so residents cannot complain about aerial spraying or impact any of the neighboring farming operations. Commissioner Dale suggested a development agreement for the location of buildings on the lots that would allow for the proper separation, but it would have to be worked out with the expert, Mr. Maxwell, so that it does not impact Linda Overman's right to spray her ground which is the only ground adjacent to this. He wants a willingness to enter into an ironclad agreement that makes sure they are still able to aerial spray that piece of ground. The rest of it is not in question, it's just Ms. Overman's ground for spraying. He wants to see that before he approves this request. Mr. Walker is opposed to a development agreement because it takes away some of the freedom of the property. The County does a great job of having setbacks and providing those necessary buffers and oftentimes with larger lots people don't want to spend more to build long driveways and so the homes are tucked up towards the local roads so there will naturally be larger backyards to buffer any of those spray zone areas. Commissioner White doesn't want to impose something that restricts private property rights making it cost prohibitive where they have to spend thousands of dollars to redo things. She wants to find the most workable way to preserve the ability for that. Director Nilsson said once they have a plat they can be more precise and write those enforceable restrictions to the specific lots and that would be part of the public hearing process. Commissioner Dale said wants to make sure aerial spraying can continue in that area. Mr. Walker said they would be happy to do whatever is necessary to make that right and protect the adjacent homeowners. Commissioner Dale asked staff what would be the best way to do that, through a development agreement or during the platting phase. Ms. Almeida said when we have a plat we can condition it as such when we see the plat design. Commissioner Dale said as they develop their plat he wants to see the coordination with Valley Air to make sure we get the right separation distance and then we'll see it at the platting stage. Mr. Walker said they are agreeable to that. Commissioner Van Beek asked what will be the method of cleanout on the tiled ditch. Mr. Walker said they have discussed it with Black Canyon Irrigation and it would be a coordinated effort between Mr. Vandenberg, the HOA of Hollandia Subdivision, and the HOA of Blaine Estates. They are strategically locating those necessary manholes at the delivery points from Hollandia Subdivision which have to be a minimum of 400 feet apart. The manholes are for cleaning purposes and removal of debris. It will meet all engineering standards and best practices. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Dale said it was referenced that Hollandia Subdivision was designated as R-R (Rural Residential) zone with a minimum lot size of one acre, but when the ordinance was changed in 2010 the minimum acreage for an R-R zone was two acres and that's where we're at today. Regarding Mr. Gray asking how the piping would affect his irrigation, Commissioner Dale noted that the piping is for a drain, not for a supply line. State law requires that the supply line has to be maintained. He wants an accommodation to make sure aerial spraying will not be detrimentally impacted to the east. He believes the request fits the general trending of the area. One-acre lots will protect this area from going into higher density because if it ever

goes to the city they can put four to five units per acre so in some ways this rezone does protect the rural nature. He said it's difficult to juggle the private property rights versus impact on other properties, and he sees both sides of the issue but he's leaning toward approval if we can get it worked out at the platting stage. Commissioner Van Beek said both sides have presented well today. This property is outside of an impact area, but she is hearing Mr. Walker say some of the larger lot sizes may be due to the flood zone and so it prohibits building in some of those but on the other hand she likes the area which has farms all around it as well as large lots in the five to ten acre range. She struggles with the size of the lots in this case and how to preserve certain components of agriculture. Aerial spraying is a real concern. She has concerns with the heavy equipment that will travel Freezeout Road and the ability of the farmer to manage the movement of that equipment. At some point the number of homes will impact an already at-capacity school district. She does recognize the private property rights of the landowner. Commissioner White said within one mile of the subject property there are 30 platted subdivisions for a total of 442 lots with an average lot size of 1.17 acres. This rezone would create lots that are similar so the request is not going to be incompatible. She believes a one-acre lot is perfect because it's a manageable size. Commissioner Van Beek said the Board heard a case in January where there were larger lots and the property owners were starting to split off some of the acreages within the subdivision which created a quandary because the layout can become messy and unorganized. Mr. Walker provides a good product for the market but she is struggling with the request. Commissioner Dale made a motion that based on the findings of fact, conclusions of law and order, that the Board approve Case No. RZ2018-0032, and with the expectation that at the time of platting the Board will see an accommodation made in writing for the aerial spraying. Zach Wesley said the only way to make a commitment of that nature at this point would be through a development agreement, but what staff has pointed out is that during the platting phase they can also address something like that in the design of the subdivision so that would mean the Board would hear it again and if you still held that opinion at that time and wanted to place that condition on the plat you could but those would be two distinct decisions. Commissioner Dale said he wanted to withdraw for a moment and have discussion. He is ready to make a motion but he wants a hardcore guarantee that we're going to have aerial spraying continue in that area and if the development agreement is the best way to do that at this phase then it's just a development agreement with one condition. Mr. Walker said he's not too happy about development agreements but he saw the applicant indicate he is willing to make sure the accommodations are made so maybe the best way to do that is through a one-condition development agreement that says we will see that at platting. He wants to include in the motion of approval a one-condition development agreement to ensure the corridors for aerial spraying. Director Nilsson said we'll have to continue the hearing and have a development agreement prepared and then re-noticed because the agreement will have to "catch up" to the Board's final action. Commissioner Dale considered making a motion to continue the hearing but decided against it when he learned it would have to go back to the P&Z Commission for recommendation and the applicant would incur more fees. Staff assured him the issue of aerial spraying will be reviewed during the platting phase. Commissioner Dale said he is standing on his original motion to approve the rezone to R-1 for Case No. RZ2018-0032, as presented, and to approve the findings of fact, conclusions of law and order, and to direct the ordinance change. Commissioner White said the motion fits within the zoning amendment criteria. The property is designated as

residential on the 2020 future land use map and approval of the request would not introduce an incompatible use to the area. There are 30 platted subdivisions within one mile of the subject property with an average lot size of 1.17 acres. The request is compatible with what's going on in the area. Commissioner White seconded the motion. A vote was called and Commissioners White and Dale voted in favor and Commissioner Van Beek voted against the motion to approve. The motion carried by a two-to-one split vote. The hearing concluded at 3:40 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 5, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- BOE in the amount of \$37,400.00 for the Information Technology department
- Acco Engineered Systems in the amount of \$1692.00 for the Facilities department
- Hess Construction in the amount of \$2500.00 for the Facilities department/Animal shelter

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

The Board met today at 8:31 a.m. with the Directors of Facilities and IT to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, IT Director Greg Rast, Assistant IT Director Eric Jensen and Deputy Clerk Jenen Ross.

Director Navarro updated the Board on the following items: He has about 30 gallons of extra courthouse paint that he'd like to use on the CCOA/Guardians ad Litem building. Everything in the courthouse has been painted and the paint does expire and is not returnable so he would like to put it to good use. The paint should last about 12-15 years on the building and his staff can complete the project in just a few days. The Board is in favor of using the paint on the building. He is getting ready to submit building permit fees to the State of Idaho and the City of Caldwell for the jail pods. Third party inspections are still to be done; blueprints were received in late January and all the engineers have reviewed them. Director Navarro believes they have found one inspector who will be able to complete all of the inspections as far as both electrical and mechanical although he does anticipate the inspector having to make more than one trip and the county will be responsible for those costs including flight,

hotel, per diem plus his professional fees. At this time he doesn't have a schedule of the costs but he will once he has the building permit. Commissioner White clarified with Director Navarro that the project is not over budget as such but that the \$2M down payment was not accounted for in this fiscal year due to scheduling and contracting. Commissioner Dale asked about the fair building, Director Navarro said he believes Director Sinner is in contact with R&M Steel and that Zach Wesley is working on an amended contract to be considered by the Board. Parks and Facilities will be scheduling a meeting with the Board to further discuss personnel issues.

Director Rast updated the Board on the following items: A PO for \$37,400 was presented to the Board to purchase a booklet maker for the print shop. This printer was budgeted and approved for fiscal year 2019 and has actually come in under budget with NASPO pricing. This new printer will replace one that has been in use since 2011 and is worn out. The queuing system on the driver license side of DMV recently went down and it was discovered that the contract was up for renewal in November but was not paid. The vendor graciously agreed to accept the late renewal and payment and the computer should be back up today. Additionally, it was discovered that the vendor does not do a back-up of the configuration so the IT department is taking precautionary measures to image those machines. The Nortel system is now done, it will be unplugged on Monday. Recently there was an agreement signed with JobScore and there are some technical aspects of this project that Director Rast has some concerns with. He feels there should have been a technical review of this product and he asked for the Board's help in watching for any hardware or software that'll be introduced into the county and ask if it has been evaluated by IT. Overall he likes 95% of the product but they want to integrate a cloud service into the email system and how they do that he feels is a security problem, also he feels it may be an issue for Title VII. Commissioner White would like to see there be a meeting between IT and the other departments/Offices involved in this new program to see what can be worked out. Tomorrow there will be a technical call with the vendor where Director Rast hopes to get some more answers. Commissioner Van Beek said she will be meeting with Mike Porter tomorrow as she has some questions about this agreement also. The meeting concluded at 8:54 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, PIO Joe Decker, Chief Deputy Sheriff Marv Dashiell left at 9:11 a.m., Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter left at 9:11 a.m., Clerk Chris Yamamoto, Controller Zach Wagoner, Other interested citizens and Deputy Clerk Jenen Ross

Consider signing Medical Professional Liability Insurance Renewal - Continued from March 1, 2019: Mike Porter said there is no document for signing today and that he is here to answer any questions. This will need to be continued again as we have not yet received the updated paperwork. On Friday there was request to include the Juvenile Detention

Center within the policy coverage and Hartwell was able to go out to the underwriters and they were able to expand the coverage to include that facility at no additional cost. In response to questions posed by Commissioner Van Beek, Mr. Laugheed clarified that this is the profession liability in case one of the retained medical staff provided negligent medical coverage, this is in addition to whatever coverage the medical providers have themselves. Mr. Porter noted that this policy references the umbrella general policy so this is just additional. For the most part doctors are excluded because of the contract that is in place with Argyll to provide their own medical insurance. This is to cover errors and omissions for the jail medical staff acting under the direction of a doctor. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to continue to the signing to March 7, 2019 at 8:30 a.m.

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

As properly noticed the Board met today at 9:00 a.m. to consider approving Bond Election educational outreach messaging which was continued from March 4, 2019. A request was made to go into Executive Session to discuss records that are exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:

Commissioner Dale made a motion to go into Executive Session at 9:13 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, PIO Joe Decker, Chief Deputy Sheriff Marv Dashiell, Clerk Chris Yamamoto, Controller Zach Wagoner and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:07 a.m. with no decision being called for in open session.

At the conclusion of the executive session Commissioner White made a motion to continue the consideration of approving the Bond Election education outreach messaging to Wednesday, March 6th at 2:00 p.m. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 10:08 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY DOORNENBAL TRUST FOR A REZONE, CASE NO. RZ2018-0021

The Board met today at 10:15 a.m. to conduct a public hearing in the matter of a request by Doornenbal Trust for a rezone from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) zone, Case No. RZ2018-0021. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Dan Lister, DSD Admin. Specialist Kathy Frost, DSD Planner Jennifer Almeida, Norm Brown, Pete Doornenbal, Caleb LaClair, Abbey Stover, and Deputy Clerk Monica Reeves. Today's hearing was rescheduled from February 4, 2019. Dan Lister gave the oral staff report. The request is for a rezone from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) zone which is a one-acre

minimum lot size. In 2005 the property was approved for a 24-lot subdivision, but it has expired so they are requesting a rezone to subdivide it into 40 lots. The future land use shows it as residential, there is a predominant area of agricultural zoning and rural residential (R-R) zoning is located nearby with sporadic R-1 zoning in the area. The property is located within the Middleton impact area. A lot of subdivisions were created at a time outside of our current comprehensive plan and outside of our current zoning ordinance and it was done at a time with different regulations and requirements, however, a lot of them still meet that predominantly two acres or more. COMPASS reports are showing over 1,000 acres in the area that are still farmable it's still predominantly agricultural or rural residential so the P&Z Commission recommended denial because they felt the rezone could impact the area, especially the traffic. In the past the City of Middleton has denied projects that are less than two acres, but in this case the city supported the change. The Traffic and Analysis Zones (TAZ) provided by COMPASS shows the area for traffic analysis but it gives a forecast of population and housing in the area and it shows in 2017-2018 there was a population of 528 people with housing of 171 and by 2040 it's expected to increase to only an additional 31 people and 20 new houses. The applicant is proposing 40 new houses so it's going over what the TAZ is forecasting in that area but it doesn't mean it's going to be a regional impact because the city surrounds it and they have a higher population and a higher housing forecast so it doesn't necessarily affect the traffic regionally but locally it could have an impact. The development could potentially generate 542 average daily trips along Purple Sage Road so there would be improvements required at the time of subdivision and this was another reason the P&Z Commission recommended denial but they also alternatively recommended that if the Board were to change the zone to R-R they would be agreeable to that. Staff's recommendation is to deny the proposed rezone to single family residential and approve the rezone to a rural residential zoning district. Caleb LaClair from T-O Engineers testified on behalf of the landowner and said the application is a proposed rezone of Mr. Doornenbal's parcel to R-1. The P&Z Commission recommended denial based on three main reasons: 1) it is incompatible with surrounding land uses; 2) the proposed rezone may negatively affect the character of the area; and 3) it may cause undue interference with existing or future traffic patterns. The applicant does not agree with those conclusions. The finding that rural residential and agriculture are the dominating zones around this property is true but it doesn't tell the whole story when you look at the actual land use. There are a number of subdivisions around the property and a lot of those were allowed to subdivide into smaller lots as a result of the code that was in place at that time which allowed for smaller lots within rural residential and agricultural zone designations. As a result almost half of those subdivisions (16 of the 33) within one mile of the property have an average lot size of less than two acres. Of the 487 total subdivision lots, 54% of those are less than two acres. Directly adjacent to this property are two subdivisions to the south and to the west that have lot sizes that are averaging approximately one-acre in size. The P&Z Commission recently recommended approval for two rezones to R-1, one was for 49 acres and is located 1.2 miles southwest of the site (the Heck rezone), and the other was for 35 acres located to the northwest, and both of those projects are proposing lot sizes of about one-acre in size. The proposed subdivision for the Doornenbal project has an average density of about 1.45 acres per lot. The character of the area is changing and will continue to change to be more residential. Given that the proposal is in conformance with Middleton's comprehensive plan the city does not object to the proposed rezone, it's also noted there are similar subdivisions

