

MAY 2020 TERM
CALDWELL, IDAHO MAY 1, 2020

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

APPROVED CLAIMS ORDER NO. 5/4/20

The Board of Commissioners approved payment of County claims in the amount of \$25,343.60 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Corwin Ford in the amount of \$50,107.00 for the Fleet Department

MAY 2020 TERM
CALDWELL, IDAHO MAY 4, 2020

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

APPROVED CLAIMS ORDER NO. 5/4/20 AND 5/11/20

The Board of Commissioners approved payment of County claims in the amount of \$7,096.30, \$102,048.25, \$72,050.80 and \$20,855.00 for accounts payable.

MAY 2020 TERM
CALDWELL, IDAHO MAY 5, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Right! Systems, Inc., in the amount of \$1,567.76 for the Information Technology Department
- AA Tronics, LLC, in the amount of \$3,950.00 for the Information Technology Department
- Right! Systems, Inc., in the amount of \$1,969.45 for the Information Technology Department
- Carousel Industries in the amount of \$4,003.95 for the Information Technology Department
- Vevo – Credit Card in the amount of \$3,930.62 for the Information Technology Department

APPROVED CLAIMS ORDER NO. 5/11/20

The Board of Commissioners approved payment of County claims in the amount of \$170,935.94 and \$140,608.75 for accounts payable.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Mi Tierra, Inc., dba Mi Tierra; Apple Idaho, LLC dba Applebee’s Neighborhood Grill & Bar; Chapala Mexican Restaurant #7 Inc., dba Chapala Mexican Restaurant #7; Chapala Nampa, Inc., dba Chapala Mexican Restaurant III; Stewart & Christensen, LLC dba Stewart’s Bar and Grill; Nampa Lodge #1389 BPOE, Inc., dba Nampa Elks Lodge #1389; BFC Nampa, LLC dba Boise Fry Company; Fiesta’s Arts, Inc., dba Fiesta Guadalajara; Fiesta of Nampa, Inc., dba Fiesta Guadalajara; El Guero, LLC dba Pollos Y Mariscos El Guero; Silvia K Lane dba The Vault 21 Club; Albertsons, LLC dba Albertsons #166, #103, #1602, and #176; Howard’s Tackle Shoppe, Inc., dba Howard’s Tackle Shoppe; TCW, Inc., dba Greenhurst Chevron. (See resolution no. 20-043, 20-044, and 20-045.)

CONSIDER SIGNING A RESOLUTION CHANGING THE TITLE OF ONE POSITION IN THE TRIAL COURT ADMINISTRATOR DEPARTMENT

The Board met today at 11:50 a.m. to consider signing a resolution changing the title of one position in the Trial Court Administrator department. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, TCA Doug Tyler, Assistant TCA Benita Miller, HR Director Sue Baumgart, Judge VanderVelde arrived at 11:53 a.m., Judge Southworth arrived at 11:55 a.m., Director of Court Operations Denise Kennel arrived at 11:55 a.m., Captain Harold Patchett and other sheriff's deputy arrived at 11:55 a.m. and Deputy Clerk Jenen Ross. Doug Tyler explained from their perspective it's really just a housekeeping matter. There are only two of this sort of position in the state, one in Ada County and the other in Canyon County. In Ada County the position has evolved from an Assistant TCA to a Deputy in order to distinguish from the Administrative Assistant. Part of this change is to keep on par with Ada County since they are the same position. The other change is because there had been extensive conversations prior to COVID-19 about possible state funding for the Deputy TCA position. With this change they are not requesting a pay change, it's just a title change. Commissioner Van Beek would like to see an updated job description to be more reflective of Ms. Miller's resume and skills. Commissioner White said her understanding is that most deputy positions are associated with an elected official and she needs some additional information to make her decision. The meeting concluded at 12:05 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ADMINISTRATIVE DISTRICT JUDGE AND TRIAL COURT ADMINISTRATOR FOR UPDATE ON REOPENING OF THE COURTS

The Board met today at 12:06 p.m. with the ADJ and TCA for an update on reopening of the courts. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Judge Southworth, Judge VanderVelde, TCA Doug Tyler, Director of Court Operations Denise Kennel, Assistant TCA Benita Miller, Controller Zach Wagoner, Chief Public Defender Aaron Bazzoli and Chief Deputy Criminal P.A. Chris, Topmiller via Webex, Director of IT Greg Rast joined at 12:30 p.m. and Deputy Clerk Jenen Ross. Judge Southworth spoke about the order from the Supreme Court that was issued Monday. Most hearings will be held remotely in order to keep the public to a minimum and a reduced staff reporting to the courthouse. He said that the Supreme Court has noted that potential life sentences will need to be held in-person and if a judge is able to make certain findings it is at their discretion to hold other in-person cases but for the most part hearings will be held virtually using Zoom. Discussions ensued regarding the installation of devices to be used by inmates at the jail so that in-custody persons can participate via Zoom, logistics of out-of-custody persons having access to the tools necessary to participate in their hearing, the way a defendant is able to communicate with their attorney at a virtual hearing, oversight of the equipment and how defendants would access their particular hearing. Judge Southworth believes that the purchase of new equipment is necessitated due to COVID-19 related restrictions and thinks it would be appropriate to seek reimbursement from the state. From what he's hear from the Supreme Court they are going to take a very conservative stance in reopening the courts and sees all judges doing a lot more remote hearings using Zoom for the foreseeable future. There was

discussion regarding the use and provision of face-coverings. Judge Southworth believes the order of mandatory face-coverings only applies to courtrooms and court offices, he is not sure they have authority over other public areas within the courthouse as it's a multi-use building. The Supreme Court will not be supplying defendants with face-covering, they will be responsible for providing their own although Mr. Bazzoli said that they are being supplied for his clients if they are not able to acquire one. The meeting concluded at 12:51 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:00 p.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, Landfill Director David Loper left at 1:27 p.m., Facilities Director Paul Navarro left at 1:32 p.m., Controller Wagoner left at 1:32 p.m., Captain Daren Ward left at 1:05 p.m. and Deputy Clerk Jenen Ross. Via Webex: Deputy P.A. Brad Goodsell, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Fair Director Diana Sinner and Parks Director Nicki Schwend (joined at 1:10 p.m.). The action items were considered as follows:

Consider signing notice of donation of property to other political subdivision or taxing district: Captain Ward said this SCBA equipment has been in storage for years in the jail and is no longer used. The College of Western Idaho now has an interest in the equipment and the Sheriff's Office would like to transfer it to their Fire Science program. In response to a question from Commissioner Van Beek, Mike Porter explained the value was not specifically priced out but it is in the public's interest to transfer between public entities. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the notice of donation of property to other political subdivision or taxing district.

Consider signing letter of support for Western Alliance for Economic Development: This is a letter similar to ones that have been signed in previous years and there is no increase this year, support remains at \$27,650 which is specific to FY2021. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the letter of support for Western Alliance for Economic Development.

Consider authorizing execution of Caterpillar Model 836K Landfill Compactor sales agreement after opportunity for public comment: Brad Goodsell gave background stating that a notice of sole source was published on April 19th providing 14 days' notice for the public to offer comment. No one appeared to offer comment today and no other comments were received. Director Loper will sign the sales agreement which will then be attached to the PO for Board signature and will clearly identify the funds that will be coming from the FY2021 budget. A brief discussion ensued regarding

the budget for the Landfill. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to authorize the execution of Caterpillar Model 836K Landfill Compactor sales agreement.

Consider signing Owner's Representative Consultant Services agreement for the Fair Expo Building Project with Paradigm of Idaho, Inc.: Director Navarro said this contract has been vetted thru the RFQ process and the final draft meets with legal's approval. Fees will be paid thru the URA funding and vary between the design and construction phases. Mr. Wagoner explained that the county will be responsible for paying the vendor initially and then be reimbursed by the URA. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the Owner's Representative Consultant Services agreement for the Fair Expo Building Project with Paradigm of Idaho, Inc.(see agreement no. 20-075).

Consider signing vendor license agreement with Ride the Water, LLC: Director Schwend explained this group did this last year but the fee was waived due to being so late in the season. This year for the whole boating season it is a \$500 fee which can be paid in one lump sum or monthly. Ride the Water, LLC provides paddleboards to rent at Lake Lowell during daytime hours but nothing can be left overnight. Once approval is received they will start right away. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the vendor license agreement with Ride the Water, LLC (see agreement no. 20-076).

The meeting concluded at 1:36 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ASSESSOR'S OFFICE TO CONSIDER VARIOUS NEW AND RENEWING PROPERTY TAX EXEMPTIONS

The Board met today at 2:00 p.m. with the Assessor's Office to consider various new and renewing property tax exemptions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Admin. Analyst Jennifer Loutzenhiser, and Deputy Clerk Monica Reeves. The exemption applications were considered as follows:

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the exemptions presented by staff pursuant to Idaho Code, Section 63-602B for a religious exemption as follows:

PIN:	Current Owner:
75203000 0	FARGO COMMUNITY CHURCH
37169000 0	FARGO COMMUNITY CHURCH
14303000 0	FAIRVIEW CHURCH OF THE NAZARENE INC
14329000 0	FAIRVIEW CHURCH OF THE NAZARENE INC
14327000 0	FAIRVIEW CHURCH OF THE NAZARENE INC
14301000 0	FAIRVIEW CHURCH OF THE NAZARENE

14302000 0 FAIRVIEW CHURCH OF THE NAZARENE INC
33670010 0 HOMEDALE FRIENDS COMM CHURCH

Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to approve the exemptions presented by staff pursuant to Idaho Code, Section 63-602C for a charitable exemption as follows:

PIN:	Current Owner:
35307103 0	METRO COMMUNITY SERVICES INC
37939000 0	BLAZING HOPE YOUTH FAMILY RANCH INC
04699000 0	MT MORIAH LODGE 39 A F AM INC
35818000 0	ST VINCENT DE PAUL OF CALDWELL INC
13447000 0	SOCIETY OF ST VINCENT DE PAUL SOUTHWEST ID DIST COUNCIL INC
34971000 0	CALDWELL CHAPTER OF THE IZAAK WALTON LEAGUE OF AMERICA
17540000 0	MELBA VALLEY HISTORICAL SOCIETY
08154000 0	TREASURE VALLEY TRANSIT INC
22891000 0	MISSION AVIATION FELLOWSHIP
67165204 0	MISSION AVIATION FELLOWSHIP
31730000 0	MISSION AVIATION FELLOWSHIP
67165255 0	MISSION AVIATION FELLOWSHIP

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the exemptions presented by staff pursuant to Idaho Code, Section 63-602D for a hospital exemption as follows:

PIN:	Current Owner:
64941492 0	ST LUKE'S REGIONAL MEDICAL CENTER
64941483 0	ST LUKE'S REGIONAL MEDICAL CENTER
64941482 0	ST LUKE'S REGIONAL MEDICAL CENTER
64941410 0	ST LUKE'S REGIONAL MEDICAL CENTER
64940243 0	ST LUKE'S REGIONAL MEDICAL CENTER
64940186 0	ST LUKE'S REGIONAL MEDICAL CENTER
64940185 0	ST LUKE'S REGIONAL MEDICAL CENTER
61111025 0	ST LUKE'S REGIONAL MEDICAL CENTER
31084000 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31084012A0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31095000 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31096000 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31098000 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31099000 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31099010 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31100000 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31104011 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31104012 0	SAINT ALPHONSUS MEDICAL CENTER NAMPA INC
31112010 0	SAINT ALPHONSUS MEDICAL CENTER
30995011F0	ST LUKE'S REGIONAL MEDICAL CENTER LTD

30995011 0 ST LUKE'S REGIONAL MEDICAL CENTER LTD
11766000 0 MOUNTAIN STATES TUMOR INST
01649000 0 ST LUKE'S REGIONAL MEDICAL CENTER LTD

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the exemptions presented by staff pursuant to Idaho Code, Section 63-602E for an educational exemption as follows:

PIN:	Current Owner:
64940608X0	XEROX FINANCIAL SERVICES LLC
64941113X0	XEROX FINANCIAL SERVICES LLC
64939357 0	LEAF CAPITAL FUNDING LLC
64939358 0	LEAF CAPITAL FUNDING LLC
64941357 0	INSIGHT INVESTMENTS LLC
64941362 0	NA PALI COAST CAPITAL LLC
64941572 0	NA PALI COAST CAPITAL LLC
64935345 0	QUADIENT LEASING USA INC
64935344 0	QUADIENT LEASING USA INC
60724000 0	GREATAMERICA FINANCIAL SERVICES CORPORATION
64940104 0	GREATAMERICA FINANCIAL SERVICES CORPORATION
60724001 0	GREATAMERICA FINANCIAL SERVICES CORPORATION
64941110 0	GREATAMERICA FINANCIAL SERVICES CORPORATION
19863000 0	WESTERN IDAHO COMMUNITY ACTION PROGRAM INC HEAD START
34113000 0	WESTERN IDAHO COMMUNITY ACTION PROGRAMS INC
02530536 0	WESTERN IDAHO COMMUNITY ACTION PARTNERSHIPS INC

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the exemptions presented by staff pursuant to Idaho Code, Section 63-602GG for a low income housing exemption as follows:

PIN:	Current Owner:
36243000 0	IDAHO FRIENDS RETIREMENT HOMES INC
19406000 0	ELDERLY OPPORTUNITY AGENCY INC
38770000 0	ELDERLY OPPORTUNITY AGENCY INC
12983500 0	TRINITY NEW HOPE INC
15438000 0	NAMPA CHRISTIAN HOUSING INC
32480180 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
06438106 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
06438102 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
32504483 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
06438114 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
27438106 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
35333236 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
35333212 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
32564318 0	ADVOCATES AGAINST FAMILY VIOLENCE INC
35129131 0	ADVOCATES AGAINST FAMILY VIOLENCE INC

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the following personal property applications for exemptions pursuant to Idaho Code, Section 63-602D for a hospital exemption:

PIN:	PROPERTY OWNER:
64941624 0	ST LUKE'S REGIONAL MEDICAL CENTER
64941625 0	ST LUKE'S REGIONAL MEDICAL CENTER
64936391 0	ST LUKE'S REGIONAL MEDICAL CENTER LTD
60664500 0	ST LUKE'S REGIONAL MEDICAL CENTER

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the following exemption pursuant to Idaho Code, Section 63-602D for a hospital exemption:

PIN:	PROPERTY OWNER:
30995000	ST. LUKE'S REGIONAL MEDICAL CENTER

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the exemption pursuant to Idaho Code, Section 63-602D for a hospital exemption as follows:

PIN:	PROPERTY OWNER:
30995011B	ST. LUKE'S REGIONAL MEDICAL CENTER

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the exemption pursuant to Idaho Code, Section 63-602D for a hospital exemption as follows:

PIN:	PROPERTY OWNER:
30995012	ST. LUKE'S REGIONAL MEDICAL CENTER

Staff recommends denial of the following application pursuant to Idaho Code, Section 63-602GG for a low income housing exemption:

PIN:	Current Owner:
02147000 0	COLUMBIA GARDENS, INC.

This organization appealed their exemption all the way to district court and the judge found they do not qualify for an exemption, but they have submitted another application. Nothing has changed since the judge made his decision so staff does not recommend it approved. Commissioner Dale said this group has been before the Board on numerous occasions and nothing has really changed. He then made a motion to deny the exemption application for Columbia Gardens. The motion was seconded by Commissioner Van Beek and carried unanimously.

Staff recommends denial of the following application pursuant to Idaho Code, Section 63-602C for a charitable exemption:

PIN: Current Owner:
02147000 0 Neighborhood Housing Services Inc., dba Neighborhood Works

This property is a single-family dwelling and they rent to a person whose income is 50% of median income. They do not meet the criteria for approval. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to deny the application under Idaho Code Section 63-602C for Neighborhood Housing Services.

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the following exemption pursuant to Idaho Code, Section 63-602C for a charitable exemption:

PIN: PROPERTY OWNER:
38762010 PARMA AREA SENIOR CITIZENS CENTER, INC.

Staff recommends denial of the following application pursuant to Idaho Code, Section 63-602C for a charitable exemption:

PIN: Current Owner:
23660000 IDAHO HORSE THERAPY, INC.

This property is a single-family dwelling on 1.5 acres. The couple who occupies the home has a lease agreement which states the owner agrees to rent/lease for use solely as a private residence. They have two horses on the property they use for therapy services but they don't have an arena or do therapy at the house. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to deny the application under Idaho Code Section 63-602C for Idaho Horse Therapy, Inc.

Staff recommends denial of the following application pursuant to Idaho Code, Section 63-602C for a charitable exemption:

PIN: PROPERTY OWNER:
35865000 WITCO, INC.

This parcel is adjacent to an exempt parcel, however it is not being used for charitable purposes. Commissioner Dale made a motion to deny the application under Idaho Code Section 63-602C for Witco, Inc. The motion was seconded by Commissioner Van Beek. Commissioner White was opposed to the motion to deny. The motion carried by a two-to-one split vote.

Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to approve the application presented by staff pursuant to Idaho Code, Section 63-602B for a full exemption as follows:

PIN: PROPERTY OWNER:
13611000 INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL

They previously had a partial exemption because there was a portion of their property they were not using, but they have now expanded their use into that portion so they are seeking a full exemption.

Staff recommends denial of the following application pursuant to Idaho Code, Section 63-602B for a religious exemption:

PIN: PROPERTY OWNER:
02748000 BETHEL

This is a church that's operating out of warehouse on Paynter Avenue in Caldwell. The warehouse is 29,000 square feet, and the church has a congregation of nine but the Assessor's Office doesn't believe nine people can use a warehouse of that size. There has been some history and the Assessor's Office believes this exemption has been used as a savings while they hold onto property and go back and forth on the ownership from the church to some individuals. A sale fell through so they transferred it back to the church so they didn't have to pay property taxes until they got another buyer. They have received an exemption in the past and the Assessor's Office has argued against it. The biggest issue is the Assessor wants to see assets donated to similar organizations so there is no potential for profit by a single owner. The rules have been broken where they flip flop between an individual and a church. Commissioner Van Beek asked if a partial exemption can be granted if it's prorated for the space for a small congregation. Discussion ensued. There is a good deal of the property that would not be useable for a congregation even if they had a larger congregation. Commissioner Dale said a denial gives them the opportunity to appeal and then he made a motion to deny the application based on the information presented and if they wish to appeal they can present their case to the Board. The motion was seconded by Commissioner Van Beek and carried unanimously.

Staff recommends a partial exemption of the following application pursuant to Idaho Code, Section 63-602B for a religious exemption:

PIN: PROPERTY OWNER:
67274100 CHRIST THE KING COMMUNITY CHURCH INTERNATIONAL

The building is 43,714 square feet and staff added the square footage of the rooms the church advertises on their website and it comes out to be approximately 22,000 square feet of available space for rent. There is a multi-purpose room that is 16,000 square feet, and maximum occupancy is 1,600. They have a lobby that's 4,265 square feet. The Assessor's Office recommends the removal of the exemption on the rooms they are actively advertising for lease for profit. A church is meeting in the building, but in addition to that they are actively advertising to lease the space for car shows, car washes, rummage sales, and outdoor concerts. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to remove the portion where they are profitable on the property under Idaho Code, Section 63-602B.

The meeting concluded at 2:35 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM
CALDWELL, IDAHO MAY 6, 2020

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

APPROVED CLAIMS ORDER NO. 2016

The Board of Commissioners approved payment of County claims in the amount of \$1,667,049.14 for a County payroll.

APPROVED CLAIMS ORDER NO. 5/11/20

The Board of Commissioners approved payment of County claims in the amount of \$1,979.98, \$1,351.55, \$166,512.57, and \$10,797.54 for accounts payable.

MAY 2020 TERM
CALDWELL, IDAHO MAY 7, 2020

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

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Diana Dyas, Sr. Administrative Specialist (temporary) in the Development Services Department.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Western States in the amount of \$989,500.00 for the Solid Waste (Landfill) Department

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Texas Roadhouse Holdings, LLC dba Texas Roadhouse; GMRI, Inc., dba The Olive Garden Italian Restaurant #1731; TV Hotels, LLC dba Holiday Inn; and WW Ink, LLC dba Rocco's Roadhouse; The Chicago Connection, LLC dba Chicago Connection; and Canton Café, Inc., dba Canton Café; Kebob, LLC dba Tobacco Connection #32, #23, #22, #16, #12, #6, and #1; HFO, LLC dba Big Smoke #115; HFO, LLC dba Tobacco Connection #37; HFO, LLC dba Big Smoke #113; New Big Smoke, LLC dba Big Smoke #102; New Big Smoke LLC dba Big Smoke #109; Gallegos Meat Market 2, LLC dba Gallegos Meat Market #2; Gallegos Meat Market, LLC dba Gallegos Meat Market; Messenger, LLC dba Messenger; and Jaura, LLC dba Lakeshore Food Mart; The Chicago Connection, LLC dba Chicago Connection; THD, LLC dba Mongolian Fire Grill; Smashburger Acquisition – Idaho, LLC dba Smashburger #1588; Pilot Travel Centers, LLC dba Pilot Travel Center #638; Flying Pie Pizzeria 2, LLC dba Flying Pie Pizzeria; Mongolian BBQ, B-Way/Nampa dba Mongolian BBQ; Conrad and Bischoff, Inc., dba Garrity 66; and East Cleveland Beverage and Tackle, LLC dba East Cleveland Beverage. (See resolution nos. 20-046, 20-047, 20-048, 20-049 and 20-050.)

MEETING TO CONSIDER INDIGENT MATTERS

The Board met today at 8:47 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.

The following cases do not meet the eligibility criteria for county assistance: 2020-536, 2020-638, 2020-611, 2020-634 and 2020-631. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue initial denials on the cases as read into the record.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue an initial approval on case no. 2020-715.

Director Baker presented for Board signatures a partial release of lien on case no. 2015-1386 and a document noting reduced payment from \$20 to \$5 monthly on case no. 2011-1583. The Board signed both of these documents. Additionally, the financial and release of liens were presented for Board signature and signed in the presence of a notary. Assignments from the CAT fund were also signed by the Board.

Commissioner Van Beek made a motion to continue case nos. 2020-303, 2020-413, 2020-423, 2020-380 and 2020-328 to July 2, 2020. The motion was seconded by Commissioner Dale and carried unanimously.

Commissioner Van Beek made a motion to continue case nos. 2020-310, 2020-301, 2020-302, 2020-372, 2020-284, 2020-420 and 2020-421 to June 11, 2020. The motion was seconded by Commissioner Dale and carried unanimously.

The meeting concluded at 8:54 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-385

The Board met today at 8:58 a.m. to conduct a medical indigency hearing for case no. 2020-385. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Attorney Mark Peterson for St. Lukes, Deputy P.A. Dan Blocksom, Applicant participated via teleconference 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. The hearing concluded at 9:02 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' EMERGENCY MEETING REGARDING COVID-19

The Board met today at 1:30 p.m. for an elected officials' emergency meeting regarding COVID-19. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Assessor Brian Stender, Treasurer Tracie Lloyd, Clerk Chris Yamamoto, Controller Zach Wagoner, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Sam Laugheed, SWDH Director Nikki Zogg, PIO Joe Decker, EOM Christine Wendelsdorf (arrived at 1:45 p.m.), Keri Smith-Sigman, and Deputy Clerk Monica Reeves. Those present via conference call were: Caldwell Fire Chief Mark Wendelsdorf, Kurt Carpenter from the City of Nampa, Coroner Jennifer Crawford, Parma Mayor Angie Lee, and Greenleaf Mayor Brad Holton. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue.

Sheriff Donahue reported on Pod 6 and the renovations/maintenance the facilities department is doing in Pod 3. On Monday they moved 30 females into Pod 6. They have three units open versus two because they had to separate the inmate workers from the general population. They've had to make some adjustments to the cameras and they have bids coming in to address the control room window where the sun glares on the computers. Most of CCSO staff is back in terms of full operation. They are stilling maintaining numbers at the driver's license facility and it sounds like the lines are long.

Assessor Stender said he spent Monday at the DMV and their first customer got in line at 3:00 a.m., and the second customer arrived at 6:15 a.m. By 8:00 a.m. there were 150-200 people in line when they opened the doors. The Assessor's Office is two weeks from mailing assessment notices. With value increases there will be another shift from industrial, commercial, and

agricultural to residential, so they are moving values very conservatively this year. They are looking at increase on residential properties of 8%-10%, but some pockets went up 20%. As for commercial values, it goes by industry so different industries, such as multi-family apartment complexes are going up considerably, others in the market aren't going up as much as they have in the past, it will be closer to 7% on average.

Christine Wendelsdorf reported that Walmart's goal was start tomorrow with testing, but she hasn't heard if they have their supplies. The County's PPE came in a day early and she expects to have the masks doled out to offices next week. Joe Decker has set up a way to report usage on the County's website that will automatically send us the numbers that are needed to report it. Commissioner Dale asked if the cost of PPE will be covered by \$5.6 million in funds the County is expected to receive. Ms. Wendelsdorf said the funds are for COVID-related expenses which is why we are tracking expenses so we can get proper reimbursements. Controller Wagoner said the \$5.6 million is specific only to Canyon County; there is a separate pool for the cities, the ambulance district and the fire districts and we have to expend the funds specifically for COVID-19 in order to be reimbursed. They won't just send a check for \$5.6 million. Clerk Yamamoto said the County won't have those kind of expenses so we'll only see a sliver of that amount. Sam Laugheed asked if distributing face masks to all offices/departments is the best use, or if we should say how many people are front line or in court and actually need them? Ms. Wendelsdorf said she has enough for 2 masks per employee and we'll still have some leftover. She's trying to take in all scenarios because some are nervous about being around anybody and unfortunately, we don't have the funds to give 14 masks to every employee. They are designed for people who are not sick, who work with the public. They are not N95 grade. Director Zogg said the cloth masks are meant to create some form of barrier, it's not going to be as effective as a surgical mask, but we don't have access to surgical masks. The Sheriff and Mr. Laugheed will draft a message to employees regarding the masks that are available.

Director Zogg reported that as of yesterday, Canyon County has 270 COVID-19 cases, and there have been six deaths. Epidemiologists are reporting they are seeing trends with workplace exposure especially in meat packing/processing plants, and that is a good reminder to make sure you maintain social distance, hand hygiene, and respiratory precautions. They are starting to see an increase in Hispanics contracting the virus. One family had 10 household members ranging in age from 2 years to 90 years, and they all tested positive. The health department is working on getting guidance and protocols out for businesses and revealing outdoor pools and water park guidance. Staff are reviewing all plans for food establishments. They met with the Governor's Office and talked about future stages and the potential for statewide orders after the end of June but they have not made a decision yet. There have been three school re-openings in Canyon County and the health department has been working with the liaisons to develop plans for re-opening.

Commissioner Dale asked what will happen to the remainder of the \$5.6 million in federal funding. Controller Wagoner said the state has a committee to oversee allocation of that money, and Seth Grigg from the Idaho Association of Counties, is the counties' representative on the committee. The Controller hopes that if all the money is not spent it may become available for revenue

replacement or property tax relief. He has concerns about what our revenues will look like. Clerk Yamamoto believes it will stay with the state and he believes a lot of that money won't be used and the smart thing would be if it went back in the coffers. The County will track what our revenues have done and what connection it has to COVID-19.

Commissioner Van Beek wants to postpone Monday's elected officials' meeting until we are no longer meeting regularly on the COVID-19 issue. Sheriff Donahue agreed that the monthly meeting should be postponed. There was no objection from the group.

Clerk Yamamoto gave an elections update. A mail out was to go out yesterday but they are one off on the count so staff spent a lot of time trying to find that one. They are going through 1800 ballots one by one checking against the computer and a printout. They are sure of the count because they had multiple people count it multiple times so they it's the state's system. Today at 5 p.m. is the deadline to apply to be a poll watcher, and they've had a lot of questions about poll watchers, but they don't have any polls. On the normal Election Day, May 19, the Secretary of State's Office has allowed counties to open and count ballots when they get them in, but Clerk Yamamoto has elected not to do that. He plans to open ballots May 20 and start scanning. He will not allow anybody to be present to watch due to COVID-19 concerns and the fear of staff getting sick so they will live stream it on YouTube any time the ballots are touched. When they receive ballots they are scanned, and staff looks at the envelope with the signature and compares it with the voter application card, and if that does not match, they will contact the person. It's very time consuming. They will go in a separate ballot box each day and then they will be locked and put in a locked room. They will separate everything that comes in from day 1 to May 19th and separate those from going forward because there is a fair chance there will be a lawsuit over it being an illegal situation. Ballots must be received by 8 pm on June 2. The Clerk has stopped doing passports in the Recorder's Office and they will be doing Canyon County marriage licenses only. They are discussing when and how to reopen passports. His plan is to open it back up June 1st on an appointment-basis only. He will meet with the impacted parties and get back to the Board on final ideas of how they will handle passports. He may take it out of the Recorder's Office.

Prosecutor Taylor reported there is nothing new to report on the Supreme Court's order, they are still trying to figure out the logistics in how court will resume. Some are being done via Zoom, and some are in-person, and some are telephonic hearings. He's not seen a written order from the third judicial district as to what their intent is, he only seen the April 22 Supreme Court Order. The latest Supreme Court order came out on May 4th and it places a moratorium on evictions for 120 days, until July 25. Treasurer Lloyd is curious if that will affect tax deeds (a tax deed hearing is scheduled for July 27). Deputy P.A. Brad Goodsell will look into that.

Commissioner Dale said the Board met with ADJ Southworth and they talked about setting up kiosks in the jury room. Sheriff Donahue spoke of how they have been working with the ADJ and how they have increased the capability with video arraignments and using Zoom technology to have hearings. They still have to maintain access for the public defenders and outside legal counsel to come to the annex. Prosecutor Taylor said the challenge of the third district is there is no uniformity amongst the judges.

Treasurer Lloyd reported that tax reminders will be mailed in the next day or two.

Mayor Holton said he heard this morning that the Greenleaf Academy has decided it will not reopen for this school year. Director Zogg said the health department approved their plan yesterday and she was not aware of the change in plans.

Chief Wendelsdorf said the Caldwell Fire Department has been working on the use of UVC lighting to neutralize viruses, bacteria and mold, and he said agencies should feel free to use them as a resource. Upon the motion of Clerk Yamamoto and the second by Commissioner Dale the meeting adjourned at 2:43 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH AARON FREUDENTHAL WITH THE PDC FOR ANNUAL REVIEW

The Board met today at 3:04 p.m. with Aaron Freudenthal with the PDC for an annual review. Present were: Commissioners Pam White and Tom Dale, Chief Public Defender Aaron Bazzoli, Aaron Freudenthal with the PDC via Webex and Deputy Clerk Jenen Ross. The following items were discussed:

- Most things are going well
- Case numbers look a little high by workload standards, but Mr. Bazzoli will be keeping an eye on those
- The PDC financial assistance application is due by May 15th. This year will there will not be a 15% cap as there has been in previous years and will be more 'needs based'. At this point the budget for assistance has not been touched or reduced. He has encouraged Mr. Bazzoli to ask for a full-time position vs. a part-time position.
- Discussion regarding vertical defense
- Contract/conflict attorneys

Mr. Freudenthal encouraged the Board to reach out to any of the PDC Commissioners if there are ever any concerns. The meeting concluded at 3:42 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM

CALDWELL, IDAHO MAY 8, 2020

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

No meetings held this day.

MAY 2020 TERM

CALDWELL, IDAHO MAY 11, 2020

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

No meetings held this day.

MAY 2020 TERM

CALDWELL, IDAHO MAY 12, 2020

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

APPROVED CLAIMS ORDER NO. 5/14/20

The Board of Commissioners approved payment of County claims in the amount of \$93,201.00 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Apple in the amount of \$1,216.85 for the Information Technology Department
- Western Building Supply in amount of \$4,000 for the Parks Department

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Agave Cantina, LLC dba Agave Cantina; Mariscos El Viejon, LLC dba Mariscos El Viejon; Nampa Hospitality, LLC dba Best Western Plus; Nampa Aerie #2103, Fraternal Order of Eagles dba 2103 Aerie; Garbonzo's Pizza, Inc., dba Garbonzo's Pizza; Walgreen Co., dba Walgreens #12483, #11541, #10672, #05648, and #07276; Fred Meyer Stores, Inc., dba Fred Meyer #226; Idaho Center Chevron, Inc., dba Idaho Center Chevron; and 2c Family Brewing Company dba 2c Family Brewing Company. (See resolution nos. 20-051, 20-052, and 20-053.)

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

The Board met today at 10:49 a.m. for a monthly meeting 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 and Deputy Clerk Jenen Ross. DSD Director Tricia Nilsson participated via Webex.

Director Nilsson update the Board on the following:

- Revenues are ahead of budget and she anticipates meeting the revenue budget.
- There is a backlog of Planning and Zoning hearings but she anticipates they will be caught up by July 4th. Diana Dyas was brought back temporarily to help with noticing requirements. All Planning and Zoning hearings will be online with no one participating in-person.
- Kathy Frost was recently promoted to Lead Administrative Specialist and her vacated position was filled by a person from Indigent Services who will start in June.
- Kate Dahl is continuing to work on the comprehensive plan. She has conducted extensive surveys and is rethinking the direction of the plan. She is taking time to make sure the comp plan is done right with the present reality.
- An impact fee meeting is being scheduled for the beginning of June to get the committee up to speed and the Board up to date.
- VRT budget presentation to their Board is upcoming and Kellie Badesheim has asked Director Nilsson to participate so she will listen in to that call next week.
- She has also been invited to a call with BSU regarding Hazard and Climate Resilience Institute to discuss grants for Ada and Canyon county hazard planning. Commissioner Dale is interested in participating in the conversation; Director Nilsson will forward the invite.
- A date was just set for a virtual meeting to discuss putting ag ground into a trust so Director Nilsson will forward that information to the Board.

- At the request of Commissioner Dale, Director Nilsson addressed the foot traffic into DSD. When the building was closed it was by appointment only but right now she thinks it's about 10 people per day but she will have to look at her calendar for better detail. They found that the builders seemed to like appointments so she's thought about conducting a survey to determine if they should continue with the appointment system or perhaps a hybrid of appointment and walk-in. Large production building has slowed but custom homes still seem to be coming in. She provided a brief review of the larger building permits that have come in. She has been working with IT to assist in running reports.
- Planners are starting to make their way back to the office. They are able to maintain social distancing in the office.
- Commissioner Van Beek asked about an email that was recently received about a property that wasn't divided with county approval and no building permit is available at this time. Director Nilsson is formulating a response and will probably reach out to the listing agent. She will copy the Board on her response.

The meeting concluded at 11:15 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 11:17 a.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 via Webex and Deputy Clerk Jenen Ross.

Director Schwend updated the Board on the following:

- *Gun range:* She has been in contact with a company that will come out to evaluate how much lead is there in the hope that it will be enough that they are able to provide a kick-back. At this point they've collected samples but Director Schwend doesn't believe we're at that point yet. She spoke about clean-up, refreshing and improvements that have been done out there and ways they are looking at to try curbing some of the inappropriate actions such as driving down the shooting lanes. A brief discussion ensued regarding the name of the gun range.
- *Staffing:* This year she had planned to ask for a Cultural Resource Manager position but due to current events she will not officially request that position. Additionally, several projects have been delayed which in turn has pushed out the need for the position.
- *Historic Preservation Commission:* The HPC has been recertified and Director Schwend read positive feedback that was received from the State Historic Preservation Office. Director Schwend would like to see the county historic preservation plan adopted as an amendment to the county comprehensive plan. This year \$124,000 was requested in grant applications – generally it's about \$90,000 that's awarded. There are approximately 9

applications that will be reviewed tonight at the HPC meeting. In June they will make recommendations to the Board. Commissioner Dale suggested holding the line without any budget increases and would like to see that follow suit with the HPC. Commissioner Van Beek agrees and wants to see the recommended prioritization.