adjacent to this property. The applicant believes the rezone is compatible with surrounding uses and the character of the area. Regarding the effect on existing and future traffic patterns, neither the highway district, ITD or COMPASS objected to or expressed concerns about the proposal. The findings associated with the conclusions of law were based on the COMPASS traffic analysis zone population forecast, however, COMPASS indicated the proposal did not exceed their communities in motion forecast. The findings also stated that the rezone could potentially create 57 new homes resulting in 542 average daily trips, while this is true based solely on zoning the proposed subdivision is only for 40 lots and that's due partially to restrictions on septic systems for the area. The proposed project does include elements that are conducive to smart traffic planning and is consistent with city and the highway district's requirements, including a dedication of 50 feet of right-of-way along Purple Sage Road as well as 40 feet of right-of-way along Ranch Road. There will be no direct lot access to Purple Sage Road, instead access is proposed to come from Ranch Road which will be widened and paved as part of the project. These improvements will be extended all the way to the southerly boundary which will provide connectivity to properties to the south. The proposed layout provides further connectivity to the west to allow for development that might happen in that direction. With the R-1 zone there is potential for more lots, but the owner would be very supportive of establishing a development agreement with the rezone that would restrict the total number of future lots to 40, along with any other conditions that might be deemed appropriate. Norm Brown testified that he has done market research on what's selling and 50% of the one-acre lots that are out there have sold while only 25% of the two-acre lots have sold. They met with the highway district because the traffic study came up and they said they are fine with it. One-acre lots in this area are selling for \$82,000. According to Mr. Brown the neighbors have not objected to the proposal. Pete Doornenbal testified that he owns a dairy on 40 acres on Galloway Road where they milk 900 cows; his brother milks the same amount two miles to the northwest. They moved to the area in 2008 and between both families they farm 1,000 acres. Mr. Doornenbal has a son and three daughters, and it wasn't their plan to sell when they moved here but since then there has been a change in plans. When his family bought the land it was platted for 26 lots and he put pivots on the property and was reclaiming it from development and because there's not a lot of money in row cropping or in dairies he had to make a decision and it's not something he's taken lightly. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close the public comment. Commissioner Dale said the only opposition raised was by staff and most of the time he agrees with them but in this case he disagrees with their recommendation. There is a broad mix of different types of uses out there and there is sufficient R-1-type development, and the property is next to a large subdivision that's basically R-1. The applicant is agreeable to having a development agreement, but they will be more restricted by the ability and proximity of wells and septic more than by the one-acre size, additionally the health department will ensure those things are safe and workable. Whether it's R-1 or R-R this ground is not going to be farm ground, and in his opinion R-1 zoning is better than R-R zoning at preserving farm ground because it takes up twice as much space for each lot. He is leaning towards approval of the requested R-1 because it's more in line with preserving farm ground and it helps with the bigger picture as one-acre lots are more appropriate for this than chopping it into two-acre lots. Commissioner Van Beek agrees with the staff report. There are concerns for preserving prime agricultural farm ground and it is in the area of impact where it will eventually be

developed but she believes it is premature at this time. She understands the applicant has mitigated some of the traffic concerns onto Ranch Road but that's still going to pour onto Purple Sage Road and that area is full of valleys and hills and there have been a lot of traffic accidents. The County has been approving new subdivisions in the area and she is compassionate toward the applicant's comments about farming, but this is premature and she doesn't think they will mitigate for the traffic. The area is problematic because of its rural nature and in this case it makes sense to follow staff direction. She will not support R-1 zoning or R-R zoning. Commissioner White appreciates the owner's forthright comments on selling the property and she recognizes personal property rights are very important. The request is for 40 lots which doesn't put it over any of the agency recommendations, she also noted that when this is built out it will not have ingress/egress off Purple Sage Road. She understands the concerns about traffic and the roadways in the area and suggested the landowners meet with the highway district and raise their voices about the situation. She believes the 1.45-acre lots fits with the area as it is "smackdab" in the middle between the two zones. Commissioner White supports the request and made a motion to approve the request by Doornenbal Trust for a rezone, Case No. RZ2018-0021, and also to sign the FCO's and ordinance. Commissioner Dale seconded the motion for discussion. Zach Wesley said there are procedural issues in that the P&Z Commission gave alternative recommendations, one was for denial of the R-1 zoning and the other was for approval of R-R zoning. There is a motion for approval of R-1 zoning without a development agreement so there needs to be a motion and vote to go forward and if there is a vote for R-1 zoning that will be a material change from the P&Z Commission's recommendation so we'll have to have a second hearing and then FCO's will have to be prepared. Commissioner Van Beek said her position remains the same, however, if the Board is going to support development she would like to adhere to the guidelines established by the P&Z Commission for R-R zoning which would minimize it to two acres, and not reduce it, in order to help mitigate for the traffic concerns. She still believe the project is premature. Commissioner White appreciates that comment but said at 1.45 acres it's exactly in the middle and nestled next to it are properties that are less than one acre. Commissioner Dale is supportive of R-1 zoning and asked if a development agreement is required to limit the project to 40 lots, or, can it be part of the motion to limit the project to what was presented in the applicant's conceptual plan. Mr. Wesley said procedurally it wouldn't change anything today because the R-1 zoning with a development agreement is a material difference from the P&Z Commission recommendation so we have to have a second hearing, also, there is a fee associated with the creation of a development agreement. Commissioner Dale offered an amendment to the motion that it include a development agreement limiting the development to 40 lots. Commissioner White seconded the amended motion. The amended motion carried by a two-to-one split vote with Commissioners Dale and White voting in favor and Commissioner Van Beek voting against it. Next, a vote was called for on Commissioner White's original motion with Commissioners Dale and White voting in favor and Commissioner Van Beek voting against it. The original motion carried by a two-to-one split vote. A new hearing date for the second hearing will be scheduled approximately 30 days out. The hearing concluded at 11:00 a.m. An audio recording is on file in the Commissioners' Office.

CALDWELL, IDAHO MARCH 6, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
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 Tina Mancuso.

APPROVED CLAIMS ORDER NO. 3/7/19

The Board of Commissioners approved payment of County claims in the amount of \$270.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 3/11/19

The Board of Commissioners approved payment of County claims in the amount of \$68,226.22, \$147.30, \$62,524.73, \$7205.45, \$48,110.30, \$60,956.20 and \$5346.84 for accounts payable.

APPROVED CLAIMS ORDER NO. 3/25/19

The Board of Commissioners approved payment of County claims in the amount of \$4210.56 for accounts payable.

ACTION ITEM CONTINUED FROM MARCH 4, 2019 AND MARCH 5, 2019 TO CONSIDER APPROVING BOND ELECTION EDUCATIONAL OUTREACH MESSAGING

The Board met today at 2:04 p.m. for a continued meeting to consider approving bond election educational outreach messaging. Present were: Commissioners Pam White and Tom Dale, PIO Joe Decker, Chief Deputy P.A. Sam Laughed, Chief Deputy Sheriff Marv Dashiell, Controller Zach Wagoner, Ysabel Bilbao and Deputy Clerk Jenen Ross. Discussion ensued regarding the information to be included within the bond election educational outreach messaging. Commissioner Dale made a motion to approve the content of the fact sheet. The motion was seconded by Commissioner White and carried unanimously. Mr. Decker will work to have the website go live in coordination with the fact sheet distribution. Ms. Bilbao will forward a copy of the completed information sheet to the Board and stakeholders once she finishes the revisions. Town hall meetings will take place starting mid-April thru May.

The meeting concluded at 2:39 p.m. An audio recording of the meeting is on file in the Commissioners' Office.

MARCH 2019 TERM
CALDWELL, IDAHO MARCH 7, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 3/8/11

The Board of Commissioners approved payment of County claims in the amount of \$3388.39 for accounts payable.

APPROVED EMPLOYEE MOBILE DEVICE OPTION AUTHORIZATION FORM

The Board approved an employee mobile device option authorization form for Jeff Breach.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Combined Systems in the amount of \$1590.00 for the Sheriff's Office

ACTION ITEM CONTINUED FROM MARCH 5, 2019 TO CONSIDER SIGNING MEDICAL PROFESSIONAL LIABILITY INSURANCE RENEWAL

The Board met today at 8:32 a.m. for a continued action item to consider signing the medical professional liability insurance renewal. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Chief Deputy Sheriff Marv Dashiell and Deputy Clerk Jenen Ross. Mike Porter explained the contract has been revised to include the Juvenile Justice Center but there was no cost change with the addition. Upon the motion of Commissioner White and second by Commissioner Dale the Board voted unanimously to sign the medical professional liability insurance renewal (see agreement no. 19-026). The meeting concluded at 8:38 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT DECISIONS

The Board met today at 8:53 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services

Yvonne Baker, Customer Service Specialist Robin Sneegas, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The following cases do not meeting the eligibility criterial for county assistance: 2019-0396, 2019-0417, 2019-0421, 2019-0429, 2019-0518, 2019-0540, 2019-0431, 2019-0315, 2019-0428 and 2019-0465. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue initial denials with written decisions within 30 days.

The following cases meet the eligibility criteria for county assistance: 2019-0320, 2019-0523 and 2019-0498. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to issue initial approvals with written decisions within 30 days.

The meeting concluded at 8:55 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 8:58 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Customer Service Specialist Robin Sneegas, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. Commissioner Dale made a motion to continue case no. 2018-1471 to April 4, 2019. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue a final approval on case no. 2018-1446 with a written decision to be issued within 30 days. Commissioner Dale made a motion to correct the record to issue a final denial on case no. 2019-14 (this case was read into the record as 2019-4 at the February 28, 2019 hearings). The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 9:01 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-122

The Board met today at 9:05 a.m. to conduct a medical indigency hearing for case no. 2019-122. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Bryan Nickels for St. Alphonsus, Donna Sharp for St. Alphonsus, Applicant, Applicant's former spouse and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to continue the case to May 2, 2019. The hearing concluded at 9:26 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-226

The Board met today at 9:38 a.m. to conduct a medical indigency hearing for case no. 2019-226. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Mark Peterson for West Valley Medical Center, Andrew Lacayo for West Valley Medical Center, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 9:42 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-213

The Board met today at 9:48 a.m. to conduct a medical indigency hearing for case no. 2019-213. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Bryan Nickels, Donna Sharp for St. Alphonsus, applicant, mother of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-82

The Board met today at 10:22 a.m. to conduct a medical indigency hearing for case no. 2019-82. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Timothy Ryan for St. Alphonsus, applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve the case with a written decision to be issued within 30 days. The hearing concluded at 10:31 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NOS. 2019-126 AND 2019-249

The Board met today at 10:34 a.m. to conduct a medical indigency hearing for case nos. 2019-126 and 2019-249. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Timothy Ryan for St. Alphonsus, the applicant, mother of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and

second by Commissioner Van Beek the Board voted unanimously to approve case no. 2019-126 with a written decision to be issued within 30 days. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to approve case no. 2019-249 with a written decision to be issued within 30 days. The hearing concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-57

The Board met today at 10:48 a.m. to conduct a medical indigency hearing for case no. 2019-57. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Attorney Bryan Nickels for St. Alphonsus, Donna Sharp for St. Alphonsus, the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to place the case in suspension. The hearing concluded at 10:55 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-197

The Board met today at 10:59 a.m. to conduct a medical indigency hearing for case no. 2019-197. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Becky Herrera for St. Alphonsus, the applicant, mother of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the case with a written decision within 30 days. The hearing concluded at 11:04 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 11:08 a.m. to consider indigent matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross. Commissioner Van Beek made a motion to issue a final denial with a written decision within 30 days on case no. 2019-99. The motion was seconded by Commissioner Dale and carried unanimously. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to continue case nos. 2018-1472 and 2019-195 to April 4, 2019. The meeting concluded at 11:10 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 11:16 a.m. with county attorneys for a legal staff update. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter left at 11:31 a.m., Deputy P.A. Zach Wesley left at 11:52 a.m., Deputy P.A. Nicki Schwend left at 11:52 a.m., Deputy P.A. Zach Wagoner left at 11:52 a.m., HR Director Sue Baumgart left at 11:52 a.m., Facilities Director Paul Navarro left at 11:52 a.m., Assistant Facilities Director Rick Britton left at 11:52 a.m., Clerk Chris Yamamoto arrived at 11:33 a.m. and Deputy Clerk Jenen Ross.