- *Gravel pit operations:* There is a new proposal circulating on social media and Director Schwend said she will be attending hearing.
- *Grant application:* In January they applied for the Idaho Parks RV Grant in the amount of \$444,000. It is a reimbursement grant and while there technically no match required State Parks has never accepted an application with less than 5% match so as part of her budget she has budgeted \$11,300 for material match as part of that match, the remaining match amount will be in labor. They hope to find out in early to mid-June if the grant will be awarded.
- *New office:* The framing has been started on the new building at Celebration Park.

The meeting concluded at 11:52 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE, 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 12:01 p.m. to discuss the 2020 Fair. A request was made to go into Executive Session as follows:

Commissioner Dale made a motion to go into Executive Session at 12:03 p.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. 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, Fair Director Diana Sinner, Facilities Director Paul Navarro, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 12:57 p.m. with no decision being called for in open session.

At the conclusion of the executive session another meeting to discuss the 2020 Canyon County Fair was scheduled for June 1st at 9:00 a.m. The meeting concluded at 12:59 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

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

No meetings held this day.

MAY 2020 TERM
CALDWELL, IDAHO MAY 14, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Apple in the amount of \$1,216.85 for the Information Technology Department
- Apple in the amount of \$2,416.70 for the Information Technology Department

APPROVED CLAIMS ORDER NO. 5/15/20

The Board of Commissioners approved payment of County claims in the amount of \$19,995.62 for accounts payable.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Mesa Downtown, LLC dba Mesa Tacos & Tequila; Grey Stone Corp., dba V-Cut Lounge; Fun and Ann Yee dba Orphan Annie's; La Copa, LLC dba La Copa; Sodexo America, LLC dba Sodexo America; Dos Caminos Mexican Restaurant, LLC dba Dos Caminos Mexican Restaurant; Sodexo America, LLC dba Sodexo America; The Hop House, LLC dba The Hop House; New Empire, LLC dba The Blue Eye; Macabi Inc., dba Acapulco Mexican Restaurant; Kickback Bar, Inc., dba Kickback Bar; Jalapeno's Bar & Grill, Inc., dba Jalapeno's Bar & Grill; Firehouse Sports Pub & Pizza, LLC dba Firehouse Sports Pub; Don Ulmer dba Airport Inn; Caldwell Hospitality Group, LLC dba Best Western Inn & Suites; Owyhee Motor Sales, Inc., dba

Owyhee Motor Sales, Inc.; Bi-Mart Corp dba Bi-Mart #614; Ridley's Family Markets; City of Nampa dba Centennial Golf Course; Asia Market, Inc., dba Asian Grocery; Target Corporation dba Target Store T-2206; I.C.A.N. Foods, Inc., dba The Griddle; Nampa Gusher, LLC dba Nampa Gusher; Tacos El Rey, LLC dba Tacos El Rey Restaurant #5; Pantera Market & Mexican Restaurant #2, LLC dba Pantera Market #2; Maverik, Inc., dba Maverik Store #178, Maverik #551, Maverik Store #522, Maverik #430, Maverik Store #298, Maverik Store #287, Maverik Store #595. (See resolution nos. 20-054, 20-055, 20-056, 20-057 and 20-058.)

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 8:52 a.m. to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George, Rachel Spacek with the IPT via Webex and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider approval/denial of Indigent decisions and signing of liens: The following cases do not meet the eligibility criteria for county assistance: 2020-683, 2020-655 and 2020-656. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions in 30 days.

Commissioner Van Beek made a motion to issue an initial approval with written decision within 30 days on case no. 2020-648. The motion was seconded by Commissioner White and carried unanimously.

Director Baker presented a lien for case no. 2020-762 to be signed in the presence of a notary. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the lien.

Consider approval/denial of Treasurer's tax charge adjustments by PIN for April 2020: Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Treasurer's tax charge adjustments by PIN for April 2020.

The meeting concluded at 8:57 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER MAY 14, 2020 AGENDA ITEMS

The Board met today at 9:04 a.m. for a legal staff update and to consider the May 14, 2020 agenda items. Present were: Commissioners Pam White and Leslie Van Beek, Deputy PA Dan Blocksom, Chief Deputy Sheriff Marv Dashiell, EOM Christine Wendelsdorf, Controller Zach Wagoner, HR Director Sue Baumgart, and Deputy Clerk Monica Reeves. Deputy PA Zach Wesley and Coroner

Jennifer Crawford participated via Webex. Chief Civil Deputy P.A. Sam Laugheed arrived at 9:15 a.m. The items were considered as follows:

Consider Agreement between Owyhee County and Canyon County for the use of refrigerated trailers - Coroner Crawford said Owyhee County has access to two refrigerated trailers but they need a secure location for them, and so Canyon County will store them within the walled area behind the crime lab and maintain them while in use. The trailers will be used in the event of a mass casualty incident. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the agreement with Owyhee County for use of their refrigerated trailers in our storage space. (See Agreement No. 20-077.)

Consider signing Canyon County and Forensic Logic, LLC, Supplemental Services Addendum for Maintenance of the COPLINK Agreement No. 19-057 - Chief Dashiell said this is a renewal of a subscription service the County has had for several years and the only difference is the change in the company name. It's a portal that shares data with subscribers and is regulated through the criminal justice information services (CJIS). It started with a grant through the Idaho State Police and was turned over to local grant funding. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the Canyon County and Forensic Logic, LLC, Supplemental Services Addendum for Maintenance of the COPLINK Agreement No. 19-057. (See No. 20-078.)

Consider accepting and signing COBRA Administrative Services Proposal for Canyon County - Zach Wesley said the County has an existing relationship with Flores for managing the benefits card and this will allow them to take over our COBRA benefit management which has been done primarily in-house up to this point. It's the standard agreement that mostly covers the technical aspects of what they're going to do. Zach Wagoner said earlier this year we transitioned from PBS to Flores for our flexible spending accounts and health reimbursement accounts. Flores offers a portal that is very beneficial to personnel for the ability to exchange information and update information in real time, and this completes the circle with the COBRA piece and it makes sense to have all of this administration under vendor. Commissioner Van Beek was hoping for more information in terms of the cost per employee and the number of people on the plan. She questioned why the change is being made now rather than in January when we switched plans. Sue Baumgart said COBRA communication came from various sources and now Flores is going to take it on and they are going to include our medical at no additional cost to the County. Employees will now get one letter with their COBRA information from one source. Commissioner Van Beek had additional questions about the implementation and administrative fees that will be charged. Controller Wagoner said at .55 cents per enrollee with between 700-750 employees, the fee will be around \$400 per month. There was further discussion about participant fees and the management of COBRA. Commissioner Van Beek said it's good to have it under one administration, but she wants the numbers verified and she would like Director Baumgart to provide follow up information that includes the costs involved and the number of people accessing it. Commissioner White said Director Baumgart has already provided information as part of today's meeting and she would like the proposal approved today, pending the information Commissioner Van Beek requested. Commissioner White made a motion to sign and accept the COBRA Administrative Services

Proposal for Canyon County. Commissioner Van Beek seconded the motion and said she wants the approval pending the additional information from Director Baumgart. The motion carried unanimously. (See Agreement No. 20-079.) Dan Blocksom had one item for Executive Session:

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

Commissioner Van Beek made a motion to go into Executive Session at 9:32 a.m. pursuant to Idaho Code, Section 74-206(1) (d) to discuss records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Dan Blocksom, and Deputy P.A. Zach Wesley (via Webex), and Deputy Clerk Monica Reeves. Commissioner Tom Dale arrived at 9:35 a.m. The Executive Session concluded at 10:06 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 CHIEF PUBLIC DEFENDER TO CONSIDER SIGNING INDIGENT FINANCIAL ASSISTANCE APPLICATION

The Board met today at 10:07 a.m. with the Chief Public Defender to consider signing the indigent financial assistance application. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Chief Public Defender Aaron Bazzoli, Clerk Chris Yamamoto, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Mr. Bazzoli said based on the workload compliance report his office is supposed to have 28.4 attorneys, but he has 28 attorneys. He is requesting an additional attorney and a social worker to reach those compliance standards, and he has looked at rearranging some office space in the back and repurposing an area to create two cubicles. His request is for last year's amount of \$638,000 plus \$148,000. For this budget cycle he will try to get the PDC to pay for it, but if they do not, he will be okay. Zach Wagoner said Mr. Bazzoli did an excellent job with the numbers. He reported that in 2019 the County spent \$4.6 million on public defense, but that does not include the \$500,000 grant. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to sign the indigent financial assistance application. The meeting concluded at 10:22 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' MEETING TO DISCUSS COVID-19 UPDATES AND TO CONSIDER ACTION ITEM OF EXTENDING DECLARATION OF LOCAL DISASTER EMERGENCY REGARDING COVID-19

The Board met today at 1:30 p.m. with the Elected Officials to discuss COVID-19 updates. Present were: Commissioners Pam White and Tom Dale, Clerk Chris Yamamoto, Prosecuting

Attorney Bryan Taylor, Chief Deputy P.A. Sam Laugheed, PIO Joe Decker, EOM Christine Wendelsdorf, Coroner Jennifer Crawford, Director of SWDH Nikki Zogg, Controller Zach Wagoner, Treasurer Tracie Lloyd, Assessor Brian Stender, Keri Smith-Sigman, Mayor Nancolas, Kirk Carpenter, Clerk Lee Belt participated via conference call and Deputy Clerk Jenen Ross.

Consider signing declaration extending Declaration of Local Disaster Emergency regarding COVID-19: Discussion ensued understanding that the purpose of having this declaration in place is to recover costs related to COVID-19. Commissioner Dale made a motion to sign the declaration. The motion was seconded by Commissioner White and carried unanimously. A copy of the declaration is on file with this day's minutes.

Ms. Wendelsdorf spoke about how she is continuing to look for PPE. She is working with various offices and departments in order to get proper spacing in preparation for reopening. They have stood up their EOC staff and anticipate that being stood up for a while thru the recovery phase until we know a little more about where things are at as we start to reopen. She is still working with the offices and departments to collect PPE numbers for Survey123 reporting which provides the option of having access to the state stockpile if necessary.

Discussion was had regarding use of the phrase "recovery phase", Ms. Wendelsdorf believes the county is right in line with Southwest District Health.

Director Zogg said that cases in Canyon County have slowed. They are continuing to do case investigation on cases that are reported and contact tracing. Overall we're looking pretty good statewide but they are counting on people to follow recommendations in order to keep numbers going down. The two Abbott machines have been received, one of them has been sent to Weiser Memorial Hospital. The other will be kept onsite to help with testing at the jail or long-term care facilities. Ms. Zogg said she spoke with the Governor's Office recently and it sounds like bars and breweries are being moved from stage 4 to being able to open in stage 3 with the expectation that they have some kind of plan in place. Additionally, there has been a change to the 14 day quarantine – it used to be for someone coming in from out of state, however, it is now just if a person comes in from area of high risk exposure. The health district is continuing to review business plans, they are getting a lot of requests even though it's not required. District 4 shared a data dashboard that they recently developed which shows some good demographic data and what's happening epidemiologically across the region. District 3 is looking at doing the same type of thing and hope to have it available next week.

Based on a question from Commissioner White, Mayor Nancolas spoke about the website the City of Caldwell has created in an effort to get business going again.

Sheriff Donahue spoke about some of the problems they're experiencing in Pod 6. One of the major issues is the cell door hinges. It appears that every door will have to be addressed and ADS

has been contacted. The Sheriff feels it is ADS's responsibility as they were the ones that installed the doors and the County is leasing the building from ADS. There are also some issues with the shower drains but maintenance staff is working to resolve it. Numbers are increasing in terms of inmates and they are continuing to see a lot of parole violations coming in. Prosecutor Taylor said he is seeing the same thing in their office.

Commissioner Dale said that there are discussions being held about this year's fair. Director Sinner has presented the Board with several options that are being considered and explored but no decisions have been made at this point.

Mr. Decker asked if the public meeting room would be opened up any time soon for either county functions or outside groups. Commissioner Dale spoke about how the Board is getting ready to start land use hearings again and may need to use the room for overflow and Assessor Stender said his office may have a need for the space. Mr. Laugheed suggested he would like to see the room remain available for county purposes as opposed to non-essential activities.

Mr. Laugheed asked what the employee response to the PPE has been and if/what the requirements have been for wearing a face-covering. Assessor Stender said they have Plexiglas up and that his employees seem to be most comfortable with that and today when he checked about half the employees had masks on. Sheriff Donahue said he's seeing the same thing. Mr. Decker said the Clerk's at the front security are wearing masks and some of the Deputies are. In response to a question from Commissioner Dale, Mr. Laugheed said some masks were provided to the TCA which put the burden onto the courts in terms of how they are going to distribute as the county has that obligation under the statute to provide the space and materials the courts need.

Clerk Yamamoto spoke about other suggestions to the budget freeze that were made during the legislative session but there didn't seem to be much interest.

Discussion ensued regarding the opening of courts, how they'll operate and logistics of the remote hearings.

Clerk Yamamoto spoke about elections and the frustrations they're experiencing at the state level in being able to look up voter ballot requests.

Treasurer Lloyd spoke about a flyer they've sent out with their reminders encouraging utilization of different kinds of payment methods. Plexiglas has been installed in her office. She has begun to see an uptick in bankruptcy filings which is something to keep in mind on the revenue stream and income.

A drop box has been ordered for use by both the Treasurer and Assessor's offices.

Coroner Crawford said an MOU has been signed with Owyhee County for a refrigerated trailer.

Mayor Nancolas expressed his appreciation at being included in these meetings and the help that has been provided by Ms. Wendelsdorf. They are planning to open city buildings again on June 1st with employees returning to the buildings around that same time. All the departments have submitted protocols for reopening and will be approved by the City Council Monday night. They are committed to following the Governor's order and helping any way they can.

Greenleaf City Clerk Lee Belt expressed his appreciation of all the good communication. He spoke about an email sent out by Ms. Wendelsdorf from WICAP about their food pantry program and due to that they have a mobile food pantry from WICAP at Greenleaf City Hall until 5:00 today distributing food boxes to those in need in Canyon County.

Mr. Laugheed put out to the group that this may be the last group gathering before budgets are due next week and asked if the Clerk had anything he wanted to put out to everyone. Controller Wagoner said he would really appreciate any insight on the revenue side of things, this will be a crucial part of the FY2021 budget. In response to a question from Commissioner Dale, Controller Wagoner said the difference between holding the budget or decreasing the budget will be dependent upon revenue numbers. General feeling is that there needs to be a serious evaluation of new position requests and that it might be good to meet as a collective group to review budgets.

Clerk Yamamoto made a motion to adjourn the meeting.

The meeting concluded at 2:55 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM

CALDWELL, IDAHO MAY 15, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- McKesson in the amount of \$3,318.00 for the Sheriff's Office

APPROVED EMPLOYEE STATUS CHANGE FORM AND KEY & SECURITY ACCESS REQUEST FORM

The Board approved an employee status change form and a key & security access request form for Kellie George, Sr. Administrative Specialist in the Development Services Department.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Prefunk Beer Bar II, LLC dba Prefunk Beer Bar II; Dan's Ferry Service, LLC dba Dan's Ferry Service; Ridgewood Enterprises, Inc., dba Legacy Feed and Fuel; Mother Earth Brew Co., LLC dba Mother Earth Micro Brews; George and Kayla White dba Keystone Pizza; La Rosita Mexican Store, Inc., dba La Rosita Mexican Store; Brick 29, LLC dba Brick 29; JM Assets, LLC dba Garbonzo Pizza; Whiskey River, LLC dba Whiskey River; Eight Twelve Main, LLC dba Eight Twelve Main; La Ranchera Nampa, Inc., dba La Ranchera Nampa. (See resolution no. 20-061, 20-062, 20-063, 20-064 and 20-065.)

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 9:09 a.m. to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson via Webex left at 9:13 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider approval/denial of resolution granting a refund to Morris Bower & Haws PLLC for a conditional use permit fee: Director Nilsson explained that this application was received last fall but nothing ever came of it. DSD recently received a response that they would like to withdraw the application. Ms. Nilsson said that no costs were incurred by the County. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a refund to Morris Bower & Haws PLLC for a conditional use permit fee (see resolution no. 20-059).

Consider approval/denial of resolution granting a new alcohol license to Italianesque: Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign the resolution granting a new alcohol license to Italianesque (see resolution no. 20-060).

Discussion among the Board continued regarding the IAC webinar, how to address foregone taxes, protocols for reopening and how to handle overflow for public hearings.

The meeting concluded at 9:29 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH SOUTHWEST DISTRICT HEALTH TO DISCUSS FY2021 PRELIMINARY BUDGET REQUEST

The Board met today at 9:31 a.m. with Southwest District Health to discuss their FY2021 preliminary budget request. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, SWDH Director Nikki Zogg and Deputy Clerk Jenen Ross. Via Webex: Cristina Froude, Sarah Andrade and Troy Cunningham for SWDH and the crisis center. Ms. Zogg said at the meeting next week the budget committee will vote on the budget. A review was provided of revenues, state appropriated funding, employee salaries and wages. Their overall budget is about \$10.5M this year. And Ms. Zogg provided a breakdown of contributions by county and how they're calculated, fund lines and balances.

A brief recess was taken at 9:59 a.m. The Board went back on the record at 10:04 a.m.

Commissioner Dale said it's important for commissioners White and Van Beek to understand the relationship between the budget committee and the counties because if this Board recommends something different than what is lined out by SWDH today that decision would need to be made fairly quickly because once the budget committee adopts the budget then the counties are obligated to pay that amount. The amount being requested by SWDH for FY2021 is \$1,068,816.