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 11:16 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 11:16 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Mike Porter, Controller Zach Wagoner, HR Director Sue Baumgart, Parks Director Nicki Schwend, Facilities Director Paul Navarro, Assistant Facilities Director Rick Britton and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:33 a.m.

At the conclusion of the executive session a discussion was had about the Facilities Department taking over maintenance of the Parks grounds and facilities. For the remainder of FY2019 Directors Navarro and Schwend would like to move the supervision of the two Park Technician positions under Director Navarro but salaries would remain to be paid from the Parks budget as we are in the middle of the fiscal year. Directors Schwend and Navarro will work with HR Director Baumgart to reevaluate the current job descriptions and make changes and adjustments as necessary for FY2020. At this time there is no action required by the Board but the Board does support the changes and agree this will be beneficial to the county by eliminating duplication of efforts and materials. The Board is okay with the Directors approaching staff about the changes.

Clerk Yamamoto spoke about the ‘Stand Down’ event happening on April 27th. There is a large population of homeless veterans here in Canyon County and there is a gentleman in the area helping to find and identify them. On April 27th they will provide transportation to the Caldwell Veterans Memorial Hall where they will be offered medical and dental care, haircuts, personal garments and supplies among other things.

The meeting concluded at 12:03 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 8, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were conducted today.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 11, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
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 Randall Falkner.

APPROVED CLAIMS ORDER NO. 3/25/19

The Board of Commissioners approved payment of County claims in the amount of \$7900.61, \$81,427.96, \$72,930.45 and \$53,252.14 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- A-Core of Boise, Inc. in the amount of \$2960.00 for the Juvenile Detention /Probation departments
- Western Building Supply in the amount of \$2886.74 for the Juvenile Detention/Probation departments

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 8:31 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Dale made a motion to go into Executive Session at 8:32 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 8:58 a.m. with no decision being called for in open session.

PUBLIC HEARING - CONSIDER REQUEST BY CANYON COUNTY DEVELOPMENT SERVICES FOR A ROAD NAME CHANGE, CASE NO. RD2018-0022

The Board met today at 10:02 a.m. to conduct a continued public hearing in the matter of a request by the Canyon County Development Services Department for a road name change, Case No. RD2018-0022. Present were: Commissioners Pam White, Tom Dale, Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Richard Roedel, and Deputy Clerk Monica Reeves. Today's hearing was continued from February 22, 2019 so that staff could obtain further information on the ownership and maintenance issue. Jennifer Almeida provided additional exhibits for the Board's review which are summarized as follows: Exhibit 8 is an agreement between Canyon Highway District and the City of Caldwell dated March 4, 2008 which outlines that the city is responsible for maintenance of Ward Road from the north side of Highway 20-26 to the south side of Marble Front Road. Exhibit 9 is a deed for 1.352 acres, which is Richard Roedel's property, and it outlines the parcel as subject to a prescriptive road right-of-way along the western and northerly boundaries of the properties. Exhibit 10 is an ordinance from the City of Caldwell in which the city council voted to change the road names as also requested by the County to comply with their city code. The ordinance was approved by the council and mayor on March 4, 2019. To be compliant with the County's addressing ordinance as well as the city's recently adopted ordinance staff is requesting the road name change be approved to mirror Caldwell's recent approval. Commissioner White asked for the reason the city is requesting the road name change. Ms. Almeida said in short it's the same reason DSD is requesting which is to change the suffixes as well as the road names so that there is compliance with both the city and the County addressing requirements. Commissioner Van Beek said she sent an email to the County Parks Director to see if the name Ward Lane is tied to the Ward Massacre Park which has significance to the Oregon Trail. Director Nilsson said staff could not find a tie to the history of why the road was named Ward. She pointed out that road names are not historic, the places are. The issue is if Ward Road gets extended there will be two parallel roads with the same name; however, the name's not totally going away, it's just the one segment to prevent duplication in the future.

Commissioner Van Beek asked about the reason to go from Ward to Ware, and said it almost looks like a typographical error where you have a consonant to a vowel. Director Nilsson said they can sympathize with the readdressing effects on a property owner and they're trying to minimize it since there's only one home that would be changed. The house number doesn't have to change, just the street name. It's a change of just one letter and because it passed muster with the Sheriff's Office they suggested it to the City of Caldwell. Richard Roedel is opposed to the road name change and questioned why it was renamed from Ward Lane to Ward Road. He said we shouldn't take a historical road that's been there since 1920 when his grandfather put it there for access to the school, not for all the traffic to go down. Commissioner White asked if there is a difference in the use of the terms *public* and *private*, and *road* and *lane*. Ms. Almeida said with the City of Caldwell the lane suffix is typically a private designator. The road was changed from lane to road and because of the change in direction and to be compliant with both Canyon County's addressing ordinance and the City of Caldwell's addressing ordinance the jogs in the road need to have their own road name. It was Ward Lane and then it changed to Ward Road because of the designators and because of the change in direction that Ward Road takes at that jog it will be named Joplin Road. When it changes direction again travelling north south, along Mr. Roedel's property, it will be changed from Ward Road to Ware Road. Commissioner Van Beek asked if there are any plans to expand the portion that is to be named Ware Road. Director Nilsson said typically the City of Caldwell would require road improvements when that property gets developed. She doesn't know if they required a half section or full section be designed and built but that's typically how that would happen versus a COMPASS funded project. Commissioner White asked why it's a pressing issue to change the name now given that there's only one house on Ward Lane. Director Nilsson said we start with a request from the city because we share this duty. If Ward Road gets extended to the north to serve that development you would have two duplicate names so you need to resolve the address inconsistencies. Even though it might be one occupied structure we want to make sure that the E911 system can point to that so there's no confusion. Commissioner Dale said he doesn't see the problem with leaving Ward Lane as-is at this point. Mr. Roedel said if the property to the west gets developed they won't have an access on Ward Lane because he owns the property and he won't allow access. He said Ward Road, as proposed in 2008 by the County, was supposed to go straight through the property and down across Marble Front to Lincoln and he believes that's the way it will be developed 10-15 years from now. Ms. Almeida said the city's ordinance has an effective date of 90 days from March 4, 2019 and their approved road name changes will take effect and they mirror what the County is requesting. The city will be installing road signs at those locations so from staff's standpoint in EMS there may be some confusion once those new road signs are installed if that's not actually the addresses that are along that section of roadway. She noted that Ware Road is owned by the City of Caldwell. Mr. Roedel said the entire road is on his property and there's an easement going down the road for an irrigation ditch. People used it to get to the Marble Front School. Canyon Highway District has taken the culvert out of Marble Front Road and taken the waste water ditch from him. He said the city told him that he will have the option to change that lane to whatever he wants to name it, but now he finds out it is Ward Road from Highway 20-26 to where Joplin is proposed. Director Nilsson said it's a prescriptive easement and it is considered public highway. There's a lot of prescriptive easements throughout Canyon County and its dedicated typically upon development of the right-of-way but that would be

a legal issue between the property owner and the highway district. Commissioner Van Beek said there appears to be a point of difference as to who owns what is proposed to be Ware Road/Ward Lane. Ms. Almeida said Exhibit No. 8 describes the area the city maintains for Ward Road, and it outlines what Caldwell maintains for Ward Lane, which is now Ward Road, on the north side of Highway 20-26 all the way to the south side of Marble Front Road so they own and maintain that entire area. That was a 2008 agreement between the highway district and the City of Caldwell. Mr. Roedel wants the name left as-is until development comes and then perhaps it could be changed to Roedel Lane. Director Nilsson said the ordinance doesn't allow the use of names of people. DSD sent Mr. Roedel a certified letter and gave him an opportunity to request a name but the letter was returned unclaimed. Mr. Roedel said he responded to the letter he received from the City of Caldwell and when he asked about the name change the city told him they knew nothing about Ward Road going on to the north. He also said he was out of town when the County sent its letter. Commissioner Van Beek asked if there's an opportunity for Mr. Roedel to weigh in on a suggested road name. Director Nilsson said if Mr. Roedel would respond in writing of what his priorities for a name would be then DSD could start with that. She suggested the hearing be continued for 30 days. Commissioner White said it needs to be inside of 30 days because the city is going to do road signs in 90 days so the sooner the paperwork is submitted the better. Commissioner Van Beek asked Mr. Roedel if he could submit three suggested names to DSD within 10 days. Commissioner Dale said it cannot be a surname but it there isn't anything precluding a proper noun. Ms. Almeida said the ordinance excludes names of property owners to be used for road names. The application will allow three suggested names and then staff will review and make sure they're not duplicates and that they comply with the ordinance. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to close the public hearing. Commissioner White asked Mr. Roedel to submit three suggested road names to the County within 10 days. Director Nilsson said names cannot be used. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to April 5, 2019 at 10:00 a.m. The hearing concluded at 10:44 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION: LEGAL TRAINING AND ATTORNEY-CLIENT COMMUNICATION PERTAINING TO TAX EXEMPTIONS – IDAHO CODE 74-206(1)(D)

The Board met today at 11:04 a.m. for an Executive Session for legal training and attorney-client communication pertaining to tax exemptions. Commissioner Dale made a motion to go into Executive Session at 11:05 a.m. pursuant to Idaho Code, Section 74-206(1) (d) regarding records that are exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Dale, Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Brad Goodsell, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Admin. Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. The Executive Session concluded at 12:08 p.m. with no decision being called for in open session.

MEETING WITH TINA WILSON FROM WESTERN ALLIANCE FOR ECONOMIC DEVELOPMENT TO DISCUSS ECONOMIC DEVELOPMENT DISTRICT 3

The Board met today at 2:10 p.m. with Tina Wilson from the Western Alliance for Economic Development to discuss Economic Development District 3. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Tina Wilson from WAED and Deputy Clerk Jenen Ross. Ms. Wilson provided background information on reformation of Economic Development District 3 and how it came to be. For several years the Department of Commerce from the federal level and the Economic Development Agency out of Seattle (EDA) attempted to work thru the University of Nevada-Reno in order to recreate a 10 county district region 3. About a year in the University of Nevada-Reno thought they could do a 10 county comprehensive economic development strategy for \$250K but that the 10 counties would need to come up with at least \$50K in match. At that point it was decided they would not be sending that amount of money to the University of Nevada-Reno when they felt they had resources to do what needed to be done and not send the money out of state. In November Ms. Wilson was approached by Carlene Herring who is part of the Region 4 Economic Development District to ask if she was interested in doing something on a smaller scale, working directly with USDA Rural Development. It was requested by USDA Rural Development that they put in an application for the Rural Economic Development Innovation initiative (REDI) to have one of their technical assistants do a regional economic development strategy at no cost. USDA Regional Development put out an RFP last year and have contracted with 5 different regional people to provide the technical assistance to create the regional strategy. The area that serves Idaho is the Rural Community Assistance Corporation (RCAP) and Idaho's Board member is Joe Herring. RCAP has endorsed the WAED to put in an application for this assistance which will be submitted on behalf of Owyhee, Canyon and Gem counties. At this time Ms. Wilson is looking to collect letters of support from the three counties which she doesn't need until April 1st. She has reached out to the Department of Commerce and the Department of Labor and both have agreed to provide support letters; a letter of support has also been secured from the Associated Canyon County Highway Districts. Ms. Wilson may need to do town hall meetings in each county to collect information in order to create the regional strategy which is the document that they'll receive at the end of the grant period. Once the document is received anything that's identified as a project or concern would be able to make grant applications for low cost loans thru the federal EDA. The Economic Development District would be able to help the smaller communities with planning and packaging of financials and help them go thru the bonds and applications but because they're not local Ms. Wilson will be the one to be able to assist with this. She will also be helping with some of the planning and will start with a review of the comprehensive plan. There are communities and projects that are going unserved because there is no development district. There is no financial obligation for the REDI initiative at this point. A discussion ensued regarding the role Ms. Wilson will play in the development district and the benefits of being part of it. A support letter will be composed by Ms. Wilson or Director Nilsson and after legal review will be presented to the Board for consideration. The meeting concluded at 2:49 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:49 p.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Tina Wilson for WAED and Deputy Clerk Jenen Ross. Director Nilsson updated the Board on the following: A new Planner III started today and a Planner II will start next Monday. Jennifer Almeida was recently given a promotion and Director Nilsson would like to have Joe Decker draft a notice to let the community know who their planners are. She is going to draft a letter designating herself, Kate Dahl and Dan Lister as representatives for RTAC. Agencies received an email last week from the consultant for the City of Star regarding a meeting schedule for the month of March with the council adoption in April for a new comprehensive plan however there are some questions about noticing requirements. Further discussion ensued regarding plans for the City of Star and what, if any, role the county has. The floodplain ordinance has been noticed and is scheduled to be heard at P&Z on April 4th and is scheduled to be heard by the Board on May 13th. Director Nilsson thought it may be beneficial to schedule a meeting beforehand to review the ordinance with the Board as it's a big ordinance. She said the whole basis of these regulations are to make Canyon County property owners eligible for flood insurance; without a floodplain ordinance property owners would not be able to obtain flood insurance. Recently Ms. Nilsson met with Mr. Goodsell and Director Loper to discuss the landfill CUP; they would like to do a final CUP and make sure everything is updated to the proper use and take it thru a CUP modification to get it where it needs to be. Director Nilsson said she's had a couple of requests for comment regarding House Bill 127, she hasn't seen that the IAC has taken a position. Commissioner Dale confirmed that the legislative committee is taking a neutral position because there is one county that is out of agreement. Recently she did a site visit to Garrett Ranch with Director Schwend and three people from the State Historic Preservation office. The Garrett family may be doing a CUP to create an event center from their old fruit packing building. They may also be interested in pursuing a National Register nomination. Ms. Nilsson wants to make sure they get good information in pursuing the CUP as not to jeopardize the potential of the National Register process. The meeting concluded at 3:26 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 12, 2019

PRESENT: Commissioner Pam White, Chair – out of the office
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 3/15/19

The Board of Commissioners approved payment of County claims in the amount of \$140.00 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Curtis Blue Line in the amount of \$9360.00 for the Sheriff's Office
- The Sign Shoppe in the amount of \$2316.00 for the Development Services department

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Tom Dale and Leslie Van Beek, Clerk Chris Yamamoto left at 9:12 a.m., Facilities Director Paul Navarro left at 9:14 a.m., Deputy P.A. Dan Blocksom, Deputy P.A. Mike Porter left at 9:14 a.m., IT Director Greg Rast left at 9:14 a.m., Chief Deputy Sheriff Marv Dashiell left at 9:14 a.m., HR Director Sue Baumgart left at 9:14 a.m., Controller Zach Wagoner, Lt. Keyes arrived at 9:16 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution approving Security Director Job description: Mike Porter explained that the security committee has been working for a couple years on county security issues. They were originally tasked with selecting a vendor to consult and give a recommendation on the security needs of the county, it then continued to facilitate the creation of a department and the transition of the various responsibilities held by several different offices and departments. They have worked with HR Director Baumgart to draft a job description that would reflect the person they are looking for to fill the position of Security Director. Commissioner Dale thinks this position may be hard to fill due to the level and amount of requirements and wants to make sure appropriate time is taken to find the right person. Clerk Yamamoto clarified that this position has not been budgeted for this year and would like to see a cost analysis done. Commissioner Dale understands this will not be a rushed process but just wanted to make sure when we do solicit for a candidate that there is a broad net cast. Commissioner Van Beek spoke about how the salary portion of this really seems to be the tip of the iceberg as there are PERSI benefits, staffing requirements and a remodel project to be considered. She would anticipate having those numbers since it will need to be a coordinated effort between the Clerk, Controller, Commissioners, the Facilities department, Sheriff's Office, IT and PA's Office. She spoke with Mr. Porter yesterday and has several questions that she would like answers to. In her meeting yesterday she requested that the consideration of this resolution be delayed in order for her to become more familiar with this issue and have some of her questions answered. Mr. Porter said there is a meeting tomorrow of the security committee and they will review Commissioner Van Beek's questions at that time. There was discussion about what kind of timeframe for coming back the Board would be appropriate, it was decided that something within the next 3 weeks would work well for everyone. Chief Dashiell expressed concerns about pushing it out too

far because it could limit the timeframe to do a thorough search and get processes set up. It was originally thought that perhaps this person could be brought in mid-year but it is now looking more and more like it won't be something that happens until the new fiscal year. Mike Porter said at this point it's not necessary to continue this meeting but based on how tomorrow's committee meeting goes they can set a new agenda appointment. Mr. Porter said he received a list of questions from Commissioner Van Beek and was able to provide short answers but has gotten permission from her to share the questions with the group in order to get more complete answers.

Consider signing grant application for boating safety grant monies from the Idaho Department of Parks and Recreation: Mr. Blocksom said this is essentially asking the Board to give Lt. Keyes permission to submit the application, once the application is submitted then there will be an agreement for the Board to consider signing stating how the money will be used if it is awarded. The grant does require a 50% match but the funds have already been allocated. Zach Wagoner said the county has a waterways fund which is restricted to waterway activities; it is a self-balancing set of accounts. Funds are matched with monies from registration fees. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the application for boating safety grant monies from the Idaho Department of Parks and Recreation (see agreement no. 19-039).

The meeting concluded at 9:17 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:31 a.m. with the Director of Human Resources to discuss general issues, set policy and give direction. Present were: Commissioners Tom Dale and Leslie Van Beek, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Director Baumgart updated the Board on the following items:

March Madness wellness program just started, it is the first one of the New Year. Each week participants will be entered into a raffle and the winner will win a Fitbit. The next challenge will be a water challenge in June. Tracking activity can be done thru the BlueCross website or tracked on a spreadsheet and submitted by HR. Commissioner Van Beek asked about other incentives such as monies added to an FSA account, Ms. Baumgart said several things have been discussed in the past but there can be a certain amount of liability that would need to be vetted first. Commissioner Dale asked about smoking cessation programs and wondered how many employees are smokers. Ms. Baumgart didn't know the answer but said possibly the question could be asked on the health survey. Director Baumgart said her department is working on some SOP's to make things consistent in regards to background checks, annual driving checks and random drug testing. Currently random drug testing is done for positions considered 'safety sensitive' such as people operating heavy equipment or working with juveniles among some other positions. In response to comments from Commissioner Van Beek, Ms. Baumgart said if someone gets into an accident in a county

vehicle they are supposed to be tested but she doesn't think the procedure is being followed or maybe isn't as consistent as it should be and they are looking at making it more standardized. They are looking at safety training, possibly thru ICRMP. Ms. Baumgart has contacted them but she has not yet heard back. Commissioner Van Beek suggested looking at the organization ASMARK as a possibility for training. Commissioner Dale said he really likes the ICRMP training because if a certain percentage of the employees complete the training there is a discount offered but there has been some pushback due to the amount of time it may take employees to complete the training. They are also looking at pre-employment physicals for heavier labor positions. The HR department is continuing to work on the department 'smart-goals' as well as their individual smart-goals. They are also in the process of creating their HR SOP along with a front desk SOP. The limited English program has been implemented; the survey has gone out, the programs are out and everyone has the phones and the 'I speak...' cards. They have sent reminders to the departments/offices who still need to complete the training. The second leadership training class will take place on Thursday. Commissioner Van Beek referenced the training and that although she would have liked to have had the training as part of the Board she understands Commissioner White's desire to table it for now due to the cost. It was suggested by Commissioner Van Beek to use the 16 Personalities program which is a free program/assessment and feels it could help people understand others better, especially in regards to elected officials. Ms. Baumgart said she would look into the program. They are still working on the employee manual revisions and are getting very close to being finished. Commissioner Van Beek had questioned the issuance of credit cards and feels there isn't a lot of policy or training behind it; she feels this is something that could be included in the employee manual. Ms. Baumgart said she'd heard Commissioner Van Beek was looking for credit card policies of other municipalities and will look at the other policies and speak with the PA's Office about adding something in. The compensation plan is continuing to be worked on. The meeting concluded at 9:56 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 13, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale – out of the office
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Oracle-SQL in the amount of \$4000.00 for the Information Technology department
- National Tactical Officers Association in the amount of \$1420.00 for the Sheriff's Office
- InterOp in the amount of \$2699.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 1912

The Board of Commissioners approved payment of County claims in the amount of \$1,693,557.08 for a County payroll.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Goodwood Barbecue Company to be used 3/30/19 for a wedding.

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 JC Nissen, Megan Thomas, Henry Claassen, Javiar Guizar, Mary Bybee, Keana Winger and Jessica Sweeny.

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

Note for the record: As properly noticed the Board met today at 10:01 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 communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 10:02 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners White and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Fair Director Diana Sinner, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:52 a.m. with no decision being called for in open session.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 14, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 3/18/19

The Board of Commissioners approved payment of County claims in the amount of \$33,933.20 for accounts payable.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Customer Service Specialist Robin Sneegas, Customer Service Specialist Stephanie Burger and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-433, 2019-448, 2019-411, 2019-440, 2019-550, 2019-541, 2019-585, 2019-455, 2019-460, 2019-409, 2019-454 and 2019-457. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions within 30 days on the cases as read into the record. Case no. 2019-0438 meets all eligibility criteria for county assistance and upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue an initial approval with a written decision within 30 days. The meeting concluded at 8:47 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Note for the record: As properly noticed the Board met today at 9:02 a.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:29 a.m. with no decision being called for in open session.

OFFICE STAFF MEETING

The Board met today at 9:32 a.m. for an office staff meeting. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy Clerk Jamie Miller and Deputy Clerk Jenen Ross. Deputy Clerk Miller asked for direction regarding the schedule for budget meetings. Discussion ensued about how the budget process works. A review and discussion was had about each outside agency and the time to be allotted. Commissioner White suggested

reaching out to the elected officials and department administrators a couple weeks before their scheduled budget meeting time to see if the times allotted will be sufficient. The meeting concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 15, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek – out of the office
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Wall 2 Wall Flooring in the amount of \$5648.77 for the Facilities department

PUBLIC HEARING – REQUEST BY JASON KNOPP FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE

The Board met today at 10:02 a.m. to conduct a public hearing in the matter of a request by Jason Knopp for a comprehensive plan map amendment and rezone, Case No. RZ2018-0031 and OR2018-0006. Present were: Commissioners Pam White and Tom Dale, DSD Planner Dan Lister, DSD Director Tricia Nilsson, Jason Knopp, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report and said the request is for a comprehensive plan map amendment to change the designation from agriculture to rural residential, and a rezone from agriculture to rural residential which is a two-acre minimum lot size. The lot was created through a land division and adjusting to that change the original lot that it came from was split further so it wouldn't be able to go through a land division again, it would have to be platted if this gets approved. The future land use map shows this as agricultural, it's in the Melba impact area and they show it is low-density residential. It's a 6.5 acre lot. When the City of Melba reviewed it they said it meets their low-density requirements if it were to be annexed into the city. The traffic analysis zone shows the area is forecasted for a population of 21 with a household of 6 but between now and the year 2030 we will be looking at a population of 259 and 84 households. The request is in line with those forecasts, it's not increasing beyond what is being forecasted. The property consists of moderately suited soil and it is prime farmland if it's properly irrigated, but in this case the access to irrigation and its shape makes it difficult to be agricultural land. The property is not far from subdivisions in Melba. Staff is recommending approval of the comprehensive plan and rezone, and if approved staff recommends the Board sign the ordinance and resolution reflecting the change. Jason Knopp said the land has not been farmed for five years, currently it's an eyesore and has weeds. Because they are in the impact zone he decided to split the property into a couple lots. He spoke of development and the growth the Melba area

has experienced. Director Nilsson noted the City of Melba recently upgraded their water system, prior to the upgrade they did not have water connections. No one was present to testify in opposition to the request. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close the public hearing. Commissioner Dale said this is a very straightforward case and it's a good plan and then he made a motion to approve the comprehensive plan map amendment as provided in the findings of fact and conclusions of law, and also to approve the requested rezone as provided in the findings of fact and conclusions of law. The motion was seconded by Commissioner White. Commissioner Dale amended his motion to include the approval of the resolution ordering the comprehensive plan land use map change and the ordinance. The amended motion was seconded by Commissioner White and carried unanimously. (See Resolution No. 19- 026, and Ordinance No. 19-012.) The hearing concluded at 10:14 a.m. An audio recording is on file in the Commissioners' Office.

GO ON RECORD TO CONTINUE PUBLIC HEARING – REQUEST BY LUCICH FAMILY LTD PARTNERSHIP FOR A REZONE, CASE NO. RZ2018-0018

The Board met today at 11:03 a.m. to go on the record and continue the hearing in the matter of a request by Lucich Family, LTD Partnership for a rezone, Case No. RZ2018-0018. Present were: Commissioners Pam White and Tom Dale, DSD Planner Debbie Root, and Deputy Clerk Monica Reeves. The matter had been continued from February 11, 2019. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to continue the hearing to March 26, 2019 at 1:30 p.m. at which time the Board will consider the development agreement and the conditions of approval. The proceeding concluded at 11:05 a.m.

CANVASS ELECTION

The Board canvassed the March 12, 2019 Election results today which are on file with this day's minute entry.

MARCH 2019 TERM
CALDWELL, IDAHO MARCH 18, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley left at 9:09 a.m., Chief Deputy Sheriff Marv Dashiell, Juvenile Detention Director Steve Jett left at 9:05 a.m., Fair Director Diana Sinner left at 9:09 a.m. and Deputy Clerk Jenen Ross.

Consider signing Southwest Idaho Juvenile Detention Center maintenance agreement with DataWorks: Director Jett said this agreement is for maintenance and support of the digital fingerprint machine. This is the 5th year of this agreement and Mr. Wesley believes it is the last year that they'll provide warranty and service. The machine will need to be replaced next year as the equipment becomes obsolete. A new machine will be budgeted for next fiscal year. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Southwest Idaho Juvenile Detention Center maintenance agreement with DataWorks (see agreement no. 19-028).