A brief discussion was had regarding the crisis center funding but it needs to be agendized separately at a later time. The meeting concluded at 10:21 a.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM

CALDWELL, IDAHO MAY 18, 2020

PRESENT: Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

ABSENT: Commissioner Pam White, Chairman

APPROVED CLAIMS ORDER NO. 5/26/20

The Board of Commissioners approved payment of County claims in the amount of \$323,570.56 and \$41,079.35 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Versare Portable Products in the amount of \$3,535.00 for the Facilities Department

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:34 a.m. for an office staff meeting. Present were: Commissioners Tom Dale and Leslie Van Beek, and Deputy Clerks Jenen Ross and Monica Reeves. The Board reviewed the upcoming schedule with staff. Topics of discussion included: the Board's protocol for returning to work fulltime now that the Governor's stay-at-home order was changed to a stay healthy order; the online process where land use hearings will be conducted via Webex in order to comply with social distancing requirements; the preliminary budget numbers for the Commissioners' Office; and the upcoming schedule for preliminary budget meetings with department administrators and elected officials during the weeks of July 13 and July 20. The meeting concluded at 8:59 a.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM

CALDWELL, IDAHO MAY 19, 2020

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

APPROVED CLAIMS ORDER NO. 5/26/20

The Board of Commissioners approved payment of County claims in the amount of \$4,388 and \$5,365.24 for accounts payable.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- SHI in the amount of \$1,721.59 for the Information Technology Department

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Clyde Alexander, Hazardous Waste Screener, in the Solid Waste (Landfill) Department.

APPROVED LIQUOR CATERING PERMIT

The Board approved a liquor catering permit for Tricycle, LLC dba Eastside Tavern for June 6, 2020.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for EVRA, Inc., dba Casa Mexico; Alejandra's 1, LLC dba Alejandra's Mexican Restaurant; Canyon Golf Partners, LLC dba Red Hawk Golf Course; Rick's Caldwell Meats, LLC dba Rick's Caldwell Meats; JTT Enterprises, Inc., dba Dutch Goose; The Getaway Bar & Grill, Inc., dba The Getaway; Nampa Restaurant Ventures, LLC dba T.G.I. Friday's; Debbie Finch dba 1918 Lounge; Bitner Vineyards, LLC dba Bitner Vineyards. (See resolution nos. 20-066, 20-067, and 20-068.)

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

The Board met today at 9:12 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom via Webex and Deputy Clerk Jenen Ross. The action item was considered as follows:

Action item: Consider signing legal notice of entering into personal service contracts for interpreter services: Mr. Blocksom said this is just to publish in the Idaho Press in case a contract exceeds \$10K. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the notice of entering into personal service contracts for interpreter services.

As part of the legal staff update there was discussion about the alcohol license for Pantera Market #4 and the options for the license. There are two issues surrounding this license – 1) there seems to be some confusion as to the actual numerical address and 2) the proximity to a church that is prohibited by the county ordinance. The two options for this license are to either deny based on the current county ordinance or amend the ordinance to more closely align with the city which would allow for approval. Commissioner Van Beek feels that the county ordinance regarding alcohol licenses is convoluted and hard to understand. Mr. Blocksom has presented two options

for approving this license, but Commissioner Van Beek is not comfortable with the expedited choice as it doesn't allow for public input. She would like to see a round table discussion between the cities and county to make sure everyone is on the same page. Additionally, she would like to see law enforcement involved in the approval process of alcohol licenses. Specifically, in regard to the application from Pantera Market, Commissioner White does not want to see approval of this license delayed as they are a small business that has likely been shut down until recently. Mr. Blocksom said in order to go thru the full process of amending the ordinance it could take a couple weeks or more. Commissioner Van Beek has some additional questions she will work with legal to get answered. An action item will be added to the agenda for Friday to consider an amended ordinance and the license can be considered at a later date once the amended ordinance has published. The meeting concluded at 9:31 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:02 a.m. for a monthly meeting with the Director of Juvenile Detention to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek and Deputy Clerk Jenen Ross. Director of Juvenile Detention Sean Brown participated via Webex and Director of Misdemeanor Probation Jeff Breach arrived at 10:07 a.m. Director Brown updated the Board on the following:

- A PREA inspection was done prior to COVID-19 and they were found to be in compliance; Director Brown then read a comment from the inspector into the record.
- A mental health clinician program meeting was held prior to COVID-19. Historically Canyon County has had the highest numbers for juveniles with mental health and substance abuse issues which is holding true for this year. Director Brown provided a review of the numbers as follows: 78% of youth coming in have a mental health indicator, 83% have both mental health and substance abuse indications, 86% have a provisional diagnosis which means the clinician recognized they meet criteria for a diagnosis, 87% given a recommendation to accept services outside once released and 93% who were referred to an outside resource actually accepted the services once released. Director Brown also spoke about ACES (traumas) numbers that are being evaluated across the state – Canyon County's number is 4.03 and the general population is around a 2 – these numbers are generally a reflection of the home life environment.
- For FY2021 the price per day is going to increase from \$191 to \$215 to compensate for reduced numbers and the medical expense that was taken on last year although they are doing whatever they can to reduce costs.
- With precautions in place a CPR/First aid training was conducted recently as there were expiration timeframes that needed to be met.
- Numbers are not increasing since COVID, today they are at 14 juveniles.

- Director Brown anticipates interviews for the Assistant Director position will happen in early/mid-June and has been working with HR on the proper way to conduct those. With Board approval he will invite Steve Jett to be a part of the interview panel. At the request of Commissioner Van Beek, Director Brown described the need for the assistant position and what part of the facility and staff they are responsible for.
- They are trying to conduct school as much as possible via a virtual environment and the art class is being done via Zoom a couple days a week. After June 13th they will look at letting people back into the facility.

The meeting concluded at 10:20 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:22 a.m. for a monthly meeting with the Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Director of Misdemeanor Probation Jeff Breach and Deputy Clerk Jenen Ross. Chief Probation Officer Elda Catalano participated via Webex.

Director Breach updated the Board on the following:

- Two of his staff that have had COVID; one has been out for 9 weeks and the other only had severe symptoms for a couple of days and has been back for a while. Another employee is working reduced hours due to daycare/schooling needs. The Assistant Director's last day is tomorrow but they haven't had a lot of interest in the position yet and thinks they may need to find someone to train.
- POST is schedule to resume on May 30th with a possible online component.
- A review was provided of his re-open protocols and what they have in place.
- In order to maintain social distancing, they are trying to schedule appointments vs. allowing walk-ins. They are also not allowing additional guests in the lobby.
- Several cameras have been purchased in order for POs to attend court hearings via Zoom.
- The community service program has provided services to the gun range and the landfill.

Chief Juvenile Probation Officer Catalano updated the Board on the following:

- She has had some staff challenges and is currently operating with half the staff she normally does.
- POs started going out into the field a couple weeks ago. They are not going into homes but waiting for the kids to come out of the house with their parents. Most of the POs feel safe.
- All of the staff is scheduled to be back in the office on June 1st. She will continue to work with supervisors to make sure social distancing guidelines are being adhered to.

- With the rain there has been a leak within the building, but maintenance has been notified. She will follow up today as to what is or can be done.

The meeting concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:59 a.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek and Deputy Clerk Jenen Ross. Fleet Director Mark Tolman participated via Webex.

Director Tolman updated the Board on the following:

- They are getting some builds done and waiting for some vehicles to arrive. Trucks and patrol vehicles are still in the factory although they are expecting them to arrive by June 2nd.
- New vans have been purchased that will be used for jail transport. They are just waiting for the cages to arrive in a couple weeks.
- At the request of Commissioner Van Beek, Director Tolman spoke about mileage reimbursement vs. using a vehicle from the motor pool and cost savings that could be realized.
- They are doing the best they can to make sure the cars are kept clean and reviewed their cleaning protocol. He is working on getting an ultraviolet light for the back of patrol vehicles.
- Director Tolman would like to see other departments' re-open protocols. Commissioner Van Beek said she will ask Joe Decker to forward the other department procedures to him.
- With budget workshops coming up Director Tolman will send his vehicle recommendations for each office and department to the Board.

The meeting concluded at 11:19 a.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM
CALDWELL, IDAHO MAY 20, 2020

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek

APPROVED CLAIMS ORDER NO. 2017

The Board of Commissioners approved payment of County claims in the amount of \$1,626,701.01 for a County payroll.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- WCP Solutions in the amount of \$1,400.00 for the Information Technology Department

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Campos on Lonestar dba Campos on Lonestar; Campos Market Nampa, LLC dba Campos Market Nampa; Williamson Orchards, Inc., dba Williamson Vineyards; Scoria Vineyards & Winery, LLC dba Scoria Vineyards & Winery; Heather Zimmerman dba The Garage Café; Short Stop, Inc., dba Lake Lowell Market; JP Thailand Express, LLC dba JP Thailand Express; Try PI Nampa, LLC dba Blaze Pizza; Nampa Wings, LLC dba Winger's Restaurant & Alehouse; and IOU Sushi II, LLC dba IOU Sushi II. (See resolution nos. 20-069, 20-070, and 20-071.)

MAY 2020 TERM

CALDWELL, IDAHO MAY 21, 2020

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- HP, Inc., in the amount of \$2,242.00 for the Information Technology Department

APPROVED CLAIMS ORDER NO. 5/26/20

The Board of Commissioners approved payment of County claims in the amount of \$82,409.66, \$99,828.78, \$179,261.99, and \$102,495.41 for accounts payable.

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Carniceria Mi Tierra, Inc dba Carniceria Mi Tierra; Hat Ranch Winery, LLC dba Vale Wine Company/Hat Ranch Winery; Jak*s Place Inc dba Jak’s Place; Kammi Reynolds dba Chaparral Sports Bar and Grill; Craft Lounge LLC dba Craft Lounge; Shi Sushi Restaurant, LLC dba Shi Sushi Spirits; TNT’s Dynamite Bar and Grill, LLC dba TNT Dynamite Bar & Grill; Blazin Wings, Inc dba Buffalo Wild Wings #592; Caldwell Elks Home Association dba Caldwell Elks Lodge #1448; Evergreen Restaurant LLC 1313 dba Outback Steakhouse; (See resolution nos. 20-073, 20-074, and 20-075.)

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:48 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross.

Case nos. 2020-0660 and 2020-0658 do not meet the eligibility criteria for county assistance. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously deny the cases as read into the record.

Liens were presented to the Board for signatures.

Director Baker spoke about case no. 2013-1151 and the request for total lien forgiveness. She presented an outline to the Board of the case along with documentation received pertaining to the case. The Board will review the information provided and consult with legal as necessary.

The meeting concluded at 9:07 a.m. An audio recording is on file in the Commissioners’ Office.

CONSIDER INDIGENT MATTERS

The Board met today at 9:08 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, Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross.

Commissioner Van Beek made a motion to issue final approvals on case nos. 2020-234 and 2020-379. The motion was seconded by Commissioner White and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to continue case no. 2020-357, 2020-392, 2020-326, 2020-457 and 2020-325 to July 16, 2020.

Case nos. 2020-308 and 2020-262 have been withdrawn and upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to issue final denials with written decisions within 30 days.

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

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-378

The Board met today at 9:21 a.m. to conduct a medical indigency hearing for case no. 2020-378. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Lukes, Applicant via teleconference 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. The hearing concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

INDIGENT MATTERS

The Board met today at 9:39 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. Neither the hospital nor the applicant appeared on the following cases: 2020-246, 2020-389 and 2020-195. 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 on the cases as read into the record. The meeting concluded at 9:40 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:01 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, Captain Darin Ward left at 10:05 a.m., Lt. Harold Patchett left at 10:05 a.m., Lt. Ray Talbot left at 10:18

a.m., Deputy P.A. Mike Porter via Webex left at 10:18 a.m., Deputy P.A. Dan Blocksom and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution designating surplus property and donating to the College of Western Idaho: This resolution will allow the Sheriff's Office to donate equipment to the College of Western Idaho (CWI). This equipment is no longer used by the Sheriff's Office and has been replaced with more efficient equipment. CWI will be able to use the equipment for training purposes. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution designating surplus property and donating to the College of Western Idaho (see resolution no. 20-072).

Consider signing FY2020 Coronavirus Emergency Supplemental Funding grant application: Mr. Blocksom gave a brief review of the application stating that they are just asking the Board to approve the application and authorize Lt. Talbot to submit the online application. Lt. Talbot said this is a Coronavirus emergency supplemental funding grant that was released in February; they are soliciting projects specifically designed around prevention or fighting coronavirus. Canyon County qualifies for \$52,089. They have identified a need specifically in their facility to use some ultraviolet light for disinfection of their medical offices, holding cells that are used for medical purposes, areas where inmate property is stored as well as administrative areas of the Sheriff's Office. The remaining funds will be kept in reserve for medical care of inmates assuming that the virus will eventually make its way into the jail. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to approve the application and authorize Lt. Talbot to submit the grant.

Mr. Blocksom spoke about the alcoholic beverage ordinance stating that he will create several options of proposed language. Commissioner Dale said he would like to see the county ordinance mirror the state in allowing flexibility for discretion. Discussion ensued regarding language in the state and city ordinances and wording that the Board would like to see included in the county ordinance.

The meeting concluded at 10:33 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS' EMERGENCY MEETING RE: COVID-19

The Board met today at 1:34 p.m. for an elected officials' emergency meeting regarding COVID-19. Present were: Commissioners Tom Dale and Leslie Van Beek, Sheriff Kieran Donahue, Assessor Brian Stender, Treasurer Tracie Lloyd, Prosecutor Bryan Taylor, Controller Zach Wagoner, SWDH Director Nikki Zogg, Eugene Smith, PIO Joe Decker and EOM Christine Wendelsdorf. Via conference call: Coroner Jennifer Crawford, Caldwell Mayor Garret Nancolas, Parma Mayor Angie Lee, Kirk Carpenter from the City of Nampa, Greenleaf City Clerk Lee Belt, Commissioner Pam White, and Deputy Clerk Monica Reeves. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue. The items were discussed as follows: Sheriff Donahue reported on Pod 6. They are using part of it for the female inmates

and the other part is being held in reserve in the event there is a COVID-19 outbreak in the jail. Now that it's operational they are having a few problems with the hinges not holding the doors properly and the sensors are not giving true readings on when the door is shut or not shut. There are also problems with the doors not latching. They've met with ADS, the manufacturer, about it and facilities staff are sending information to them as well. A conference is scheduled for Monday to get all the players in the room to determine what the fix will be. Commissioner Van Beek asked if ADS will warranty the work. Sheriff Donahue said they will replace the hinges and there will be welding and cutting involved. There has been discussion about why the doors have 2 hinges instead of 3 as the specifications called for. ADS is having Rule Steel do the work. There are some leaks in the roof but the installer has fixed those leaks. Commissioner Van Beek said she observed a substantial leak in Pod 3, and Sheriff Donahue said he's sure staff is addressing it because they are doing a lot of work over there. Facilities staff is addressing issues for efficiencies. Pod 3 will take another 2 ½ to 3 weeks and then staff will move to the other pods. He thinks they will find some of the same issues they've found in Pod 3. Repairs will reduce the exposed risk and improve the environment of the facility. The Administrative District Judge has allowed the Sheriff to bring back some of the SILD workers to help with work at the campus, however, the work release program is still suspended. They will be available for the preparations at the Fair if they are needed, and even with maintenance renovations going on in Pod 3, and Pods, 1, 2, and 4 they will still be able to split those resources between facilities staff to do renovations and those who are needed to do fair preparations if necessary. The jail is the main priority and its safety and operational security are a massive priority. Sheriff Donahue will reiterate to staff who go to the fleet shop that they need to follow the protocols Director Tolman has set up for CDC guidelines, masks, etc., and he encouraged the other elected officials to re-emphasize this to their employees of that as well. Christine Wendelsdorf is working on the reimbursement part of things with the CARES Act and other funds that will become available. She has drafted an email giving further explanation so people have a better understanding as to what's going on with that. Even though things have flattened out they are prepping for the next upswing and making sure they have PPE available for the County as well as other agencies that may not have a supply available to them. They're hoping to have a 3-6 month supply so it's going to be a big number. She has been working with SWDH and trying to get back to the everyday work that has stopped for a little while. Director Nikki Zogg said they are continuing to see low numbers in Canyon County which is good news. She sent an update to elected officials and she's added a histogram for 6 counties and the City of Caldwell and City of Nampa. They are working on developing a data dashboard that provides a summary and a visual of what we're looking at in terms of the number of cases, trends for utilization, and demographic data by age, gender and race. They're starting to see more employers provide testing to employees especially if there is a confirmed case in the workplace and so the health district have been working with questions around that, although right now they are not recommending broad spectrum testing for all employees if there is a confirmed case for several different reasons. The state has been required to submit their testing strategy plans and Idaho just finalized theirs and the Governor will do a press conference tomorrow to share what that strategy is for the state. They are working on mass gathering guidance. Public health district directors and the Department of H&W have been working on what that guidance will look like and they're hoping it will be published tomorrow. Right now it goes through Stage 4 but they are getting a lot of questions about what happens after Stage 4, in July, August and September and

she's hoping they will address that in the guidance. They were asked to review plans for reopening for food establishments and they've had some inquiries about how many people are submitting plans and right now they have received plans for about 35% of the establishments in the district. They don't have any plans to track those people down, although if they receive complaints they will investigate. They are busy with contract tracing; there are three food processing plant facilities in Weiser that have outbreaks in their workplace so they have been busy identifying those contacts and doing contact tracing. They do not conduct contract TRACKING, they do not track people, but they do take an educational approach and follow up with people. Commissioner Van Beek had questions about mass gathering guidelines and the constitutional authority of a health district to interrupt that and override a decision by elected officials to move forward. Prosecutor Taylor doesn't think the health district has, per se, constitutional legal authority, it's more for guidance. The County limits its exposure by trying to follow the guidelines of the experts at the health district, but ultimately the decisions for events like the God and Country Rally or the rodeo, for example, is they can say they will take on that liability. Health districts have statutory authority over food; take example the Fair, they would have legal authority to shut down food vendors just like they have the ability to control the restaurants if they choose. Discussion ensued on this topic. Ultimately when considering the Fair, it's up to the Board to make that decision. Commissioner Van Beek asked how COVID-19 compares to a regular flu season in terms of cases and recovery and deaths. Director Zogg said nationally, the COVID-19 death numbers, compared to a regular flu season, are much higher. We are looking at COVID-19 being around forever so, if you're talking about what has happened in the last two months you cannot compare it to what happens in a flu season seasonally every year, and so those numbers are going to change. Crush the Curve has been doing a lot of antibody testing and what they found in a brief cohort of people they tested is that 2% had tested positive for the antibody so there's still a lot of infection that hasn't happened in our state. Of those that were symptomatic and were the sickest of the sick that went to the state lab, around 10% are actually positive for COVID-19 so there's still a lot of infection that needs to go around in the sense of building that herd immunity between that and where immunization is available eventually. The health district's practice for those who are asymptomatic is just monitoring them, not monitoring contacts around them other than maybe close hospital workers. Commissioner Van Beek had questions about the period of time an asymptomatic person would present from infection to process. Director Zogg said if they tested positive and are asymptomatic the health district might just follow them for 14 days to see if they develop symptoms. On the flip side, some symptomatic patients typically monitor for 14 days but some of them have been symptomatic for 30 days. With regard to the potential exposed liability if there's a fair, Commissioner Dale said there is a statute that covers parks and playground equipment where you cannot sue the city for that and he'd assume that same coverage applies to fairs as well. How would that change and how would we know if their point of contact for COVID-19 was the fair? Prosecutor Taylor said if the health district says mass gatherings should not happen and an entity chooses to ignore that recommendation he thinks even though people are assuming their own risk you potentially expose yourself by having people come to an event. We need to be cognizant and weigh the pros and cons. Assessor Stender asked if those who are asymptomatic should be at home. Director Zogg said if they are asymptomatic and tested positive they should isolate for 14 days, and that's because we know some asymptomatic people are able to transmit infection. She received an email from the Governor's office asking what they recommend regarding moving