Consider signing 2019 Canyon County Fair entertainment contract with: James Johnson/World Record Balloon Stunt Show; Rhys Thomas/Up For Grabs, Inc.; Jeff Evans; Rico Weisman/Boise Arts & Entertainment; Comedic Hypnotist Joshua Seth c/o Fusion Talent Group; Billie Madison aka Bubbie The Clown; Monique Duarte; Norma Lopez aka Pansy The Clown: Mr. Wesley explained that all of the contracts for consideration today all use the same entertainment agreement which is a form agreement used for entertainment at the fair. Each agreement specifies the rates and the standard terms and conditions. In response to Commissioner Van Beek's question, Director Sinner anticipates coming in under budget for these agreements. Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to sign the 2019 Canyon County Fair entertainment contracts with the following: James Johnson/World Record Balloon Stunt Show (agreement no. 19-029), Rhys Thomas/Up For Grabs, Inc. (agreement no. 19-034), Jeff Evans (see agreement no. 19-033), Rico Weisman/Boise Arts & Entertainment (agreement no. 19-031), Comedic Hypnotist Joshua Seth c/o Fusion Talent Group (agreement no.19-032), Billie Madison aka Bubbie The Clown (agreement no. 19-035), Monique Duarte (agreement no. 19-030), and Norma Lopez aka Pansy The Clown (agreement no. 19-036).

Consider signing resolution approving the award of officer's badge and duty weapon to Lieutenant Todd Herrera: Sheriff Donahue has written a letter requesting that Lt. Herrera's badge and duty weapon be awarded to him. Lt. Herrera has worked for the county for about 28 years and has been in law enforcement for over 32 years. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution approving the award of officer's badge and duty weapon to Lt. Todd Herrera (see resolution no. 19-027).

A discussion was had regarding CERT vests that were recently replaced due to the manufacture's expiration and warranty of 5 years. Commissioner Van Beek asked if there is anything that can be done with the expired vests in order to recoup some of the expense of replacement. Chief Dashiell said they'd really only be useful as a secondary device, possibly

used as pocket panels to be put in the cars as secondary protection but they could never be re-issued to a person or donated to another agency.

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

A request was made to go into Executive Session to discuss a personnel matter and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:20 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:49 a.m. with no decision being called for in open session.

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

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

The Board met today at 10:32 a.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Fleet Director Mark Tolman and Deputy Clerk Jenen Ross. Director Tolman updated the Board on the following items: One of the big projects they're working on is moving equipment from the Parks Department to Building Maintenance. Pictures were shown of the start to finish process of up-fitting the utility vehicles. The meeting concluded at 10:47 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 11:04 a.m. with the Administrative District Judge and Trial Court Administrator to discuss general issues. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, ADJ Susan Wiebe, TCA Doug Tyler and Deputy Clerk Jenen Ross. Judge Wiebe and Mr. Tyler updated the Board on the following items: There are two new judges, both are from Payette. Judge Burrows will be in Canyon County and Judge Darrington will be in Owyhee County. There will be another magistrate opening in April. Odyssey will soon be rolling out an update. The priority of payments portion is done but the Supreme Court is now looking at what is appropriate to be collected thru Odyssey and what is not as far as "misc." fees. One big problem from the county standpoint is that when a payment is collected thru Odyssey getting it into the priority of payments and divided out accordingly. A discussion was had about pre-trial release and how that is worked thru between the courts, prosecuting attorney's office and the jail. Commissioner Van Beek asked Judge Wiebe's opinion on the

legalization of marijuana and/or medical marijuana to which she replied that she is not opposed to the use of medical marijuana and understands the usefulness of it in pain management but that it's not something that can be used in Idaho at this time. Commissioners Van Beek and Dale spoke about their understanding of this being a gateway to other law enforcement issues. In response to a question from Commissioner White, Mr. Tyler identified each specialty court coordinator. The meeting concluded at 11:29 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 19, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Norbryhn Equipment Company in the amount of \$2555.00 for the Facilities department

APPROVED CLAIMS ORDER NO. 3/20/19

The Board of Commissioners approved payment of County claims in the amount of \$6335.77 for accounts payable.

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

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider and action item. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Brad Goodsell and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing independent contractor agreement - Pickles Butte Landfill waste screener training: Mr. Goodsell explained that Director Loper would like to provide some additional training to the screeners at the landfill in order to keep certain things out of the land, it will provide them with more information on what to watch for and what to do with items that shouldn't be going into the landfill. Great West Engineering will conduct the training in 3 separate sessions. Commissioner Van Beek asked what kind of enforcement is at the landfill if there are violators – Mr. Goodsell said there are code enforcement officers that can write citations. This training is not an insurance requirement but more for risk

management to help limit liability. Mr. Goodsell said there is no legal reason not to sign the agreement. Total cost for the training is \$5800. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the independent contractor agreement for Pickles Butte Landfill waste screener training (see agreement no. 19-037). The meeting concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:05 a.m. with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Director of Juvenile Detention Steve Jett and Deputy Clerk Jenen Ross. Director Jett updated the Board on the following: recertification for use of force training happened recently and yesterday Taha Bah and Carlie Reynolds provided the training for probation officers. Mr. Jett will be meeting with the other counties we have contracts with to let them know of any changes such as the daily rate or programming; this year the daily rate will go from \$170 to \$191. A couple remodels will be happening with money from the lottery tax monies; they are changing a couple small rooms into visitation/interview rooms and creating a secure visitation area. Sean Brown and Shawn Anderson are currently attending the ILETA conference and a couple people will be attending instructor development soon. They now have a new video arraignment system that should work much better than the previous system. They should find out tomorrow the results of the garden grant they applied. A smoking cessation program is happening this week and they now have two different classes coming in just for girls – a yoga class and an art class. The numbers continue to fluctuate, today they are at 26; in order to reduce some costs their administrative person has moved over to probation. The meeting concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:20 a.m. with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Chief Probation Officer Elda Catalano, Director of Misdemeanor Probation Jeff Breach and Deputy Clerk Jenen Ross.

Ms. Catalano updated the Board on the following: She is continuing to work on workload numbers and plans to have that information for the next meeting. She spoke about the partnership with First Tee of Idaho and how the program works. August is truancy prevention month and for the past several years her department has organized the Kickin' off School event to promote kids in starting school off right and staying in school. In the next couple of months she will present to the Board the partnership with the United Way of Idaho to make this event happen. There will soon be a home opening in Boise to help prevent human trafficking; the organizers of this home will be here in April to give a presentation to

which Ms. Catalano has invited the Board, courts, detention and all of juvenile probation to attend.

Director Breach updated the Board on the following: His department finished last month with 1289 people on active supervision which is a growth of 217 offenders. They are at 458 bench warrant cases and finished last month with 324 people in the community service program. Next budget year they may ask for an additional PO and remodel their break room into an office to accommodate the additional staff. They are continuing to try to get the domestic violence court up and running again. There are several PO's on the domestic violence task force who are working on the sexual violence awareness month which happens in April. Commissioner Van Beek asked if the presentation of 'What was she wearing?' is something that could be presented at the high school level. Director Breach said it's something that could be brought to the attention of the task force. Cost of supervision was really good last month with a revenue of \$43,830. The meeting concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:22 p.m. with the County Agent to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, County Agent Jerry Neufeld, Extension Educator Carrie Johnson and Deputy Clerk Jenen Ross. Mr. Neufeld updated the Board on the following: Discussion about the conclusion of the winter programs. Expressed his appreciation for maintenance and IT staff. They are currently looking to find a horticulture educator, this will be the third round of searching but they do have 6 applicants. There is also an open 4-H educator position. At the request of Commissioner Van Beek both Mr. Neufeld and Ms. Johnson gave backgrounds on themselves. Commissioner White spoke about a potential additional position for the County Agents' office which she will address at budget time. Ms. Johnson spoke about the following: barriers keeping kids from being a part of 4-H and how to reach those youth. Spring break day camps will be starting soon. She will be teaching a babysitting class for the Caldwell Parks and Recreation this Saturday. For 10 weeks this summer she was able to get an intern thru the university. The FCS educator, Jackie Amende, sent a booklet for the Board on their upcoming classes. The meeting concluded at 2:47 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 20, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Combined Systems, Inc. in the amount of \$1590.00 for the Sheriff's Office
- Carousel Industries in the amount of \$39,825.00 for the Information Technology department
- Master Environmental in the amount of \$3086.00 for the Solid Waste department
- ESRI in the amount of \$9000.00 for the Sheriff's Office

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

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Mike Porter, Captain Daren Ward left at 9:05 a.m., IT Director Greg Rast left at 9:23 a.m., IT Operations Manager Don Dutton and Deputy Clerk Jenen Ross.

Consider signing addendum 1 to request for proposals for Detention Center medical services: Mr. Porter explained that after the proposer's conference they received many questions that they need some additional time to answer. This addendum will address the questions about timelines, allow three additional weeks to answer questions and reset the calendar dates. Addendum no. 2 will address the questions that were received from the proposers. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign addendum no. 1 to the request for proposals for detention center medical services.

Consider signing approval/denial of a new alcohol license for Tobacco Connection #37: Commissioner Dale made a motion to sign the resolution approving a new alcohol license for Tobacco Connection #37. The motion was seconded by Commissioner White. Commissioner Van Beek asked if know anything yet about the number of places selling alcohol. Commissioner White said she had not seen anything yet. A vote was taken on the motion with Commissioners White and Dale voting in favor and Commissioner Van Beek voting against. The motion carried in a 2-to-1 split vote. See resolution no. 19-028.

Consider signing Canyon County and Carousel Industries Statement of Services agreement: Director Rast said this is a 3 year agreement for telephony services. Mr. Blocksom said they've negotiated with Carousel and they have accepted all the conditions with a non-appropriation clause included, and if for any reason the county needs to get out of the contract we have 30 days. There is no legal reason not to sign. Mr. Blocksom explained there is no need to go to bid because this qualifies as personal/professional services, additionally each year of the contract is under the \$30K procurement threshold. Director Rast clarified for the record that the account representative is not a friend but a professional contact/acquaintance. The county has 5 systems that integrate together and Carousel is the

only vendor that will take accountability and service all 5 systems. In regards to concern about security Carousel will only be able to see telephony equipment, they will not have access to anything else. A breakdown of rates are included in the contract. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Carousel Industries Statement of Services agreement (see agreement no. 19-038).

The meeting concluded at 9:23 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN FOR SADDLEBACK RIDGE ESTATES SUBDIVISION

The Board met today at 2:00 p.m. to conduct a public hearing in the matter of a request by Rock Solid Civil, LLC, on behalf of R&C Development, LLC, for a preliminary plat, and a preliminary irrigation and drainage plan for Saddleback Ridge Estates, Case No. SD2018-0015. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Planner Dan Lister, DSD Director Tricia Nilsson, Derrit Kerner, Glenn Koch, Bill Whiteley, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report noting the P&Z Commission has recommended approval of the request. The property was rezoned to rural residential by the Board of Commissioners in 2007. The project is proposed to have 15 lots on 35.8 acres, and public roads are proposed and will be dedicated to the Canyon Highway District. The average lot size is 2.06 acres and each lot will be served by individual septic systems and wells. Based on the review by Southwest District Health of a level 1 nutrient pathogen study, it demonstrates the lots are adequately spaced to hold well and septic on site. The City of Middleton supports the use. Pressurized irrigation will be installed, they have water shares that support this subdivision and they'll have to do some improvements such as the existing lateral will have to be tiled and realigned. Drainage will be handled by barrow ditches along the road as well as storm water catchment areas on a few properties. A nutrient pathogen study was done which included some environmental review which the engineer can discuss. During the P&Z Commission hearing neighbors expressed concern about environmental impacts of residential development; however, the land is already rezoned for residential use. Staff is recommending approval of the preliminary plat as conditioned. Commissioner Van Beek asked about the five acres that were unmerged from the subject parcel. Mr. Lister said the five acres are not part of the subdivision. Originally when the subdivision came in it included the five acres but during the process the applicant realized that it's an original lot that was separated from the larger amount so they decided to do an administrative division according to the ordinance to split those off and not be a part of the subdivision. It went through a land division process to create two lots which have been sold for development, and when the project is approved there will be a public road which will serve those properties. Commissioner Van Beek asked if the conditions of approval have been met. Mr. Lister said some have been addressed and the ones added as improvements need to be addressed prior to the final plat being submitted. Commissioner Van Beek had questions related to the maintenance of the irrigation as well as other engineering issues. Derrit Kerner of Rock Solid Civil Engineering testified on behalf of the applicant. A nutrient pathogen study has been performed. The existing pond was

historically used for drainage of irrigation water but it's been dry for some time since the field has not been watered. It's massive and they do not need that much pond area in order to handle the runoff. The easement is much smaller and the highway district is okay with that, and the applicant provide them with construction documents after the preliminary plat has been approved. They will need a portion of the pond to always be available to take some overflow water. The remainder of the pond that isn't covered in the easement is largely open to that lot owner to do with what he/she wants. Both ponds are manmade and are non-jurisdictional so if there are wetlands on the neighboring pond, which there likely is, it is permanent water and would not be jurisdictional to the Army Corps of Engineers. Mr. Kerner said they were concerned about them tiling the canal because they had to beat the water getting turned on so they got that approved for the Bureau of Reclamation. They also had to obtain a 404 permit. With regard to the road name, there is enough of an angle of the road in between what was called Leather Ridge Road and Lattigo Lane that it warranted a name change. The highway district asked them to keep the name the same. Instead of having three road names on this project there will be two. Commissioner White asked if the drainage will be maintained on site. Mr. Kerner said it will be. They have to account for certain drainage getting to the roadway system and out falling to the pond so he included that in his calculations of the entire property. Commissioner Van Beek asked about the 78-foot radius horizontal curve at the end of Lattigo Lane which does not meet highway district standards for the 25 mph speed designation. Mr. Kerner said they will comply with what the district asked for on the construction documents.

Testimony in opposition was as follows:

Glenn Koch, who has lived on Freezeout Road for 62 years, said this has been a very controversial subdivision and there are five important unanswered questions that need to be answered:

- 1) At the January 17 P&Z Commission hearing 12 property owners adjacent to the property signed a petition objecting to the subdivision, three of the owners gave testimony to having three of their wells malfunction and having to drill new domestic wells. He wants to know what made these three domestic wells go bad and he believes only an environmental impact study can provide the answer.
- 2) What affect will 17 new wells have on the existing 20+ wells that are immediately adjacent to the subdivision? He doesn't believe the health department has the equipment or the expertise to answer this question.
- 3) How will 17 new septic tanks affect groundwater quality? He's lived on his property for 62 years and he's planted over 100 trees on his property but there's only 7-10 inches of topsoil before running into several inches of clay hardpan.
- 4) In light of the hardpan problem how will runoff from a newly paved street affect the natural drain that runs the full length of Saddleback Estates. The drainage flows in and through his two-acre pond, his adjoining neighbor's pond and the pond adjacent to his neighbor's pond.
- 5) What do we know about the aquifer? According to the Idaho Department of Water Resources they have determined the underground aquifer in the Treasure Valley only

has a capacity to support a population of 700,000. By 2035 the population will exceed 1 million. The county commissioners in Elmore County recently petitioned to be able to pump water from Arrow Rock Dam into their depleted aquifer and he said we need to be protective of our water and what flows into the Boise River.

Bill Whiteley lives on Freezeout Road and he testified the he shares the concerns expressed by Mr. Koch, specifically related to traffic, wells and septics.

During rebuttal Mr. Kerner said he's not a well expert but he's talked to contractors about the issue and it's hard to say what causes a well to fail. The Idaho Department of Water Resources and Southwest District Health will allow a well on up to a one-acre lot. The environmental impact study was done because they had to move the canal because it was in the dedicated right-of-way. The highway district required a 40-foot strip of land on the east side of the property because at some point in the future there may be a road there. Commissioner White asked if the impact study addressed any of Mr. Koch's concerns. Mr. Kerner said it doesn't go into that much detail. They look at the property and address to the Bureau of Reclamation if there are any environmental concerns about relocating the ditch. He said they do environmental impact studies for a lot of projects and most of the time they are triggered by the canal company and they want to make sure that if we move their facility that it's environmentally safe to do so and that there aren't any hazards on the property. The bottom line is there were not any environmental hazards found on this site, nothing that would be a red flag for development of any kind. The nutrient pathogen study helps us determine the nitrogen loading of a septic system and how dense they can make a development and whether it will work. That document was provided to staff and it's in favor of the development as proposed. The request is for two-acre lots so it wasn't difficult to prove the density can be supported. One of the results of the nutrient pathogen study was we have to do advanced treatment systems on the septic tanks themselves so that is comforting. All the homes will have the most advanced treatment systems on their septic. With regard to runoff, historically there has been an overflow for the pond but he doesn't know if it's shared with the neighbor's pond, but there is a ditch that goes south and it's culverted under the road. He'll work with Mr. Koch and Mr. Whiteley to see if they want a continuous flow of water to go into their ponds. Commissioner Van Beek said Mr. Koch's concern dealt with the impermeability of the ground with the clay layer and so maybe the right study is a hydro-geologic study for evaluating strata and ground water and what's below the surface. Director Nilsson said that was raised as a concern and that's likely what led to having advanced treatment systems for septics but she doesn't know that it would stretch to the runoff issue. In the context of wells that's when you usually look at the strata of where the water bearing zones. Commissioner Van Beek asked about the three wells that have failed. Mr. Kerner said they have done a geo-technical report (hydrology, geology) and they've dug a 15-foot test pit on every lot so they know what kind of strata is down there and that's what we used to design the septic. Mr. Lister said this is within the health department's minimum standards for this type of development. Mr. Kerner said if they were to drag sewer and water there would be much smaller lots and a lot more density than the two-acre lot size and so the proposal is much more acceptable to the area than bringing utilities in. Commissioner White said the applicant is a good neighbor in that he is attuned to the aesthetics and the environment and wants to protect what is already there. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek the Board voted

unanimously to close the public hearing. Commissioner Dale said this is not a hearing for a rezone which is where a lot of the heavy lifting happens, this is a request to approve the preliminary plat, irrigation and drainage plan and he believes the questions that are required at this phase have been answered and have been proven to be sufficient. He then made a motion to approve the Findings of Fact, Conclusions of Law and Order for Case No. SD2018-0015 and to approve the preliminary plat, irrigation and drainage plan for Saddleback Ridge Subdivision. Commissioner Van Beek seconded the motion for discussion and said the engineer has done diligence on obtaining information from the health department and she appreciates that he has obtained a lot of the required reports in light of the concern with the failed wells. She is sympathetic with and appreciates the questions asked by Mr. Koch and she encouraged him to get a copy of the hydrogeologist's report. A lot of work has been done on this project and the reality is the valley is changing and if we wait for septic hookup from the city the density will be a lot greater and so in order to preserve the integrity of the rural character they are going with two-acre lots. The motion carried unanimously. The hearing concluded at 2:56 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 21, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 3/25/19

The Board of Commissioners approved payment of County claims in the amount of \$20,324.00, \$109,483.74, \$4160.63, \$68,529.60, \$19,715.18, \$66,402.03, \$42,125.81 and \$36,214.11 for accounts payable.

CONSIDER INDIGENT DECISIONS AND MATTERS

The Board met today at 8:46 a.m. to consider indigent decisions and matters. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Customer Service Specialist Robin Sneegas, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-385, 2019-476, 2019-615, 2019-463, 2019-490, 2019-444 and 2019-481 upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue written initial denials within 30 days on the cases read into the record. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue written initial approvals for case nos. 2019-573, 2019-466 and 2019-477. Commissioner Dale made a motion to continue case no. 2019-182 to April 18, 2019 at the request of the hospital, the

motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue final denials with written decisions within 30 days for case nos. 2018-1571 and 2019-215. Commissioner Dale made a motion to issue final written approvals within 30 days for case nos. 2019-104, 2019-125, 2019-230 and 2018-1523. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-198

The Board met today at 9:01 a.m. to conduct a medical indigency hearing for case no. 2019-198. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Hearing Manager Kellie George, Case Manager Angela Papa, Deputy P.A. Jim Cornwell, Deputy P.A. Dan Blocksom, Kelly Herrera for St. Alphonsus, the applicant, daughter of the applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to uphold the denial. The hearing concluded at 9:14 a.m. An audio recording is on file in the Commissioners' Office.

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

Note for the record: as properly noticed the board met today at 10:02 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, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The executive session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 10:03 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners White, Dale and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:25 a.m. with no decision being called for in open session.

MARCH 2019 TERM
CALDWELL, IDAHO MARCH 22, 2019

PRESENT: Commissioner Pam White, Chair

Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- ProForce in the amount of \$1897.50 for the Sheriff's Office
- Salt Lake Wholesale Sports in the amount of \$35,244.48 for the Sheriff's Office
- Skyline Silversmiths, LLC in the amount of \$4350.00 for the Fair
- Consolidated Supply Co. – Nampa in the amount of \$4706.85 for the Fair
- Rodda Paint in the amount of \$5139.00 for the Fair
- Wall 2 Wall Flooring in the amount of \$2881.57 for the Facilities department
- Caxton in the amount of \$2251.20 for the Prosecuting Attorney's Office

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 Kristina Reishus.

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley left at 9:07 a.m., Treasurer Tracie Lloyd and Deputy Clerk Jenen Ross.

Consider signing a Declaration and Notice of Sole Source Procurement Services from Tetra Tech, Inc., as All Hazards Mitigation Plan Consultant: Zach Wesley explained that this notice of sole source comes on behalf of the Canyon County Sheriff's Office Emergency Management division. They've received a grant and are working on an update to the All Hazards Mitigation Plan which is a disaster response organizational tool. Tetra Tech has done work for the landfill and other work for the county as well as Ada County. This could be a cost savings due to Tetra Tech being familiar with county processes. The reason for the sole source is that there is only one vendor for the services and such further competitive solicitation, if otherwise required, would be impractical, disadvantageous or unreasonable under the circumstances including but not limited to the fact that the county believes Tetra Tech to be the only company with local presence that has the resources to adequately perform the required services. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the declaration and notice of sole source procurement services from Tetra Tech, Inc. as All Hazards Mitigation Plan Consultant.

Meeting to discuss Treasurer's report and consider approval/denial of February 2019 Treasurer's tax charge adjustment by PIN: Treasurer Lloyd said this is the report showing the tax, penalty and interest adjustments for February 2019; there were no major adjustments. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the February 2019 Treasurer's tax charge adjustment by PIN. A copy of this report is on file with this day's minute entry.

The meeting concluded at 9:14 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM
CALDWELL, IDAHO MARCH 25, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Hess Construction, Inc. in the amount of \$3265.00

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Two Horse Saloon to be used 3/30/19 for a rodeo event.

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND CONSIDER SIGNING LEGAL NOTICE OF ENTERING INTO PERSONAL SERVICES CONTRACT WITH CAROUSEL INDUSTRIES

The Board met today at 9:04 a.m. with county attorneys for a legal staff update and to consider signing a legal notice of entering into personal services contract with Carousel Industries. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross.

Consider Signing Legal Notice of Entering into Personal Services Contract with Carousel Industries: Mr. Blocksom said this is just a publication noticing that the county has entered into a contract that may be above \$10K. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the legal notice of entering into personal services contract with Carousel Industries.

EXECUTIVE SESSION – PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

A request was made to go into Executive Session to discuss personnel matters and records exempt from public disclosure. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:08 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, 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 Leslie Van Beek, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:41 a.m. with no decision being called for in open session.

At the conclusion of the executive session Clerk Yamamoto provided the Board with a couple of legislative updates:

House bill 270: Language was added that schools will provide facilities to the counties for election purposes. This has made it thru both house and state affairs. Senator Lodge said she will carry the bill in the senate. The vote will happen this week. Currently elections is out of all Nampa public schools but they are talking with area churches to be used for polling places.

Medicaid: The Clerk and Controller sent a letter thru the IAC directed to the legislators. They are going to try passing the main Medicaid bill but the funding portion was put on hold to be done by committee work this summer although it remains to be seen what the governor will say. Questions still remain about county indigent services and involuntary mental holds.

The meeting concluded at 9:58 a.m. Audio recordings for this meeting are on file in the Commissioners' Office.

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

The Board met today at 1:31 p.m. with the Parks Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. Director Schwend updated the Board on the following: The transition with Parks and Facilities is going well. The Idaho Oregon Snake River Water Trail Steering Committee meeting no. 2 was held at Glenn's Ferry on March 4th; the next meeting will be later in the spring in Fruitland; Laura Barbour was invited to present at the Boise Valley Fly Fishers group. The 3rd Annual Master Naturalist Chapter at Deer Flat National Wildlife Refuge kicked off in February. IdEEA conference was held on March 1st and 2nd. Water Quality Workshop was held on March 15th at the College of Western Idaho. They will be interviewing this coming week for interns to help develop and implement curricula for Canoe Science Camps. The Celebration Park Recreation Site Improvement Plan decision record has been signed by Amanda Hoffman, the National Conservation Area Manager; it is currently in the appeal period. On March 29th Park staff will

meet with BLM Morley Nelson Snake River Birds of Prey Manager Amanda Hoffman and her staff to discuss upcoming programs and agency priorities and to discuss a possible MOU. The annual pre-season meeting at Deer Flat National Wildlife Refuge was held on March 22nd. The annual Historic Preservation grant workshop was held on February 12th. SHPO Grant award was increased from \$12K to \$13K. Garrett Ranch inquired about a National Register nomination – a site visit happened on February 27th. Return of the Boise Valley People Exhibit & Indigenous Peoples of Idaho exhibit is up at Celebration Park; Kathy Kershner and Director Schwend attended the Indigenous Peoples of the Boise Valley conference recently. Interpretive Specialists received safety training. A new Kiosk was built at the visitor center at Celebration Park. The gun range had its second cleaning recently. A contract with TRS (Total Range Solutions) will be coming soon; a site visit has been done and they provided some good information. Director Schwend is now officially part of the National Association for RC&D Council as the new Board of Director. The meeting concluded at 2:07 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO REVIEW 2018 ANNUAL JUVENILE JUSTICE REPORT

The Board met today at 2:07 p.m. to review the 2018 annual juvenile justice report. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Juvenile Probation Officer Elda Catalano, Joe Langan with the Idaho Department of Juvenile Corrections and Deputy Clerk Jenen Ross

Mr. Langan reviewed the following information:

- Juvenile Arrests graph for 2014-2018
- Juvenile Petition filing graph for 2014-2018
- Offenses listed on petition broken down by felony, misdemeanor and status offenses
- Canyon County offenses 2018 broken down by percentage
- Intakes and releases for 2014-2018
- Average age at point of intake for 2014-2018
- Gender at point of intake 2014-2018
- Intakes by race and ethnicity for 2014-2018
- Community service hours performed for 2014-2018
- Restitution collected for victims for 2014-2018
- Juveniles who successfully completed probation for 2014-2018
- Recidivism for 2018 at 6, 12 and 24 month intervals
- One day snapshot of juveniles on county probation on September 30th
- Juveniles in IDJC custody on September 30th
- Number of suspended commits on September 30th
- Juvenile Justice budget
- County financials showing dollar amounts from JCA, Tobacco & cigarettes, lottery and SUDS SFY18 expenditures; information was provided on how monies can be spent from each fund
- Canyon County Ancillary funding breakdown for CIP, MHP and REP
- Agency 2017 crime report

A copy of the report that was provided to the Board is on file with this day's minute entry. The meeting concluded at 2:30 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 26, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Otis Elevator in the amount of \$3966.32 for the Facilities department
- Norbryhn Equipment Company in the amount of \$2654.00 for the Facilities department
- Commercial Tire in the amount of \$8781.86 for the Solid Waste department

APPROVED JANUARY 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of January 2019 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.