some out-of-state jail inmates to an in-state jail. There will be further discussion about it this evening. If we had to receive them they would have to have a rapid test within 8 hours, before they left to make sure they are negative, and upon their entry so that they are not put in with the general population without another rapid test or some type of quarantine from the general population. All the jails have a different ability to accommodate that. Sheriff Donahue asked if that means state inmates coming back to state facilities. They should do the rapid test on both ends and then quarantine them, because that's what the Sheriff's Office does with its staff if they go out of state, they are required to go into quarantine for 14 days upon return with their vacation time. He sees the inquiry as a problem from the state's perspective because they are already limited on room so they are leaving inmates in county jails. He has 60-70 today, and Ada County has 300 so we need them moved out. He spoke with the director and said they need to be moved because our jail is filling up from new arrestees so he questions why they are thinking of bringing inmates from out of state at potential exposure to the prison system itself. He did say there are some county jails who have bed space and are asking for state inmates. Canyon County sent some state inmates to another facility yesterday to try to lessen the pressure. Director Zogg said it looks like extraditions. Sheriff Donahue said that makes it more complex. Commissioner Van Beek had questions regarding the recidivism rate and the need for space for reoffenders. The Sheriff doesn't think we'll see those recidivism rates for a little while because it hasn't got into cycle yet. The space that was made available primarily from our jail perspective was those who were in work release and who go to work during the day and are in the jail at night. We are seeing an uptick in violent crime so our numbers are increasing a little more dramatically than we had hoped for the last two weeks. Discussion ensued about coordination with the judiciary, PA and CCSO. Prosecutor Taylor said they are seeing a massive increase, and the courts have been limiting district judges to two days a week to hold court but in June they anticipate the courts will go back to the normal schedule of 4-5 days per judge. There will be a massive increase in volume. Sheriff Donahue said the ADJ's order did not let people out; he suspended work release sentences and the SILD program for the first 60 days and extended it by 30 days. Commissioner Van Been reported that the County is looking at revising the alcohol ordinance because there's language that's not totally clear, and she welcomed the Sheriff's thoughts on the matter. She also reported Ms. Wendelsdorf has sectioned off 6-foot sections in the Board's meeting room in order to allow for social distancing for meetings/hearings. There are only 17 chairs for the audience. Masks are not required. Those who have access to technology are encouraged to use it in order to save space for those citizens who do not have access to technology. Zach Wagoner reported that the elections office has received ballots back and have gone through the process of opening those ballots and preparing them to be counted and the process is being streamed on YouTube. They have sent out over 43,000 ballots which is unprecedented, and they have to be returned by June 2nd. Discussion ensued about the process used by elections employees and the very efficient, transparent, and streamlined process. Treasurer Lloyd reported that three cashier stations now have temporary plexiglass. The bid for a permanent fixture for five stations is over \$5,500, but given the cost she wants more time to think about it and to see what the next month or two will bring. Assessor Stender reported that ITD is working on a press release and they asked him and Sheriff Donahue to speak about online experience with renewals. He stressed the importance of doing it online, noting that there is a cost associated with it, but there is also a cost to driving to the facility and standing in line too. The DMV online renewal activity is over 200% compared to

what it was a year ago. Sheriff Donahue said they encourage people to use the online services; however, there are more restrictions on the driver's license side given that kids are testing for their permits, and people are seeking a CDL or a star card, etc., and that cannot be done online. We are a couple of months into the backlog and he is happy to see ITD providing online services. He was pleased to see the acknowledgment that the software was the problem, it was not the County's fault. He will include in the FY2021 budget a request to increase the fulltime staff at that facility by two employees. Assessor Stender said between 50,000 and 60,000 assessment notices will soon be mailed. Commissioner Van Beek asked if the Assessor is looking at limiting increases to 5.5%, similar to what Ada County is doing. Assessor Stender said no, the state does a ratio study and they are supposed to be between 90%-110% of market value but the target for everybody is 100% and this year with the uncertainty when they were working on establishing values they shot for 90%. Mayor Nancolas reported that the City of Caldwell is going to start reopening city buildings on June 1st with plexiglass and cleaner and they will resume public hearings. They are following the guidelines and working with Director Zogg and Ms. Wendelsdorf to make sure they are in line with the Governor's stay healthy order. He expressed his appreciation for the work being done and the information being disseminated. Lee Belt said the City of Greenleaf had a WICAP food pantry event at city hall on the 14th and he estimates there were 30-40 families who drove through. WICAP considered it a success so the city will considering doing another one in future months. The City of Greenleaf is still planning on the parade since it's fairly easy to social distance, but the church and school are still working on determining whether they can safely put on their portions of the normal festivities. Director Zogg provided follow up information about asymptomatic cases: the health district follows the same process as they do for symptomatic patients, the only difference is that instead of isolating for 10 days and 3 days with no fever and with symptom improvement, the asymptomatic patients must isolate at home for 10 days from their test date and they actively monitor them daily for symptoms and exclude them from work until they meet release from quarantine criteria, with the exception of some of the essential workers. Sheriff Donahue asked for prayers and support for our law enforcement colleagues in Bonneville County who lost a young deputy on Monday who was killed in the line of duty in a tragic accident. He will attend the funeral in Idaho Falls. He appreciated the support for the recent peace officer memorial where they were able to represent our men and women who died in the line of duty in Idaho and in the U.S. The event was live-streamed with no crowds. Upon the motion of Commissioner Dale and the second by Prosecutor Taylor the meeting concluded at 2:44 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS COMMISSIONERS' OFFICE FY2021 BUDGET

The Board met today at 2:53 p.m. to discuss the Commissioners' Office FY2021 budget. Present were: Commissioners Pam White, Tom Dale (left at 3:45 p.m.) and Leslie Van Beek, Clerk Chris Yamamoto (left at 4:00 p.m.), Controller Zach Wagoner and Deputy Clerk Jenen Ross. The budget lines were reviewed as follows:

- Compensation \$0 increase
- Miscellaneous professional fees \$3500

- Recommended \$2500 for cell phone
- Document shredding \$100
- Copiers contract (per click charges) \$500
- Cell phones \$2500
- Advertising \$17,000
- Postage \$250
- Meals \$2000
- Mileage \$3500
- Taxi \$250
- Parking \$250
- Hotel \$2500
- Gas and oil \$100
- Airfare \$1750
- Car rental \$150
- Education and training \$4000
- Association dues \$300
- Subscriptions \$250
- Misc. \$400
- Office supplies \$750
- Computer equipment \$4800
- Machinery (copier/printer) \$7715
- Small office equipment \$0
- Office furniture \$250

General conversation ensued about funding for community organizations. The meeting concluded at 4:12 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM

CALDWELL, IDAHO MAY 22, 2020

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

ABSENT: Commissioner Tom Dale, Vice Chairman

SAPPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- SHI in the amount of \$20,812.18 for the Information Technology Department
- SHI in the amount of \$54,011.64 for the Information Technology Department
- Data Bank IMX in the amount of \$13,875.00 for the Information Technology Department
- HP, Inc., in the amount of \$1,025.00 for the Information Technology Department
- Data Bank in the amount of \$60,163.81 for the Information Technology Department

APPROVED LIQUOR CATERING PERMIT

The Board approved the following liquor catering permits:

- Moad, LLC dba O'Michael's Pub & Grill for June 13, 2020 (Creekside Affair)
- Moad, LLC dba O'Michael's Pub & Grill for June 18, 2020 (Creekside Affair)
- Moad, LLC dba O'Michael's Pub & Grill for June 20, 2020 (Creekside Affair)
- Moad, LLC dba O'Michael's Pub & Grill for June 20, 2020 (High Desert Station)

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for La Michoacana Mexican Restaurant, LLC dba La Michoacana; Tacos Y Mariscos El Compa, LLC dba Tacos Y Mariscos El Compa; Local First, LLC dba Local First; County Line Wine Company, LLC dba County Line Wine Company; Walmart, Inc., dba Wal-Mart #3739, Walmart #4180, Walmart #2781, Walmart #2780, Walmart Market #4494; Krung Thai Restaurant, LLC dba Krung Thai Restaurant; Thrifty Payless, Inc., dba Rite Aid #5409; and Franklin United, Inc., dba United Oil. (See resolution nos. 20-076 and 20-077.)

MEETING TO RECEIVE AND REVIEW QUARTERLY JAIL INSPECTION REPORT

The Board met today at 9:03 a.m. to receive and review the quarterly jail inspection report. Present were: Commissioners Pam White and Leslie Van Beek, Captain Daren Ward, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves. Deputy P.A. Zach Wesley arrived at 9:10 a.m. Commissioner Tom Dale joined via Webex at 9:11 a.m. Given the COVID-19 pandemic the Board did not conduct a physical inspection/tour of the jail this quarter. The standard form the Board uses on its inspection/tour was sent to Captain Ward and he provided responses to the 20 questions, a copy of which is on file with this day's minute entry. He reported there is nothing out of the ordinary. The renovation is occurring in Pod 3 and progress is going well. Upgrades include new light fixtures and epoxy paint from floor to ceiling which will brighten the living units. They have installed some ball valves so that in the event of flooding in a cell a deputy can turn the water off to the unit without shutting down the entire facility. They have reported some issues with Pod

6 in terms of leaks and problems with the door hinges which have separated and are causing the door to sag and not latch properly, but ADS is looking at the situation to find the best solution. Commissioner Van Beek asked questions of Captain Ward regarding project costs and compliance. Following comments the Board signed the inspection form. The meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

LEGAL STAFF UPDATE AND CONSIDER APPROVING ORDINANCE AND SUMMARY AMENDING CHAPTER 5, ARTICLE 1, ALCOHOLIC BEVERAGES

The Board met today at 9:12 a.m. for a legal staff update and to consider approving an ordinance and summary amending chapter 5, article 1, alcoholic beverages of the Canyon County Code of Ordinances. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Zach Wesley, and Deputy Clerk Monica Reeves. Present via Webex: Commissioner Tom Dale, and Adam Hutchings. Today's discussion centered on the desire for the County's ordinance to have the same flexibility the City of Nampa's ordinance has regarding the ability to grant exceptions to the requirement that premises selling alcoholic beverages must be at least three hundred feet (300') away from any school, college, church, or place of worship. Dan Blocksom presented the Board with several options and following discussion the Board settled on the following language:

SECTION 5. Chapter 5, Article 1, Section 13: Qualifications is hereby amended as follows:

(6) ~~Proposes to license a premises for the sale of liquor by the drink at retail, for consumption on the licensed premises, to serve and sell liquor at retail by the drink at a party or convention which is off the site of the licensed premises, to sell for consumption on the premises draught, bottled or canned beer, and/or to sell wine by the individual glass or open bottle at retail for consumption on the premises that is conducted for pleasure or profit alcoholic beverages as provided in this ordinance that is within three hundred feet (300') of any public school, church or other place of worship, or college, measured in a straight line from the nearest corner of said building to the nearest entrance of the licensed premises where the distance from the proposed premises from schools, churches, places of worship, residential neighborhoods, and colleges does not comply with title 23, Idaho Code. This provision does not apply to licensed premises which preexisted the public school, church or other places of worship or college.~~

Mr. Blocksom left at 9:47 a.m. to prepare a revised document.

As part of the legal staff update Zach Wesley spoke about the email communication regarding letter Pioneer Irrigation District where he proposed a response to the district that would come under his signature but he wanted to make sure the Board concurred with the direction since we're talking about interactions with other governmental entities. Pioneer Irrigation District,

through their attorney, sent protest statements primarily of the Idaho Department of Water Resources guidance on floodway permits for the irrigation districts and asked the County countersign or acknowledge the protest. DSD has been aware of these issues between the irrigation districts, the state and the federal law pertaining to floodways. This was an ongoing issue between the state and federal government and the IDWR resolved it with this guidance but irrigation districts are not happy with it. Rather than countersign the protest, Mr. Wesley's letter will advise that the County has an ordinance in place that allows them to protest individual decisions. They can either protest the permit denial or the interpretation of the ordinance by DSD staff and have that come to the Board. He thinks countersigning the protest may muddy the waters and make it appear they are exempt from our regular processes and could create a legal theory that they don't have to go through judicial review and could sue the County directly for a permit denial. He will acknowledge and point them to where they can do the protest under our ordinance. This doesn't have anything to do with water rights or any existing litigation, he believes it's about the federal law requiring permitting so they know what work is being done and there is a record of it, but the irrigation districts don't want to go through those hoops. IDWR tried to relieve those restrictions from the irrigation districts and they allowed them to get a general permit to conduct their regular maintenance work and not have to go through individual permits for each time they work on a ditch and only required specific permits for larger projects. He thinks there's been some negotiation between the state and federal government about how this can work and not be such a burden on the irrigation districts. The County's role in this is limited and because we have to follow the federal government requirements if we want to have the insurance program in place, flood insurance specifically. The County has built its ordinance in a way that we are not taking sides on this issue. The Board is in support the letter Mr. Wesley has prepared.

Mr. Blocksom returned at 9:54 a.m. with the revised draft ordinance that included the first option he presented to the Board. Chairman White read the amended language into the record as follows:

SECTION 5. Chapter 5, Article 1, Section 13: Qualifications is hereby amended as follows:

Proposes to license a premises for the sale of alcoholic beverages as provided in this ordinance where the distance from the proposed premises from schools, churches, places of worship, residential neighborhoods, and colleges does not comply with title 23, Idaho Code.

Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to approve the ordinance, Chapter 5, Article 1, Section 13, Sub-Section 6 as presented. (See Ordinance No. 20-008.) Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to approve the newspaper publication and summary of the ordinance. Commissioner Dale authorized the use of his stamp on the documents.

The meeting concluded at 9:59 a.m. An audio recording is on file in the Commissioners' Office.

MEET WITH IT DIRECTOR REGARDING CANYON COUNTY MICROSOFT AUDIT CLOSURE

The Board met today at 10:01 a.m. with the IT Director regarding Canyon County Microsoft audit closure. Present were: Commissioners Pam White and Leslie Van Beek, IT Director Greg Rast, Assistant IT Director Eric Jensen, IT Business Manager Caitlin Pendell, Sgt. Rob Whitney, Controller Zach Wagoner, Deputy P.A. Zach Wesley, Deputy P.A. Dan Blocksom, Don Dutton via Webex, and Deputy Clerk Monica Reeves. The Microsoft audit started on December 19, 2019 and extended into May of 2020. Director Rast spoke about where the costs come from and the outcome of the audit itself. He submitted the following purchase orders for approval:

- SHI – in the amount of \$20,812.18 for the Microsoft audit fee, which are fees the County is responsible for in order to be in compliance
- SHI – in the amount of \$54,011.64 for licensing compliance and it includes the products that are on the network that we are responsible for licensing. Through the audit he is reducing 34 products to 25 because he has found software packages that haven't been used to their full extent so he's going to remove them for a cost saving.

He is pleased to report the County has zero fines associated with the audit, which came from the proof of non-negligence. In 2015 he projected we were about half a million dollars behind in licensing and he wanted to stretch that cost over 5 years so he put in a five-year plan to come into compliance. The agreements are on three-year terms so every third year he goes to Microsoft and requests licenses and that cost is split into three years. He projects from 2020 to 2023 the costs will be \$273,000. Director Rast reported that in 2015 we spent \$134,000 additional dollars; in 2016 we spent nearly \$58,000; in 2017 we spent \$840; in 2018 we spent \$8,000; in 2019 we spent \$37,000; and in 2020 we spent \$120,000, and that's what has proven non-negligence because they saw our trend of purchasing as coming into compliance. With all of that we are now in compliance. There were no fees, no fines, and no penalties and that's a huge win because Microsoft penalties start at \$250,000. Rob Whitney said from the audit they learned quite a bit about software, which is extremely convoluted in some of the wording and licensing and it's a fulltime job to track what's out there on the network. Director Rast referenced the memo he provided to Microsoft acknowledging some of the shortcomings on our licensing, and it includes his remediation plan and it fulfilled the County's requirements of the audit. (A copy of the memo is on file with this day's minute entry.) Commissioners Van Beek and White expressed their appreciation to Director Rast for a job well done, and they approved the purchase orders that were submitted.

Director Rast said he's put \$20,000 in IT to provide COVID telework, VPN, and equipment, which is really good. His staff has been redlined for two months with the telework, the work associated with the Supreme Court's order, and the Webex implementation, and with the 1% equity he has leftover he wants to approach the Controller in July to disperse that and split it for those employees who've been working weekends and long nights to get things going.

The meeting concluded at 10:30 a.m. An audio recording is on file in the Commissioners' Office.

FILE TREASURER'S MONTHLY REPORT IN MINUTES

The Board filed the Treasurer's monthly report for the period of April 1, 2020 through April 30, 2020.