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 Dale made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, 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 Leslie Van Beek,

Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:34 a.m. with no decision being called for in open session.

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

The Board met today at 10:06 a.m. with the Public Defender to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Public Defender Aaron Bazzoli and Deputy Clerk Jenen Ross. Mr. Bazzoli updated the Board on the following: A review of budget numbers and specific line items. Review of attorney active caseload numbers; the PDC would like cumulative numbers but that may be hard to calculate due to the nature of how cases roll out. Review of cases opened since October 1, 2018, clearance rate for the month of March, fiscal year 2019 clearance rates, and number of preliminary hearings each day. Mr. Bazzoli said all conflict attorneys are in compliance and are under contract. A discussion was had about the ACLU lawsuit regarding the public defense system. The trial is scheduled to start in April and last for about 4 months. Mr. Bazzoli anticipates being subpoenaed and let the Board know that they may also be subpoenaed to testify. The judge has asked both sides to appeal the Supreme Court in order to receive guidance as to which standard to use. At the request of Commissioner Van Beek, Mr. Bazzoli discussed the different ways public defense offices are run and funded. The ACLU examined the data they've collected over the past several years regarding the funding and running of public defense and filed lawsuits against counties they didn't feel had systems that operated properly. The meeting concluded at 10:52 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY LUCICH FAMILY LTD PARTNERSHIP FOR A CONDITIONAL REZONE AND DEVELOPMENT AGREEMENT, CASE NO. RZ2018-0018

The Board met today at 1:36 p.m. to conduct a public hearing in the matter of a request by Lucich Family Ltd., Partnership for a conditional rezone and development agreement, Case No. RZ2018-0018 from Agricultural to R-1 Single Family Residential. Present were: Commissioners Pam White and Tom Dale, DSD Director Tricia Nilsson, DSD Planner Debbie Root, Deputy P.A. Dan Blocksom, Bruce Bayne, Gary Lucich, Marcae Lucich, Cindy Marino, Mark Christianson, Jamie Robbins, and Deputy Clerk Monica Reeves. On February 11, 2019 Commissioners Dale and Van Beek approved the rezone request with one-acre lots with a development agreement to restrict future development and maintain the rural feel of Blue Heron Subdivision Lots 1 and 2. The Findings of Fact, Conclusions of Law and Order (FCO's) and development agreement were continued to a new hearing date of March 15, 2019, and subsequent to that date the matter was continued to today's date. Director Nilsson said with Commissioner Van Beek's absence the safest way to proceed is to have the hearing on the development agreement and then continue the deliberation and signing of the ordinance and other documents to a date when Commissioner Van Beek is present because she was part of the rezone decision so we don't want to sign the FCO's until she is available. Commissioner White explained that today's hearing is for the development agreement. Debbie Root gave

the oral staff report. Today we are here to consider the conditions of approval for the rezone of the two Lucich properties totaling approximately 16.55 acres and the request to rezone it to R-1 single family residential. The Board previously agreed to that with the caveat of a development agreement to restrict development to a total of 15 residential lots total. There shall be pressurized irrigation and they shall abide by Canyon Highway District requirements for the completion of the public road that is currently known as Kingsbury Lane but will be renamed to Winter Horses Drive. The development is not required to connect to municipal services unless they are immediately adjacent to Kingsbury Lane at the time of development otherwise it will be on individual water and septic systems which captures what the Board requested for the development agreement. Bruce Bayne testified that they are in full agreement with the conditions of approval. Gary Lucich testified that he agrees with the development agreement. Mark Christiansen said he is in favor of the development but he has concerns about septic systems in terms of the quality that comes. He said there are sewer connections in at the Lakes at Telaga subdivision and wants to know when this development might institute city water and sewer. Ms. Root said based on conversations with Mayor Taylor and the developers the water is not currently available along Kingsbury Road. She said Mayor Taylor indicated to the applicants that he agreed that without water and sewer being available at the same time it would not be efficient or effective to force them to connect to water and then have to bring sewer in. The current connections are not available to this development so it would have to be a new connection coming from the south side of the undeveloped property that's in that current development. Ms. Root said she told the applicants to go the city and ask because they are adjacent to the city limits and it lends itself to annexation and but those connections are not a feasible solution right now. They will not necessarily have to connect unless the services are available on Kingsbury Road to this development. Mr. Christiansen said it's his understanding that it is connectable but he doesn't know at what level. The subdivision that's being developed to the north has water that's being brought to that site. Commissioner Dale said he understood it would be individual wells and septic systems and in the future once water and sewer become available, or if a well or septic system fails, the health department will require them to connect to city services. Ms. Root said the Mayor agreed that it's not economically feasible for a single developer to pull water and sewer individually at different times to the development and he indicated he would not force them to annex at this time. Commissioner Dale said the development agreement states that if municipal services are not reasonably available to the subject properties at the time of development then individual wells and septic systems shall be allowed in accordance with Southwest District Health and the Idaho Department of Water Resources requirements. If the development agreement gets postponed for a couple years and services catch up to it then they'll have to hook up to the services. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close the public hearing. Commissioner Dale said all issues have been thoroughly vetted and he appreciates the work staff has done as well as the effort of the developer to meet the concerns of most of those who spoke at the last hearing where there were concerns about density. It was brought up that if services are available then this could be platted with city services and the density could be four or five units per acre. He appreciates the willingness of the applicant to commit to the process of a development agreement. Commissioner Dale made a motion to approve the development agreement for Case No. RZ2018-0018. The motion was seconded by Commissioner White and carried unanimously. Upon the motion

of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to continue the hearing April 2, 2019 at 9:30. The applicant signed the development agreement today. The Board will consider the agreement and other documents associated with this case on April 2, 2019. The hearing concluded at 2:03 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:31 p.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, DSD Planner Kate Dahl and Deputy Clerk Jenen Ross. Director Nilsson discussed the following with the Board: They are ready to start working with the smaller cities on community planning. They have prepared a letter that they would like to send out to see what kind of interest comes back, previous efforts have not had much success. Included with the letter will be a memo outlining the services that can be provided and the contracting details. Contracts would include the scope of work, the set amount of hours not to be exceeded each month and the rate among other things. Director Nilsson said they have worked with the Controller to set the hourly rate and have identified that the city would be responsible for any other costs. Ms. Nilsson and Ms. Dahl will draft a letter for Board review and approval to be sent from the BOCC. Thursday night they attended the Farm Bureau federation meeting. She spoke for about 15 minutes just sharing information and had a brief discussion on the FEMA floodplain. The meeting concluded at 2:44 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 3:04 p.m. with the Solid Waste Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Solid Waste Director David Loper and Deputy Clerk Jenen Ross. Director Loper update the Board on the following:

Waste amounts: Amounts were down 6.35% for February but FY2019 is up 8%.

Quarterly Household Hazardous Waste Event: Event was held on March 13th at the O'Connor Fieldhouse. The next event will be held on June 12th at the Idaho Center.

CUP/ Site Certification: The conceptual design for landfill expansion showed that moving the line to the west would provide another 40% of airspace so he is in the process of getting that started. DEQ has a site certification process that has to be gone thru and that application is pretty well put together. The last CUP that was done for the landfill was in 2010 but they'll need to go outside of that boundary so he'll need to start the process of moving the boundary to the west. He will work with Director Nilsson and Brad Goodsell on that in order to get it

done before submitting the site certification application to DEQ. Director Loper spoke about the gun range and the two parcels it sits on – he thinks it might be worth considering transferring those parcels out of the enterprise fund and change it over to just county owned property; he has spoken with legal about the situation. Additionally, it may be worthwhile looking into combining all the landfill parcels into two (due to two different taxing districts) instead of seven.

PO for scraper tires: A PO for two scraper tires will be coming before the Board for consideration, they have been budgeted for in FY2019. He will budget for another 2 tires in the next fiscal year.

Free day: Free day at the landfill is coming up on April 27th.

Saturday business: There have been over 800 car trips the past two Saturdays, they have had to tweak some of the flow processes to reduce the wait as much as possible. A discussion was had regarding ways to possibly stay open later during longer spring/summer hours and the affect it could have on staffing. Commissioner Dale would like to see the hours adjusted and since this is an enterprise fund he feels Director Loper has the freedom to do what he needs to do to accommodate any adjustments.

PB-3, final abandonment: The well has already been sealed and everything has been approved so the contractor will be in to do the final abandonment on April 3rd.

PWS Inspection: The public water system inspection was done recently. There were just a couple minor deficiencies but overall the inspection went really well.

The meeting concluded at 3:45 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 27, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- ADS in the amount of \$69,789.28 for the Sheriff's Office

APPROVED CLAIMS ORDER NO. 1913

The Board of Commissioners approved payment of County claims in the amount of \$1,621,083.98 for a County payroll.

APPROVED CLAIMS ORDER NO. 4/2/19

The Board of Commissioners approved payment of County claims in the amount of \$28,234.34 and \$51,002.31 for accounts payable.

APPROVED CLAIMS ORDER NO. 4/10/19

The Board of Commissioners approved payment of County claims in the amount of \$13,165.84 for accounts payable.

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

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Facilities Director Paul Navarro, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom, Jail Captain Darin Ward, Controller Zach Wagoner, Clerk Chris Yamamoto and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing Progressive Engineering, Inc. plan review and inspection agreement: Sam Laugheed said this agreement has been signed by the Executive Vice President of All Detainment Solutions but it has not yet been signed by Progressive Engineering, Inc. although he doesn't expect that to be a problem. Director Navarro explained that the State of Idaho is adjusting the mobile home code to accommodate these units. This third party acts as an extension of the State of Idaho to ensure that the buildings are mostly completed to code, Uniform Building Code and the International Fire Code. Once they arrive here another building permit will be pulled thru the City of Caldwell to ensure they are put together up to the rest of the code. The total cost for the two inspections to happen in Missouri is \$3600. Mr. Laugheed and Mr. Navarro said that once the units arrive here they should be "plug and play" but we still have to hire local tradesmen, have local permits and have them locally inspected. Captain Ward and Director Navarro have met with the state and these units fall into a very gray area so they are referring back to code on mobile homes as the units have an axle and a wheel. Commissioner Van Beek asked Captain Ward about "dead space" that was a concern in the attorney visitation room. Captain Ward explained the issue has been addressed and is no longer a concern. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the contract with Progressive Engineering, Inc. for plan review and inspection (see agreement no. 19-040).

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 Van Beek made a motion to go into Executive Session at 9:09 a.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A Sam Laugheed, Deputy P.A. Mike Porter, Deputy P.A. Dan Blocksom, Clerk Chris Yamamoto, Captain Daren Ward, Facilities Director Paul Navarro, Controller Zach Wagoner and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:50 a.m. with no decision being called for in open session.

MARCH 2019 TERM

CALDWELL, IDAHO MARCH 28, 2019

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$4425.00 for the Information Technology department
- Agri-Lines Irrigation in the amount of \$2627.91 for the Parks department
- HP, Inc. in the amount of \$3311.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 3/28/19

The Board of Commissioners approved payment of County claims in the amount of \$50.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 3/29/19

The Board of Commissioners approved payment of County claims in the amount of \$4620.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 4/2/19

The Board of Commissioners approved payment of County claims in the amount of \$69,371.36 for accounts payable.

APPROVED CLAIMS ORDER NO. 4/10/19

The Board of Commissioners approved payment of County claims in the amount of \$2822.45 for accounts payable.