MAY 2020 TERM

CALDWELL, IDAHO MAY 26, 2020

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Caldwell Glass in the amount of \$7,462.58 for the Prosecutor's Office
- Hyland Training in the amount of \$2,500.00 for the Information Technology Department

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Precept Brands, LLC dba Ste. Chapelle Winery/Sawtooth Winery; Crescent Brewery, LLC dba Crescent Brewery; Sol Invictus Vineyard, LLC dba Sol Invictus Vineyard; Shewil, LLC dba Slick's Bar; City of Nampa dba Ridgecrest Golf Club. (See resolution nos. 20-078, 20-079.)

MEETING TO CONSIDER ACTION ITEM

The Board met today at 9:01 a.m. to consider an action item. Present were: Commissioner Pam White, Tom Dale and Leslie Van Beek and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing a resolution granting a new alcoholic beverage license to Grocery Outlet of Nampa:

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to Grocery Outlet of Nampa. See resolution no. 20-080.

The meeting concluded at 9:02 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY GRANT AND BARBARA PETERSON FOR A REZONE, CASE NO. RZ2020-0001

The Board met today at 10:00 a.m. to conduct a public hearing in the matter of a request by Grant and Barbara Peterson for a rezone, Case No. RZ2020-0001. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Grant Peterson, Deputy P.A. Zach Wesley, Assistant IT Director Eric Jensen, and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson and DSD Planner Dan Lister. Dan Lister gave the oral staff report. The applicant is seeking a rezone from an "A" (Agricultural) zone to an R-R (Rural Residential) zone. The parcel comes from an older subdivision, Grant Acres Subdivision created in 2009. In 2018 another subdivision created two 2-acre lots, and what the applicant is requesting is something similar to those that were previously approved. It is similar to what is surrounding the property. There are 11 subdivisions in the surrounding area. The property is considered moderately suited soils and prime farm land if irrigated. The property is four acres and does not qualify for an agricultural exemption and is not being used for agricultural use. Agency comments were received, and review will be required at the time of platting. No comments were received in opposition. Commissioner Van Beek had questions regarding the requirements for an agricultural exemption. Grant Peterson testified in favor of his request and said no land under five acres can be classified as agricultural so he fails to see how his land can be agricultural and residential at the same time. He pays property taxes based on the residential classification. According to Mr. Peterson he is going to abandon the idea to split the land; he will rezone it, but he will not split a portion off. Commissioner Dale said changing from an agricultural designation to rural residential does allow in the future that there could be a two-acre lot separate from this lot. Following testimony, Commissioner Dale made a motion to close public testimony. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Dale said the rezone makes sense for this area and the rural residential designation will allow two acre minimum lot sizes for whatever Mr. Peterson wants to do with his property. He then made a motion to grant the request from an "A" (Agricultural) Zone to an "R-R" (Rural Residential) Zone, as well as approve the FCO's and the ordinance. The motion was seconded by Commissioner Van Beek for discussion. She asked staff for clarification in terms of cost if he chooses not to take the split right now. Mr. Lister said the applicant doesn't have an administrative land division so it has to go through the platting process to divide it. Following discussion, the motion carried unanimously. (See Ordinance No. 20-009.) The hearing concluded at 10:18 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY PURPLE SAGE ESTATES NO. 4, CASE NO. SD2019-0043

The Board met today at 10:30 a.m. to conduct a public hearing in the matter of a request by Hess Properties for preliminary plat approval for Purple Sage Estates No. 4, Case No. SD2019-0043. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida, Stephanie Leonard, Tyler Hess and Deputy P.A. Zach Wesley. Jenn Almeida gave the oral staff report. The property is currently zoned R-1 single family and all lots meet the average minimum lot size. The property is designated as residential and is located in the Middleton impact area. The subdivision will contain 24 residential lots and one common lot, and it will utilize individual domestic wells and septic systems as well as a pressurized irrigation systems and an internal public road. Keller and Associates has reviewed the plat and all recommendations were added as conditions of approval. Canyon Highway District provided requested revisions and they have met those requirements and those items were noted on the plat. A final traffic impact study has to be provided prior to final plat approval with the proposed conditions of approval. The P&Z Commission and staff are recommending approval. Stephanie Leonard gave testimony on behalf of the applicant. This is the fourth phase of Purple Sage Estates and consists of approximately 33 acres and is zoned R-1. They are proposing 24 single-family lots and one a common lot which will include a drainage pond and the pressurized irrigation system. The average lot size is 48,000 square feet, just over 1 acre. Ms. Leonard explained the internal road system. They will work Southwest District Health and make adjustments based on their requirements. They have met with Canyon Highway District on what they want to be studied. They have a draft version of the study, but they are still reviewing it and going through the details. Following her report, Ms. Leonard responded to questions from the Board. Tyler Hess testified in favor of the preliminary plat. He is the project developer and this is the fourth phase of the project and it's an extension of the other phases that have done well in the area. Beautiful homes are being built and they have been working with engineers with staffs help and with the highway district. They have met all requirements on this property. They are currently working on Phase 5 of the project. Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board's deliberation Commissioner Dale made a motion to approve the preliminary plat, irrigation plan and drainage plan for Purple Sage Estates, SD2019-0043. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:54 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – PRELIMINARY PLAT FOR BOULDER CREEK SUBDIVISION, CASE NO. SD2019-0004

The Board met today at 11:00 a.m. to conduct a public hearing in the matter of a request by Troy Young for preliminary plat approval of Boulder Creek Subdivision, Case No. SD2019-0004. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek and Deputy Clerk Monica Reeves. Via Webex: DSD Planner Jennifer Almeida, Derritt Kerner, Grayth Sielaff, Marcy Field, Bruce Field, and Troy Young. Jenn Almeida gave the oral staff report. The property is currently zoned R-1 Single Family Residential, and is designated as residential on the future land use pap and is located within Middleton's impact area. The project contains six residential lots and one private road lot

and will be served by individual domestic wells, septic systems, and an internal private road. Keller and Associates has reviewed the preliminary plat and their items were added as conditions of approval. No written opposition to the plat was received. The subdivision was found to meet Idaho Code and zoning ordinance requirements. The P&Z Commission and staff are recommending approval along with the proposed conditions of approval as outlined in Exhibit No. 1 of the staff report. The P&Z Commission recommended Condition No. 7 requiring a 6-foot privacy fence to be installed on the eastern property line of Lot 5 and 6. The applicant submitted a letter in response to that after the hearing. Staff is recommending that condition not be imposed because the applicant as well as the adjoining property owners do not want the fence. Following her report Ms. Almeida responded to questions from the Board. Derritt Kerner gave testimony regarding the plans for irrigation and drainage for the property. It will be a nice subdivision with nice features. Following testimony, Commissioner Dale made a motion to close public testimony. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board's deliberation Commissioner Dale made a motion to approve the preliminary plat, irrigation plan, and drainage plan for Boulder Creek Subdivision, and he proposed that the fence requirement be eliminated. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 11:16 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY JESSICA SKINNER, REPRESENTING KEN & CHEYENNE MORTENSEN FOR A REZONE, CASE NO. RZ2019-0034

The Board met today 2:30 p.m. to conduct a public hearing in the matter of a request by Jessica Skinner, representing Ken and Cheyenne Mortensen for a rezone, Case No. RZ2019-0034. The applicant is requesting to rezone parcels R34445012A (1.27 acres), R34445012A1 (7.08 acres), and R34445012A2 (33.38 acres) from an "A" (Agricultural) zone to an R-1 (Single Family Residential) zone. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek Deputy P.A. Zach Wesley, Alan Mills, Keri Smith-Sigman, Nick Hylton, Jessica Skinner, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister, Janet Gregory, Becky Crofts and Bruce Bayne from the City of Middleton, Ray Waltemate, Dan and Sherie Crossley, and Garren Apple.

Dan Lister gave the oral staff report. In 1991 a conditional use permit was approved for a game bird operation on this parcel. On July 18, 2019 the rezone came before the P&Z Commission, however, it was withdrawn to seek a review by the new Mayor of Middleton. The area is predominately zoned agricultural and rural residential. The comprehensive plan designates the parcel as residential. Middleton's future land use map designates the area for residential uses. The city is working on extending the sewer south of the property. Four subdivisions are adjacent to the property. Of the 37 subdivisions within the general area, 14 are within the city limits. The majority of the property contains moderately suited soil and is considered prime farmland if irrigated. The parcels are located outside the City of Middleton where residential growth is not anticipated. The parcels are located within a 480-acre traffic analysis zone. The parcels are located within a nitrate priority area, and wells in the area indicate there are nitrate issues in the water,

however, they do not exceed DEQ's thresholds. Staff finds that all required findings in accordance with the zoning ordinance cannot be made as demonstrated in the staff report. The comprehensive plan encourages residential development and growth to be located where public infrastructure and facilities are available. The City of Middleton opposes the rezone because it promotes residential sprawl outside the city limits where services are available, therefore, staff recommends denial of this request which is in compliance with the P&Z Commission's recommendation to the Board. Following his report, Mr. Lister responded to questions from the Board.

The following people testified in support of the request:

Jessica Skinner testified that when Faisan Subdivision obtained plat approval, they said it would cost \$7 million to take a sewer from 9th Street to their subdivision. Staff said the property is contiguous but Ms. Skinner said there is commercial property between the subject property and the high school. The comprehensive plan says to encourage a variety of housing choices, but in the Middleton area there are only two one-acre parcels on the market today so there is a need for this diversity. There are seven parcels just over one-acre in size. The property is across from the high school and there is no reason it cannot be developed. The R-1 zoning will have a lot less impact than a higher density project. A nutrient pathogen study has been conducted and it indicated approval of up to 45 homes.

Nick Hylton testified that he represents the neighbors along the north roundabout area on Willis Road and they are in support of this request. Traffic is a big issue and the City of Middleton is encouraging higher density with three houses per acre if the property is annexed. The property will support wells and septic systems. Mr. Hylton's biggest concern is the high-density use in front of the high school.

Keri Smith-Sigman testified that the request is a perfect fit for the area. R-1 standards are to promote and enhance single-family and low-density standards. This is a good transition into an area that is rural in nature and still provides for a rural lifestyle, versus the high-density the neighboring communities do not support. She referred to previous staff reports that support similar requests. She said there are no standards in the ordinance that mandate a full parcel rezone request, nor does the zoning ordinance contain a definition of *contiguous*. The application was for a partial parcel and the Board should be looking at this as not contiguous and if the Board doesn't want to look at it as contiguous it should look at other decisions that were made that allow for properties to be rezoned, rather than force annexation.

Alan Mills read a letter of support from Rick Fried, a current P&Z Commissioner who recused himself from the underlying hearing and his letter stated the request is consistent with the area and the comprehensive plan. The two major organizations that oppose the request do so with a recommendation to connect to city services, but that implies annexation which further implies forcing the property owner to annex to gain approval of the rezone. The city should consider partnering with the property owner. Mr. Mills gave a history of the property and the way the impact area came about and how there were fears of taxation and regulation without

representation and here we are today with heavy pressure being applied by the City of Middleton. He spoke about the sewer location that stops at Emmett Road. He said attorney Danny Bower attended P&Z Commission meeting and made it very clear this is not contiguous, there is a distinct difference – it is not contiguous to the city of Middleton. This is a classic infill project and if you put the city here there will be an enclave. The whole neighborhood wants R-1 zoning and they are opposed to forced annexation. Mr. Mills said the staff report is opposite of several cases that were approved and are very similar to this property. This seems to be arbitrary. He responded to questions from the Board following his testimony.

Dan Crossley testified he is in support of the R-1 zoning for the reasons stated. The biggest issue is the traffic between the two roundabouts; it does not make sense to put high density on the subject property due to traffic concerns.

Garren Apple stated he is in favor of the rezone and not allowing the city to annex.

Janet Gregory took a neutral position on this request but she did not offer testimony.

The following people testified in opposition to the request:

Bruce Bayne, who offered testimony on behalf of the City of Middleton; directed the Board to previous letters submitted by the city and he asked them to be consistent with the P&Z Commission who denied the application. The property is contiguous to the city limits. Misinformation has been spoken today. Regarding the sewer line that is 1,350 feet away from the property, the city has plans done to get the line in. It costs \$70 a lineal foot so that entire price is under \$100,000, not millions of dollars as was stated. Taxes are paid to the county not the city – the city has R-1 zoning and if the applicants want to annex they will give them R-1 zoning just as the county would. There is a city well on the NE corner of Emmett Road and 9th Street and 40 more homes will be competing against that well. Taxpayers out there are not paying a dime to the city of Middleton. The City's area of impact is Highway 84, it's not Emmett Road. This is in the city's area of impact. The entire property will sewer to the east to Emmett Road and down to 9th Street to the existing city sewer. If there are other projects farther away from the city they do not object to those going into the county because they cannot service them at this time. This case differs from others because it is contiguous to the city. This blocks the city going to the west – any project contiguous to the city will block it in one fashion or another. Following his testimony, Mr. Bayne responded to questions from the Board.

Commissioner Van Beek said the commercial piece is not contiguous because it's not a part of what we are considering today. She asked where is then point of contiguous, excluding the 10 acres that are not part of this decision. Mr. Bayne said the part that is contiguous is on Emmett Road. Commissioner Dale said there seems to be a disagreement in the definition of contiguity. The letter from the city requests conditions if the Board approves: connect to water system and extend the sewer to and through the project. Mr. Bayne said the water line is already there and the system will put in the sewer at their cost, but once it gets to the property line than the owner

must continue it to and through their property. He said developers are shifting that upfront cost to the homeowners which is why they want to develop in the county.

Dan Lister responded to questions from the Board regarding contiguity. It is one big parcel and if they don't want it to be contiguous they will have to split the 10 acres off so it's not contiguous to the city, but they didn't do that. It is contiguous to city services land-wise.

Zach Wesley responded to questions from Commissioner Van Beek regarding the letter from Danny Bower, and he said the discussion is outside the scope of what the Board is being asked to consider today with this rezone. The question is will you approve the zoning with water and sewer prepared by the individuals, or are you going to require they use the city services. The question of whether they are on the border becomes a question when they are negotiating with the city for services and what fees they will pay. The question of annexation is not before the Board yet, so Mr. Wesley does not want to spend too much time getting lost in the weeds on this because it's not something the Board needs to decide today.

Ray Waltemate said it was explained well that the land is contiguous, and the zoning within that land is irrelevant to the contiguousness of Emmett Road and where the property actually sits.

Rebuttal testimony was offered by Alan Mills. There are impact fees being considered right now. They are in the impact area and are paying the Greater Middleton Parks and Recreation District. It's easier said than done to pay for services. There are no lack for city lots and the property the City of Middleton has annexed is underdeveloped. There are those who want a rural lifestyle and our comprehensive plan encourages a diversity of lifestyles and home styles and you would be fulfilling that greatly with this application. This property will sewer but it won't go west so what do we accomplish by getting that far but not being able to go farther, it doesn't work. This will not block any growth through Middleton. He took exception with the statement there are differences in the other applications for similar projects in the area, all are contiguous to the city limits but there was no question of contiguity. The only difference is the staff report and the direction it's going. You have to be careful bringing services to this project because of the code regarding implied consent - if you do hook up to water and sewer. This should not be about whether the property is contiguous and it should be about what is the most appropriate and what do the people who live there want.

Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Van Beek said some of the most credible testimony received was from Alan Mills and Rick Fried's letter and looking at what we have done in the past where we did not require Faisan Subdivision to connect to city services. This project has a tremendous amount of support from the surrounding people. R-1 cannot pay for those services is correct. Personal property rights must be considered and annexation is not wanted by the property owner. She is in favor of this request. Commissioner Dale supports the request but said there were comments made that need to be addressed: urban style development belongs within a city limit and that principal is consistent and needs to be maintained because it makes greater use of the land available by putting more homes on it. These

one-acre lots are not urban style development. He doesn't know that a single home on a one-acre lot is an efficient use of a sewer system. He agrees that even though water/sewer are available it's probably not the best use. We have set a precedent in this area with the types of properties already permitted and it would be somewhat inconsistent to say we cannot do this one. Commissioner White said each case is different and deserves an open mind. This project is compatible with the area, and a compelling fact is it won't go west. She is in favor of the request. Following the Board's deliberation Commissioner White, made a motion to approve the rezone request from "A" (Agricultural) to "R-1" (Single-Family Residential) with a one-acre average minimum lot size for Ken and Cheyenne Mortensen represented by Alan Mills and Jessica Skinner, Case No. RZ2019-0034. The motion was seconded by Commissioner Dale and carried unanimously. The Board will consider the written FCO's and ordinance on June 2, 2020 at 10:00 a.m. The hearing concluded at 4:15 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2020 TERM

CALDWELL, IDAHO MAY 27, 2020

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

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Treasure Valley Road Runners, LLC dba The Tower Grill; Dashmesh, LLC dba Friendly Fred's (See resolution nos. 20-081 and 20-082.)