CONSIDER INDIGENT DECISIONS

The Board met today at 8:45 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Customer Service Specialist Robin Sneegas, Customer Service Specialist Stephanie Burger and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2019-0530, 2019-0413, 2019-0503, 2019-0532, 2019-0501, 2019-0502, 2019-0640, 2019-0478, 2019-0519, 2019-0533, 2019-0529, 2019-0526, 2019-0527, 2019-0504, 2019-0584, 2019-0459 and 2019-0531. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue initial denials with written decisions within 30 days on the cases as read into the record. Commissioner Dale made a motion to issue initial approvals for case nos. 2019-0464 and 2019-0514 with written decisions within 30 days. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:31 a.m. with the Public Information Officer to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, PIO Joe Decker and Deputy Clerk Jenen Ross. Mr. Decker updated the Board on the following: Proclamations for Child Abuse/Prevention and Awareness and Start by Believing will be considered Monday and press conferences will be held next week with the Super Hero March on Saturday April, 20th. The Idaho-Press Editorial Board is scheduled to tour the jail on April 2nd. Mr. Decker has been working with a reporter from CBS 2, Lauren Clark, a couple weeks ago she interviewed Director Jett and is going to be doing a story on him and the role he plays at the Juvenile Detention Center. She has also asked for stories on the jail bond which he is hoping to push to late April or early May. Channel 6 did a story last night with Captain Ward and Sheriff Donahue and the Idaho Statesman has reached out. There seems to be some misconceptions that some of the offenders being held in the jail are there for a simple marijuana arrest so they are trying to get numbers together to show how many people have spent a night in the jail on a simple misdemeanor marijuana arrest with

no underlying charges. He has had a couple calls recently with a group out of the UK working for TI Media who produce documentaries – they are interested in the bail system and cash bail system in America; Sheriff Donahue has agreed to speak with them next month. Ysabel Bilbao is setting up some town hall meetings to get the word out about the jail bond from the County’s perspective. Carl Erickson was in yesterday and said he would be willing to advocate for the jail as a Canyon County taxpayer. Tricia Nilsson has reached out about the United Way book drive that starts next week and wanted permission to put collection boxes in lobby areas. The Board is okay with the boxes being set out. The meeting concluded at 9:52 a.m. An audio recording is on file in the Commissioners’ Office.

PUBLIC HEARING – REQUEST BY PAUL SLEIGHT FOR A REZONE AND DEVELOPMENT AGREEMENT, CASE NOS. RZ2018-0022 AND DA2019-0001

The Board met today at 10:00 a.m. to conduct a hearing in the matter of a request by Paul Sleight for a rezone from an “R-R” (Rural Residential) to an “R-1” (Single Family Residential) zone. The application also includes a development agreement. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, Paul Sleight, Renee Davis, Jim McElya, and Deputy Clerk Monica Reeves. Today’s hearing was continued from December 19, 2018 and January 7, 2019. Zach Wesley said Commissioner Van Beek was not a Commissioner when the rezone request originally came before the Board and was initially approved, but sent back for consideration of the development agreement. The action that will take place today is a hearing to consider the agreement and then the Board will consider signing written findings on the prior decision. He asked Commissioner Van Beek to address her knowledge of this case. Commissioner Van Beek disclosed that she had ex parte communication after the original hearing where she met with Dave Dykstra, a local realtor, and Andrew Castagneta with whom she had a former knowledge and friendship with and he disclosed to her, unsolicited, that the Sleights had built some kind of structure on the property that was not permitted or approved by DSD. She doesn’t believe the Board had knowledge of that code enforcement issue and believes it needs to be ferreted out because it’s going to be noncompliant whether the request is approved today or there’s a continuation to investigate. There either needs to be restitution if that’s accurate information, or some type of adjustment in the boundary because you cannot just build on somebody’s property. She has reviewed the case packet and was present for the hearings but she doesn’t believe that that will interfere with her ability to make a recommendation or a qualified decision in this case. Commissioner Van Beek also disclosed that her sister lives across the street from the subject property. Mr. Wesley asked for a recess in order to review a legal issue in relation to Commissioner Van Beek’s disclosure. Commissioner Van Beek made a motion to take recess to review legal documentation. The motion was seconded by Commissioner White and carried unanimously. The Board went off the record at 10:07 a.m. The hearing resumed at 10:23 a.m. Mr. Wesley said he wanted to review Idaho Code, Section 67-6506 regarding conflict of interests that are prohibited. A member of this Board, or the P&Z Commission, or an employee is prohibited from participating in any proceeding or action where the member or employee has a relationship as follows: business partnership, business associate, or any person related to him by affinity or consanguinity within the second degree, and then that

person has an economic interest in the proceedings. Within the second degree is the relationship of a sibling and so the question is does the sibling in this case have an economic interest. Because this section not only requires disclosure of any potential conflict but has the potential consequence of a misdemeanor violation for participating in a hearing like this with the relationship known, he and Commissioner Van Beek agree that she will recuse herself from the hearing process, but prior to that, without engaging in deliberations, she will further state on the record the issues she identified in her review of the proceedings. Commissioner Van Beek said with every land use decision she looks for findings of fact and conclusions of law on which to base competent decisions, but because there is some issue with Idaho Code she will recuse herself after stating her objections on the record with the hope that at least a continuation will be granted in order for DSD and the Board to further review the issues. No person shall be deprived of private property without due process of law and her statement to that would be that private property rights extend to everyone and not just to one. This request was heavily opposed at the neighborhood meeting. She's read the exhibit provided by DSD which is the original private agreement signed in 1957. This subdivision was developed with two-acre parcels in mind, it was occupied by professional community made up primarily of doctors and that's important that the intent of the law is upheld as much as the strict reading of the law. Regarding new development, there needs to be an interpretation of what that means because in the strictest sense this is not new development, this is well established subdivision and people stated at the P&Z Commission hearing that they specifically moved to this area because they liked the nature of the area. She would have supported leaving this as an R-R designation. People have lots of choices in what size lot they choose to live on and they are given a three-day right of rescission when signing a mortgage so you have time to evaluate what it is you're doing so in that process she thinks everyone in this room is old enough to understand when they sign a mortgage what it is they are signing on for. Is the tenure of the vision of the comprehensive plan longer than the tenure of the private agreement? If the applicant has placed a structure on the neighboring property that would merit a continuation to make sure he was allowed to do that. There still is no response from Southwest District Health showing the layout for the septic, and there are issues with having a shared driveway. Road improvements have to take place. Commissioner Van Beek said this case is fraught with a number of problems, and not to undermine the Board's original decision, there's been additional information that's come to light that would call for a closer examination and maybe a reopening of public testimony. If the development is allowed she thinks it will set a precedent for additional subdividing and will violate the property rights of those who live there. A piece-meal development does not fit because it wasn't zoned or platted for that. With regard to services, we do not have weigh-in from some departments on that yet, including the health department. She asked that a continuation be granted in order to examine this and make sure it's in the best interest of comprehensive plan, and of existing subdivisions so that we don't open ourselves up to having an onslaught of people wanting to benefit economically. Commissioner Van Beek left the table at 10:34 a.m. and sat in the audience. The Board then proceeded with the hearing on the development agreement. Director Nilsson reported that on December 19, 2018 the Board had a public hearing and requested the property have a development agreement applied to it to restrict the lot size and ability to further divide the property. Mr. Sleight has requested a rezone from R-R, a two-acre minimum lot size, to an R-1 zone which has a one-acre minimum. During that time a development agreement was applied for and reviewed by

the P&Z Commission on February 21, 2019 and they recommended approval with the following conditions: 1) The development shall comply with all applicable federal, state, and county laws, ordinances and rules; 2) The subject parcel shall be divided in accordance with the administrative land division section and it has the following restrictions: A. It shall be in substantial conformance to the applicant's site plan; the shared access easement shall comply with the driveway and private road requirements; the division of the parcels shall not exceed a total of two parcels. B. Since it is more than three theoretically he could have three lots so this would be a way to just limit it to what was requested, unless annexed into the City of Nampa. C. Further restricts the property in that secondary dwellings, which are provided in the zoning ordinance, are prohibited. There can only be one dwelling on each parcel. Without that restriction theoretically there could be a total of four on the property. That condition shall be noted on the land division review and approval. And, 4) References the time requirements in the zoning ordinance in that they have to commence within two years of the approval of the Board, which is defined as the submission and approval of a land division application and fees. Paul Sleight testified that when he bought the property he was told there was a bunch of building material left on site so a homeowner built a fence. There's a greenhouse built in the corner and so when Andy Castagneta bought property he wanted to keep the access because there's a road to get back to his pasture and Mr. Sleight liked the idea of keeping the fence line so they agreed to do a "jog" up to the original property line which allowed Mr. Sleight to keep the greenhouse on his property. He did not build the greenhouse, it was there when he moved in. The access was originally on his property and he agreed to a rezone that Mr. Castagneta paid for which moved the property line and allowed him to keep four acres. If they had gone with the fence line it would have reduced the Castagneta property to 3.75 acres. Mr. Sleight said when he bought the property he was told the HOA's no longer applied so he thought he would be able to split his property and build a home without any concerns. Commissioner Dale asked if he understands the provisions of the development agreement that restrict him to no more than two lots and that they shall be in conformance with the site plan. Mr. Sleight said he understands that, he just wants to build a house there and he is doing everything he can to not impact his neighbor's view. Commissioner White informed Mr. Sleight that the development agreement limits what he can do with this property. Mr. Sleight said he understands.

Jim McElya testified that he has lived west of the property since 2009 and he will likely be the one who's most affected by this decision. When buying property in this subdivision the CC&R's were in place and they had to sign that they would not subdivide the community. He said Mr. Sleight is not legally bound to build a house on the property, and he didn't need to go through this process to build one, but does need it in order to sell the property. Mr. McElya believes Mr. Sleight will sell this parcel once he gains approval and the neighbors will be left to pick up the pieces. There's a tennis court that's pretty much entirely on Mr. Sleight's property but everybody in the community paid to have it built. There is a makeshift fence separating his property from the Sleight property and so whoever moves in there will need to have a fencing agreement. He believes if the rezone is approved it will set a precedent and result in a domino effect. Commissioner Dale said Mr. Sleight can already build a secondary house in the back, but as long as the property remains outside the city limits the development agreement will restrict the property to only two houses on this property. Mr. Sleight said he intends to build a fence between the properties. There is no fence behind the tennis court but he plans to build a fence to contain whatever animal he might put back there. When he

first moved in he talked with Dr. Birkeland who said he wanted to build a house on the front portion, which would have been less than an acre, and that's what gave Mr. Sleight the idea to split the property and build a house. It's a choice piece of property and he's trying not to take away from anybody's quality of life. He loves where he lives and he will not split this off and sell it; however, he will sell the house he's currently living in because he doesn't need two houses. Mr. Sleight said he has not read the development agreement but based on the discussions he agrees to it as outlined by Director Nilsson. Upon the motion of Commissioner Dale and the second by Commissioner White, the Board voted unanimously to close the public hearing. Commissioner Dale said the purpose of today's hearing is to determine the status of the proposed development agreement. The conditional rezone has already been approved and it was the proper decision. What-if's are always problematic and the Board tried to consider those but they are called on to make decisions based on facts and conclusions of law. He appreciates the request for a continuation but he believes it will delay the resolution of this issue and it would still be necessary for this to be decided by the two Commissioners who are here. He believes this development agreement is well thought out and will address the concerns expressed at the previous hearing about it being split into smaller properties. It puts into place restrictions that will keep this property in 1.6 to 1.7 acres. He then made a motion to approve the development agreement DA 2019-0001 with the rezone request for Case No. RZ2018-0022 as provided in the findings of fact conclusions of law found in Exhibit A. The motion was seconded by Commissioner White who said there is sworn testimony from Mr. Sleight on what his intentions are and he's going to build his own home back there. She does not believe it will change the setting or the compatibility of the area. The development agreement will go with the land which will protect the applicant and the neighbors as well. Director Nilsson requested that the motion be amended to include the ordinance directing changes to the zoning map. Commissioner Dale amended his motion to include the approval of the ordinance. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 11:07 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 11:17 a.m. for a meeting with county attorneys for a legal staff update and to consider actions items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, Clementine Marin for St. Luke's and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing memorandum of understanding between Canyon County and St. Luke's Hospital for 340B program: Dan Blocksom said the only thing his office changed in this agreement was to add a signature page for the Board. Ms. Marin shared information on the 340B program. The congressional intent of the program is that hospitals and other safety net entities take discounts upfront on outpatient medications and then reinvest the savings to serve underserved populations in the community. In an earlier meeting Josie Murray with the Sheriff's Office shared concerns about the medication needs of inmates once they are back in the community and can't afford their medication. They would like to explore

opportunities to help individuals in Canyon County get access to the medications they need. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the MOU between Canyon County and St. Luke's Hospital for the 340B program (see agreement no. 19-042).

Consider signing request for an extension of time for water permit number #63-32981:
Sam Laugheed this is request for an extension of time for an unperfected permit at the Pond Lane location. This is the second renewal request, the initial permit was applied for in 2009. In 2014 a 5 year extension was granted and this will be the final extension of time. Best case scenario is we receive the extension and it covers what we need, worst case is that it's not granted and then we'd just reapply when necessary. Mr. Laugheed said there is no legal reason not to sign and recommends that all options are preserved by asking for the extension. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the request for an extension of time for water permit number #63-32981. A copy of the request is on file with this day's minute entry.

The meeting concluded at 11:36 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2019 TERM
CALDWELL, IDAHO MARCH 29, 2019

PRESENT: Commissioner Pam White, Chair – out of the office
Commissioner Tom Dale
Commissioner Leslie Van Beek – out of the office
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were held today.

THE MINUTES OF THE FISCAL TERM OF MARCH 2019 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 18th day of June, 2019

CANYON COUNTY BOARD OF COMMISSIONERS

Tom Dale

Pam White

Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk

By: Jenen Ross, Deputy Clerk