PUBLIC HEARING – APPEAL BY DANDREW WINE, LLC FOR A CUP, CASE NO. CU2019-0029

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of an appeal by Dandrew Wine, LLC, for a Conditional Use Permit (CUP), Case No. CU2019-0029. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Keri Smith-Sigman, Valerie Armas, and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Daniel Kezner, Michael Kuhn, Patrick Williamson, and Sarah Gross. Jennifer Almeida gave the oral staff report. The subject property is approximately 40.22 acres and is currently zoned agriculture and the future land use is agriculture. The applicant is appealing the P&Z Commission's denial of a CUP for a yurt camping facility on the subject property as an accessory use to a special event. The applicant is requesting six yurt sites proposed for short-

term overnight stays. The applicant has submitted a letter stating they want to add a seventh yurt site for a camp host, but staff is recommending a condition of approval requiring that the camp host should occupy one of the six yurt sites they are requesting. Staff is not in favor of adding an additional yurt site for a camp host. Guests would be limited to a 7-day stay, and no traditional tent camping or RV camping is allowed on site. Staff finds the request complies with the standards of evaluation for the CUP, subject to the recommended conditions noted in the staff report. Following her report, Ms. Almeida responded to questions from the Board. Daniel Kezner testified the overall plan is to provide six yurts that would allow for the overnight stay of winery guests and guests of the wine region. It will be a simple operation with a nice place for people to stay overnight. The yurts are off-the-grid tents and are self-contained. He addressed the issue of cleaning of the ponds and the yurts, as well as the plans to install a fence along the north side of the property. They have requested seven yurts to maintain the viability of the business by adding a person who will be there 24/7 to provide oversight of the property and events. Mr. Kezner responded to questions from the Board. Valerie Armas testified that she is the coordinator for the Sunnyslope Wine Trail and she also works for Destination Caldwell and she supports the request by Precept Wines to add yurts because it will help to enhance tourism and promote the wine/agricultural area. Keri Smith-Sigman is the CEO of Destination Caldwell and for the last seven years they have worked hard to identify Caldwell and Canyon County as a premier gathering place and focus on tourism. Canyon County, specifically Caldwell, has a very large economic leakage problem where people take their money and spend it in other communities and so their mission has been to support the agricultural industry, including the wine industry and requests such as this has been to improve the Sunnyslope Wine Trail and it's incredible value. She strongly supports the request. Michael Kuhn is a contractor working on the project and he said they have had extensive conversations with the homeowners and they are planning to extend the fence along the boundary. Ste. Chappelle Winery does the contracts for the private venue rentals and they have hired a staff member who will be on site during all events and they will have additional security to take care of the issues Patrick Williamson is concerned about. He said there were issues with private parties that ran too late and so the contracts have been redone and the renters will be fined extensively if they are not off the property by 11:00 p.m. Sarah Gross testified on behalf of Adventure Trail and they are excited about this proposal because it will help promote staycations. Patrick Williamson offered neutral testimony and voiced concerns on behalf of his family's orchard business. There has been a lack of communication with the applicant, although he does appreciate the plans to install a fence. He has no problem with the request for seven yurts as long as there is an onsite manager to answer calls after hours due to previous problems with music going until 1:00 a.m. for private events. He is concerned about the stench from the ponds which is caused by the yeast that gets dumped down the drain, but he was told they are fixing the problem. There are also concerns with people trespassing on his property which could cause problems when crop dusters spray orchards in the middle of the night. Rebuttal testimony was offered by Daniel Kezner who stated they will add a no ATV rule to their overnight stay contract and rules of the grounds. If guests are travelling in an RV they can park on site but the RV cannot be on at night because the air conditioning units are noisy and they don't want to create noise issues for the neighbors. The yurts will close the end of November through March; however, if a group wants to rent a yurt in December for a holiday they would entertain that idea, but for the most part they want to compact it to the high tourism. Mr. Kezner responded to additional

questions from the Board. Following testimony, Commissioner Van Beek made a motion to close public testimony. The motion was seconded by Commissioner Dale and carried unanimously. Commissioner Dale supports the request as it's a unique and creative idea and he doesn't see how it will interfere with other uses out there. He has no problem with the request for a seventh yurt. Perhaps fences could be put around the yurts if needed. He likes that there will be no ATV use allowed on the grounds. The pond is not pertinent to this discussion although it would be to the benefit of the landowner to make sure an odor is not drifting down to the yurts. Commissioner Van Beek said a wrought iron fence would be aesthetically pleasing, and she asked for legal counsel to weigh in on the right to farm act in this case. Deputy P.A. Zach Wesley said the Board can impose conditions on the use of the yurts that may be related to the farming activity. There could be an advisory statement that the right to farm laws exist and people should be aware they are not to interfere with farming activity and that could be included in their rental agreement. Commissioner Van Beek said having a plan presented from Precept Wine on the fence and what that would look like along with some landscaping would make it aesthetically pleasing for both parties. She likes the plan to have an onsite manager, and the restriction on ATV's. Having an odor cannot be good for a scenic byway so there should be no dumping of yeast. She believes this is a good project and communication is the way to make it work. Commissioner White said this could be in the forefront for the wine trail and open amazing new doors. She appreciates that the Williamsons took time to voice concerns and the applicant's willingness to come together with the neighbors and make this a destination venture. Ms. Almeida said the CUP that was approved for the restaurant requires the applicant to submit a site plan that includes the fence location and type of fencing prior to getting a building permit for the restaurant. Discussion during the underlying hearing was centered on completing the fence along the northern boundary. She does not know if ATV's should be restricted entirely in case the property owner uses an ATV in the maintenance of the site. She suggested a condition that there shall be no ATV use by yurt users on the property. Following the Board's deliberation Commissioner Dale made a motion to approve the CUP for an accessory use of the special events facility, including 6-unit camping area for yurts plus one unit for an onsite manager for a total of 7 units, but one is reserved for the manager and it's not to be rented and it would include the condition of submitting a fence plan and installing fence prior to the use of the yurts. There shall be a notice of right to farm. There shall be an onsite manager when anyone rents or occupies a yurt. The hours of operation will be from 10:00 p.m. to 8:00 a.m. There shall be no ATV use by yurt users on the property and this restriction shall be included in the yurt rental contract. Prior to initiating the use, the applicant shall submit a fencing plan to DSD which includes the location and type of fencing. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 3:15 p.m. An audio recording is on file in the Commissioners' Office.

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Waxie Sanitary Supply in the amount of \$7,541.39 for the Facilities Department
- Caldwell Glass in the amount of \$10,833.49 for the Clerk's Office (Courts)

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for Caldwell Housing Authority dba Farmway Store; Eva Contreras De Cuevas dba Tacos El Centro; Tacos Colimas, LLC dba Tacos Colimas; Kerry Hill Winery, LLC dba Kerry Hill Winery; The Orchard House, Inc., dba The Orchard House; The Idaho Golf Partners, Inc., Timberstone Golf Course; and Valley Wide Cooperative, Inc., dba Valley Country Store. (See resolution nos. 20-083 and 20-084.)

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:48 a.m. to consider indigent decisions. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. The following cases do not meet the eligibility criteria for county assistance: 2020-0681, 2020-0682, 2020-0661, 2020-0685, 2020-0662, 2020-0762, 2020-0659 and 2020-0663. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to issue written decisions within 30 days on the cases read into the record. Director Baker said she has a complete release of financial lien along with other liens for Board signature but she did not bring a notary to witness signatures so she will bring those back at a later time. The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – ROGER AND DONNA GOFF'S REQUEST FOR A REZONE, CASE NO. RZ2019-0041

The Board met today at 10:01 a.m. to conduct a public hearing in the matter of a request by Roger and Donna Goff for a rezone, Case No. RZ2019-0041. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Dan Lister, Deputy P.A. Zach Wesley, Roger and Donna Goff, Brad Goff, and Keri Smith-Sigman, and Vicki Nay. Dan Lister gave the oral staff report. The applicants are requesting to rezone Parcel No. R35120010 (18.7 acres) from an "A" (Agricultural) zone to an

“R-R” (Rural Residential) zone. In 2018 the Goffs tried to annex the parcel into the City of Caldwell believing they had an annexation path, however, after going through the process it was decided it was only contiguous by a narrow strip and therefore not accepted. However, since that time there is now an annexation path, it is adjacent to city limits, but the Goffs do not want to annex their property. The Caldwell Engineering Department stated there are services along Marble Front Road but no services along Lincoln Road. If approved, the city will require road improvements and dedications as part of the platting process. Staff received a letter and testimony from Jerome Mapp from the Caldwell P&Z Department who is recommending denial as he believes the property should be annexed into the City of Caldwell and connected to city services. Agency requirements will have to be met. Based on the city’s concerns the applicants have said they are willing to enter into a development agreement to limit the division of this property to three lots, approximately six acres each. The lots are big enough to where in the future if they want to divide it or sell off they could easily annex it into the city and they would have enough room to re-develop. The P&Z Commission recommended approval of the request without a development agreement. Staff is recommending approval subject to the development agreement. Commissioner Van Beek had questions for staff regarding the city’s position on this case. Director Nilsson added some history on staff’s conversation while working with the city. The Goffs are really concerned about having to build road improvements for three large parcels and staff feels that should happen when they redevelop at some point. Staff has worked extensively with city staff to try to meet the city’s need to not block growth but let the interim development happen in a way so it doesn’t block the city from growing. They will work with the city to make sure utility easements are reserved for the extension of services into the future, and upon annexation the development agreement will go away. When the plat comes to the Board they anticipate a request to waive improvements for the three parcels. While it’s still uncertain what the city will require them to do, staff has told the Goffs that the Board is the ultimate authority to approve a waiver of road improvements and landscaping. The Goffs have not been provided a process from the city to request waivers and the engineer doesn’t believe he can do that because it’s not in the city code. Brad Goff testified that their plan is to have three 6-acre lots for family use that leaves room for agricultural farming. He said they signed the development agreement but there is some confusion. They applied for rural residential and they want to stick with that without being locked in a box in the future. They want to focus on the rural residential approval now, but have the Board know the intent is for three parcels for their family. Mr. Lister said the development agreement locks them in to three lots only and it’s based on concerns by the City of Caldwell. The Board has the option to go with the development agreement which will lock it to three lots or to fully rezone to rural residential which will allow up to nine lots. Donna Goff testified that their intent is to have three lots and she does not want to be locked into something that prohibits her grandkids from building there down the road. She prefers a straight rezone as opposed to a conditional rezone. They do not intend to further develop at this time, but down the road she doesn’t want to have to go through this again. They have already spent \$17,000 trying to get this through the city and it was a nightmare. Their current farmer has been farming the property since 1999 and she wants a farm exemption which is why they are seeking 6-acre lots. Roger Goff testified that they purchased the property with the intent to move there later in life. Keri Smith-Sigman testified in support of the request and said we need to look at whether the rezone fits the area. She understands where staff is coming from on the development agreement but the comprehensive plan shows this as residential. Staff’s

analysis is correct, the rezone fits. The Goffs intentions are for rural development and she questions why staff wants to impose a development agreement on a straight rezone. Vicki Nay testified in favor of the request. She purchased her property from Ryan Goff and she likes the variety of uses in the area. Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Dale stated he is in favor of this, but he is sensitive to the City of Caldwell's expansion and master plan. He said the platting process will include the three lots and in the future it can be modified but it will require re-platting. Director Nilsson was asked to speak to the issue of having a DA on a straight rezone. She said it's a tool they use more often outside areas of impact where people have used their land divisions and want just one more and that's a way we can restrict the additional entitlement to match their desire without opening up the whole subdivision. It helps give the agencies confidence of what they can require because then they understand what is the total potential development and they can match their requirements to that. Commissioner Dale said forced annexations can only happen once the entire property is surrounded by the city limits. The impact area does not qualify for a forced annexation. He believes the Goffs want three lots, and in some ways there is not a need for the development agreement because the plat would lock them into three lots for right now. In the future if they want to sell property that will come back to the Board for evaluation. Commissioner Van Beek supports the application but she is not in favor of a development agreement. She is a fan of the city and respects their right to develop but the land still belongs to the property owner and they have expressed a desire to not be bound by a development agreement. There will be additional requirements for platting if they choose at some point in time, and there is good faith on both sides that the applicant will present a plan they have outlined. Commissioner White is in favor of this request and she does not believe there should be a development agreement. Following the Board's deliberation Commissioner Van Beek made a motion to approve the rezone of Parcel No. 35120010 from an "A" (Agricultural) Zone to "RR" (Rural Residential) zone without a development agreement. The motion was seconded by Commissioner Dale and carried unanimously. Staff will revise the findings of fact, conclusions of law and order bring them back at a later date. The hearing concluded at 10:59 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY KATHI WANGSGARD FOR A REZONE, CASE NO. RZ2019-0040

The Board met today at 11:03 a.m. to conduct a public hearing in the matter of a request by Kathi Wangsgard for a rezone, Case No. RZ2019-0040. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, and Deputy Clerk Monica Reeves. Present via Webex: DSD Planner Jennifer Almeida, Kathi Wangsgard, and Deputy PA Zach Wesley. Jennifer Almeida gave the oral staff report. The subject property is 2.37 acres and is currently zoned agricultural. The proposed rezone is consistent with the future land use of the area; the surrounding area is residential and agriculture, and there are 33 platted subdivisions within one mile. Staff has reviewed the request and found that it meets the standards of review for zoning amendment and is harmonious with the comprehensive plan map. The P&Z Commission recommended approval of the request on February 20, 2020. Staff is recommending approval of the request. Kathi Wangsgard is seeking the rezone so her son can build a home on the property.

Following testimony, Commissioner Dale made a motion to close the public hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board's deliberation Commissioner Dale made a motion to approve the request from an "A" (Agricultural) Zone to an "R-1" (Single Family) Zone, as well as approve the FCO's and the ordinance. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 20-010.) The hearing concluded at 11:09 a.m. An audio recording is on file in the Commissioners' Office.

ELECTED OFFICIALS MEETING TO DISCUSS COVID-19 UPDATES

The Board met today at 1:33 p.m. with Elected Officials to discuss COVID-19 updates. Present were: Commissioners Pam White and Tom Dale, Treasurer Tracie Lloyd, Sheriff Kieran Donahue, Controller Zach Wagoner, Prosecutor Bryan Taylor arrived at 1:37 p.m., Clerk Chris Yamamoto arrived at 1:58 p.m., Assessor Brian Stender arrived at 2:10 p.m., PIO Joe Decker, EOM Christine Wendelsdorf, Eugene Smith for SWDH and Deputy Clerk Jenen Ross. Participated via teleconference: Commissioner Leslie Van Beek (joined at 1:40 p.m.), Corner Jennifer Crawford, Caldwell Fire Chief Mark Wendelsdorf (left at 2:05 p.m.), City of Greenleaf Mayor Brad Holton (joined at 1:40 p.m.) and City of Wilder Mayor Steve Rhodes (joined at 2:13 p.m.).

Sheriff Donahue gave an update on pod 6 stating that the door hinges are failing causing problems with shutting and locking. They met on Tuesday with ADS and maintenance and thought there was a fix in place. ADS came up with a solution to create the new hinges, however, they found out this morning that there is an 8-9 week delay in getting the hinges made. Since there is no time to wait Rule Steel will order in the hinges and ADS may still come out to oversee the change out of the hinges. This is a warranty issue to be handled by ADS. So far they have not had anyone test positive for COVID although inmate numbers continue to increase.

Prosecutor Taylor said that the magistrate judges have advised they will start back June 1st so everything will still have to be in compliance with the Supreme Court orders. He expects there will be an impact on the Clerk's Office, maintenance department and the Sheriff's office. District court has been limited to 2 days for in-court by the TCA and ADJ but will increase to 3 days eventually. There is a wide variety of what each judge is doing as far as safety protocols. Some judges are requesting Plexiglas in their courtrooms but Mr. Wagoner said he has not heard anything about renovations being requested to the courtrooms. Conversation ensued regarding COVID-19 allocated monies and how renovations would be paid for.

Prosecutor Taylor asked if budget conversations as a collective body of elected officials would be happening. Zach Wagoner said he thinks a high level discussion could happen at this meeting in two weeks. Commissioner Van Beek asked if there is an opportunity for the public to offer comment or ask questions about the budget at the preliminary stage. Commissioner Dale thinks the preliminary conversations are high level and not the place for public comment. A public hearing is held where the public is given the opportunity to offer comment. Sheriff Donahue is not supportive of the preliminary budget discussions being public hearings. Clerk Yamamoto would like to have a public meeting before the final budget hearing. Commissioner Van Beek and

Commissioner Dale are both in favor of this idea, possibly a week or two prior to the final public hearing where the budget is adopted. Offices and departments will be meeting with the Board in mid-July so maybe sometime after those presentations have taken place would be a good time, perhaps in early August. The tentative budget is scheduled for publication on August 13th.

As the county continues to move into stage 3 the group decided to change these meeting to every other week and once the state moves into stage 4 move back to the regular monthly meetings.

Ms. Wendelsdorf said things are kind of winding down and hitting a plateau. She is continuing to work on getting the All Hazard Mitigation Plan caught up in and order to submit to FEMA for funding. She is still meeting regularly with SWDH for updates. There has been some guidance put out on mass gatherings with summer coming up. They are getting numbers together for PPE and planning for the fall so things are in place and we're not playing catch-up. Sheriff Donahue said he would like to see the public meeting room available for the All Hazard Mitigation Group to meet in. Ms. Wendelsdorf said she will see about getting a date scheduled.

Mr. Smith spoke about updates that were published for the outdoor mass gatherings, specifically focused on post-stage 4. There has been conversation for a few weeks about a data dashboard – there have been a couple of issues in getting that up and running, they expect to have the first review of the dashboard tomorrow and hope it will go live in the next couple of weeks. Mr. Smith confirmed what Ms. Wendelsdorf said earlier in that numbers are starting to plateau. She believes they are see 2-4 cases a day.

Commissioner White spoke about the Board now conducting public hearings via Webex. Clerk Yamamoto said a judge has extended the request time to Tuesday. Elections staff is working extended hours to make sure things are going out however mailings are taking 6-7 days to go out and then come back in. In order to make sure ballots are counted it is best for voters to drop off them off at the elections office vs. mail. Clerk Yamamoto is concerned about possible lawsuits surrounding the election. Just under 45K ballots have been mailed out and about 25K have been returned and as of noon today everything that has been received has been scanned in. Commissioner Van Beek asked about a citizen question regarding a number of ballots mailed out of state in error. Clerk Yamamoto thinks this rumor may be because USPS to Boise goes thru Salt Lake City and confirmed his office verifies every address and checks for duplicates. Clerk Yamamoto and Prosecutor Taylor spoke about the vitriol of phone calls they've been receiving.

Prosecutor Taylor noted that per the Governor's press release Idaho has officially moved to stage 3.

Assessor Stender said that assessment notices went out this week and that phone calls are starting to trickle in. Commissioner Dale asked about the scheduling of BOE hearings but Assessor Stender said they can't plan for the amount of protests that will be received and there is no way to plan the schedule at this point.

Steve Rhodes said things are slowly moving back to normal. They are still encouraging people to pay their bills online vs. coming into city hall unless absolutely necessary. They are still planning to move forward with their Fourth of July celebration providing there is no spike in numbers. Fire call volume is ½ of what it was last year. They are continuing to keep distance between employees.

Clerk Yamamoto moved to adjourn the meeting.

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

MAY 2020 TERM

CALDWELL, IDAHO MAY 29, 2020

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

APPROVED CLAIMS ORDER NO. 5/29/20

The Board of Commissioners approved payment of County claims in the amount of \$5,000.00 for accounts payable.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Jatheon Archiving in the amount of \$24,898.00 for the Information Technology Department
- Western States CAT in the amount of \$4,864.89 for the Sheriff's Office

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License for SAS Restaurant Ventures, Inc dba Dennys' Restaurant #6640; Hispanic Cultural Center of Idaho, Inc dba Hispanic Cultural Center of Idaho; JFL Vond LLC dba Super C; Horacio Tellez Castillo dba Taqueria Janitzio; El Tenampa Inc dba El Tenampa; Coronar LLC dba Los Mariachis Mexican Restaurant #2; Belle Event Center LLC dba Belle Event Center; Smoky Mountain Pizza and Pasta Nampa LLC dba Smoky Mountain Pizzeria Grill; The Farmhouse Tap House, LLC dba The Farmhouse Tap House; Wild Heart Springs LLC dba Wild Heart

Springs; Raising Our Bar LLC dba Raising Our Bar; and Pantera Market 4 Inc dba Pantera Market #4. (See resolution nos. 20-085, 20-086, 20-087, 20-088, 20-089, and 20-091.)

CONSIDER SIGNING A RESOLUTION GRANTING A NEW ALCOHOLIC BEVERAGE LICENSE TO H&M MEATS AND CATERING

The Board met today at 9:05 a.m. to consider signing a resolution granting a new alcoholic beverage license to H&M Meats and Catering. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek and Deputy Clerk Jenen Ross. Adam Hutchings with H&M Meats joined via Webex at 9:08 a.m. Commissioner Dale made a motion to sign the resolution granting an alcoholic beverage license to H&M Meats and Catering. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 20-090). Mr. Hutchings said the restaurant will open Wednesday of next week. The meeting concluded at 9:11 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY ALICE PEGRAM FOR A CONDITONAL REZONE, CASE NO. CR2019-0018

The Board met today at 10:00 a.m. to conduct a public hearing in the matter of a request by Alice Pegram for a conditional rezone, Case No. CR2019-0018. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, and Deputy Clerk Monica Reeves. Present via Webex: DSD Director Tricia Nilsson, DSD Planner Dan Lister, Deputy P.A. Zach Wesley, and Alice Pegram. Dan Lister gave the oral staff report. The applicant is seeking a conditional rezone of Parcel R37251 from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone. The request includes a development agreement limiting the parcel to two divisions. The applicant's house is located on Upper Pleasant Ridge Road, and a secondary residence is located on Batt Corner Road. The parcel has already utilized their first land division by splitting the property in 1999. Parcel A will be three acres and it currently has a secondary dwelling on it; Parcel B currently has a barn and it will be divided off so a family member can build a house; and Parcel C will have a building envelope of 2 acres and the rest of the land outside of that envelope will remain in agriculture only. No building permits or structures will be allowed in that area in order to preserve the agricultural land. During the P&Z Commission hearing process, staff received a letter from a neighbor stating the property was being used as a shooting range. After that hearing, Ms. Pegram assured staff that the use is gone, and the neighbor agreed and said they have not heard shooting since that time. The P&Z Commission and staff recommended approval of the request subject to the development agreement. The Board asked questions for Mr. Lister following his report. Alice Pegram testified in support of her request. Parcel C is currently in alfalfa and she plans to keep it as farm land. With regard to Parcels A and B, she has two daughters and grandchildren and she wants to give them that property so they can live close by and help her with farming. She is aware of how the conditions of the development agreement restrict further building. Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board's deliberation

Commissioner Dale made a motion to approve the request from an “A” (Agricultural) Zone to an “R-R” (Rural Residential) zone, as well as approve the findings of fact, conclusions of law and order, as well as an ordinance and development agreement. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 20-011 and Agreement No. 20-081.) The hearing concluded at 10:15 a.m. An audio recording is on file in the Commissioners’ Office.

PUBLIC HEARING – CANYON COUNTY’S REQUEST FOR AN ORDINANCE AMENDING CANYON COUNTY CODE; CASE NO. OR2020-0002 (TOWER/ANTENNA ORDINANCE)

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Canyon County for an ordinance amending Canyon County Code, which pertains to private tower with antenna, Case No. OR2020-0002. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy PA Zach Wesley, and Deputy Clerk Monica Reeves. DSD Director Tricia Nilsson and DSD Planner Kate Dahl participated via Webex. This is an ordinance amending canyon county code, chapter 7, section 07-02-03 to add a definition of private tower with antenna; to amend chapter 7, section 07-10-21 to add private tower with antenna with 100 foot height allowance; to amend chapter 7, section 07-10-27 to add private tower with antenna to the zoning and land use matrix; and add a new section 07-14-30 to provide use standards for private tower with antenna. Zach Wesley said DSD spearheaded the amendment after the County received an application for a ham radio tower that had to go through the regular cell tower ordinance because that’s the only thing we had that fit so Kate Dahl has been working with that group to come up with an ordinance change that would allow ham radio towers without going through the whole process. The amendments include a new definition for private tower with antenna and it will specify it’s for amateur radio, not commercial use. It will change the setbacks for private towers with antennas, they will be allowed up to 100 feet in all zones. A change to the zoning classification will add private towers with antennas and it specifies that the private antennas will be an allowed use in all zones except in R1 and R2 zones in which case it will be a director’s decision. Commissioner Dale said the problem that arose was there was no definition for people who wanted to put up a ham radio tower and so they had to adhere to the commercial tower definition which is onerous for a private person. Commissioner Van Beek asked if it’s the use or size or both that was the issue. Director Tricia Nilsson said the ordinance sets a sliding scale of the higher the tower the more impact it would have in a residential neighborhood so Kate Dahl worked with the stakeholder organization to define the height where more review was needed. It’s not so much the use, it’s just a structure, and sometimes just an antenna so staff tried to construct the ordinance with a combination of setbacks and relative heights of the tower. They had representatives testify at the P&Z Commission hearing and they were very supportive and thanked staff for engaging in constructing the ordinance. No other persons were present to offer comments today. Following testimony, Commissioner Dale made a motion to close public comment. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the Board’s deliberation Commissioner Dale made a motion to authorize the Board to sign the ordinance and summary amending the code for private tower with antenna, Case No. OR2020-0002. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Ordinance No. 20-012.) The hearing concluded at 1:46 p.m. An audio recording is on file in the Commissioners’ Office.

PUBLIC HEARING REGARDING GRANITE EXCAVATION'S REQUEST FOR A C.U.P.

The Board met today at 2:04 p.m. to conduct a public hearing in the matter of Granite Excavation's request to reopen the record regarding Dan Woodruff's appeal of their Conditional Use Permit (CUP). Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, Parks Director Nicki Schwend, Rob and Renate Bearden, and Deputy Clerk Monica Reeves. Present via Webex: Via Webex: DSD Planner Dan Lister and DSD Director Tricia Nilsson, Josh Davis, Attorney Josh Leonard, Dusty Hibbard, Nathaniel Seal, Travis Mitchell, Lee Juan Tyler, Heidi Brace, Harold Nevill, Carolyn Smith, Kim Woodruff, Scott Hauser, Edward Owens, Alexis Baker, Alexis Malcomb, Micaela Jones, and Steve Givens.

Deputy P.A. Zach Wesley went through the history of how we got to today's hearing. The applicant, Granite Excavation, Inc., applied for a CUP which was approved by the P&Z Commission and appealed to the Board of Commissioners by Dan Woodruff. A number of hearings were heard on that appeal and ultimately the Board made a determination to grant the appeal and deny the request for a CUP. The Board was scheduled to sign the findings of fact, conclusions of law and order (FCO's) on April 20, 2020, and on April 16, 2020 the Board received a request from the applicant and their attorney to reopen the record, not a request for reconsideration because there was no final decision issued in writing, but to reopen the record to present their new application proposal. This is a hearing to hear their revised proposal for their CUP. Because we have reopened the record the hearings we have had are still part of the decision making process. The only thing that's been vacated is the Board's final determination that was made previously. Granite Excavation is intending to present a new proposal and this hearing will be limited to comment on the new proposal. We are still in those original proceedings, this is still part of that original record, it's just a reopening and that is a little different than what we've done in the past where an applicant may submit a new proposal and go through the process again in which case it's a clean record and all the evidence needs to be re-entered again. This is the same record. Commissioner Dale asked why we are doing this rather than requiring them to start the application process over again like has been done in every other case. Mr. Wesley said normally the way this process goes is you have a final written decision and then you have a request for reconsideration and then in that final decision the law also requires the Board to tell an applicant how they can obtain approval and so that's normally how we get to a new application and a second hearing. In this case because we never got to that final written decision phase they used the part of the ordinance that allows the board to grant a request to reopen a record at any time in the proceedings prior to a final written decision being completed. Because of the COVID-19 situation the FCO's got delayed because they were scheduled to be signed but the date fell within the Governor's stay-at-home order. Commissioner Van Beek said the minutes state that it was clearly on the record that a new application would need to be considered, and it would have been better to have a clean record. There are caveats being granted for different things because of the situation we're in and she finds the extenuating circumstances not a reason to stick to that in its entirety because they are extenuating circumstances. She was not in favor of doing this. It would have been much cleaner and a better process had we done what we said we were going to do at the Board level because

the applicant put money out to have that appeal of the P&Z Commission decision on there. This is unusual and it isn't the time she would have chosen to set a precedent. Commissioner White said she doesn't think anyone would have chosen the way life has unfolded in the last three months. Mr. Wesley said this hearing was fully re-noticed according to the requirements in the local land use planning act, and in addition to those notification requirements, staff has had the information sent back out to those who were involved in the hearing previously. The applicant used a process that's in our ordinance but on April 20 we also had an agenda item to consider reopening the hearing and the majority of the Board voted in favor of the reopening the hearing.

Dan Lister gave the oral staff report. In a letter to the Board dated April 16, 2020 Attorney Joshua Leonard proposed the following major modifications:

1. Instead of being in effect for 30 years, Granite Excavation now requests a duration of only five years, an 83% reduction in the duration of the CUP;
2. Instead of extracting rip rap and sand and gravel, Granite Excavation now asks to extract sand and gravel only – no rip rap extraction;
3. Instead of potentially impacting up to 180 acres, Granite Excavation's request now is limited to 40 acres, a 78% reduction in area.

(A copy of Mr. Leonard's letter which includes several there points has been made part of the record.)

There is no revised site plan, no reclamation plan, no new narrative, no new report so staff is only basing the analysis on the three items provided as part of the alternative. Going to the staff report and summarizing the potential impact, one of them is still the negative impact to the surrounding character stated in the previous hearings; there is a scenic byway, historical resources; cultural resources; natural resources. There is still the belief that this has the potential to impact that area in that sense. Neither the highway district nor ITD found this to be an impact and that the conditions of approval that were drafted could be used to reduce and mitigate traffic. If the Board wishes to move forward with the reconsideration there would be some conditions that could be applied to reduce truck traffic by restricting driving routes and hours. Cultural resources – the applicant believes it would have a zero effect on archaeological resources, however, during the last hearing it was identified that the assessment provided was a draft and incomplete. Also, the subject property is on existing farmland that has many years of disturbance. Staff recommends a completed archaeological assessment with possible analysis of subsurface area to get a picture of what could be underneath it. Staff also recommends conditions of approval that a licensed professional archaeologist be on site and monitor the excavation, or, other measures that the Board may want to draft. The project is within a floodplain and the code requires a base flood elevation study be done. Staff received 15 letters of opposition and the main concerns pertained to historic, cultural, and archaeological resources which should be protected, historic site; sacred site; tourism, wildlife, natural resources, water rights, water contamination to the surrounding issues, it's an incompatible use for the area; dust, noise, and traffic concerns; the use is not only for only the restoration of Rippee Island so there's no guarantee that once approved the use would stop. Idaho Power should be the applicant, not the gravel company. Instead of the 135 acres there would be a primary location of 35.9 acres and a secondary location of 4.1 acres. When asked

if they would be willing to only use the material only for the restoration project they said yes and no, but if it's a deal breaker then yes, they would use it only for the restoration but their desire is to use it for other projects in the area. They do not have any other projects right now that would utilize the site at this point. They still want the truck trips that were included in the original proposal. They are not willing to hire a licensed professional archaeologist to monitor the excavation. Staff only reviewed this based on the letter that was received for the reconsideration, there was not a lot to go off of so staff is recommending the Board opening the public hearing and discuss the reconsideration and continue the discussion and require the applicant to provide revised site plan, reclamation plan, project narrative, and any updated reports such as an archaeological survey.

The following people testified in favor of the request for reconsideration:

Josh Davis gave testimony regarding the changes in the operation. There were a lot of concerns tied to the size, scale, and duration of the project that was previously requested for 30 years and 150+ acres so they tried to come to a compromise which would still allow them to potentially fulfill some contractual obligations with minimal public disturbance, but in a much smaller scale. Pertaining to the sand and gravel operation, they originally had two phases proposed and then they had a primary source and secondary source that were to be used strictly for the Rippee Island project. In the revised site plan they have expanded the primary source from 11.33 acres to 35.09 acres and the secondary source remains the same in 4.1 acres. In doing so they increased the setback from Map Rock Road by over 400 feet so they have moved the proposed operation site 400 feet to the south. Originally they had requested a 30-year application which is consistent with a typical gravel pit operation, but they have reduced that to 5 years. Instead of a proposal consisting extraction of rip rap and sand and gravel, they are now only requesting the area south of Map Rock Road for the sand and gravel operation. They have completely removed the riprap proposal off the talus slopes to the north of Map Rock Road and instead of potentially extracting up to 180 acres total they will now limit it to 40 acres. Staff is correct in the fact that the archaeological study, due to time constraints, was a draft, which was written by a qualified historian and archaeologist who concluded that no historical or cultural resources would be negatively impacted by this proposed use. The Rippee Island project is slated to happen and everybody is fully aware that if they are not granted the ability to extract aggregates off Mr. Nicholson's property, which is directly adjacent to this project, there will be upwards of 10,000 truck trips in that area with no restrictions because it's not enforceable. This new application provides the ability to mitigate for potential impacts and noting that is part of the reason they reduced their anticipated truck counts to 10 per day which is substantially less than a typical gravel pit operation.

Commissioner Dale asked if they don't want to be restricted to using this gravel for only the Rippee Island project, but if it was a deal breaker would Granite agree to utilize this gravel for only Rippee Island. Mr. Davis said they like to position themselves to have a competitive advantage on highway construction projects by having the closest aggregate source to the project. That's the intent of having multiple gravel sources so they can minimize truck trips to the site which minimizes costs to the taxpayers. Granite is proposing to have retail sales. Commissioner Van Beek asked if they would considering restricting this to a five-year time period with a cease and desist once it is done

servicing the Rippee Island project, where use would only be to meeting the needs for Idaho Power. Mr. Davis said no, due to the fact they don't know what other projects may be coming. Idaho Power has indicated substantial adjacent projects on Rippee Island in the future. Mr. Davis responded to additional questions from Commissioner Van Beek regarding the proposal and the archaeological report that contained errors.

Attorney Josh Leonard testified that of the archaeological and cultural impacts that were noted in letters, none contain any evidence of the existence of items on the subject property. The only evidence is the draft study and it found no items of cultural, historical, or archaeological significance in the area of the proposed use. He said the letters that discuss archaeological and cultural impacts drew a false equivalency, they cited properties several miles away on which items of cultural significance have been found and they talked about the subject property as though it was those properties. Regarding the errors in the study, that was not required to be submitted prior to starting the work and yet Granite Excavation chose to expedite that and get it together in a draft form and they made it very clear that it was a draft form for public review and comment. One of staff's recommended conditions of approval based on the revised application is an archaeological analysis, which may be unnecessary because the proposed area was in the area that was considered, but it is the plan to formalize and finalize it and edit it for content. According to Mr. Leonard, several commenters in the written record misinterpreted the tone and intent of their letter and assumed Granite was threatening litigation but that was not the intent. They intended to demonstrate that they have listened to the Board and they have reduced the scale and intensity and the type of use. The primary goal was to create a workable compromise. They identified several errors in the process throughout the proceedings and instead of needless litigation they wanted to give the County a chance to correct those errors. Under the compromised proposal it will allow trucks from this site to go directly to the Rippee Island project and potentially other reclamation or ecological projects that are done by Idaho Power in the future. He addressed the letter from Harold Nevill, PhD., which included two primary contentions: he attempts to refute the fact that a CUP can't be denied, only conditions and he tried to compare the incompatibility of liquor stores to nearby churches and schools and draw that comparison in this case. Dr. Nevill tried to counter Mr. Leonard's earlier argument that the Board cannot consider the Snake River Canyon Scenic Byway Corridor Management Plan. He agrees with Dr. Nevill that the plans have been approved by ITD, the distinction is that the County cannot use the standards in that plan unless it is adopted by the County and the County has not adopted or approved that.

The following people testified in opposition:

Lee Juan Tyler, who is the Chairman of the Upper Snake River Tribe, gave testimony regarding the historical and cultural significance of the area.

Travis Mitchell said the previous concerns about cultural resources, traffic, and water are still relevant, nothing has changed with the new proposal. Once that door is open it will be very hard to close because they will want to do more projects and we'll be dealing with this for the next 30 years. Idaho Power could come up with another alternative without the impact.

Heidi Brace testified that she recently spoke to an engineer from Idaho Power and apparently the Rippee Island project has been postponed due to this matter and other matters. Granite Excavation has not been awarded the bid on this project so she's questioning why they are pushing so hard when the bid hasn't been awarded. The first island that was done out there by Idaho Power the landowner allowed material to be used for an earth dam and to minimize the amount that was used for repairs and that land was reclaimed and there was no long-term mining and no crushing continued on it. It lasted less than 120 days and minimal amounts of the material did not need to be crushed, but they were screened. It seems like someone is trying to slip in under the radar on this. She said the other jobs that Idaho Power has have been postponed indefinitely.

Rob Bearden said it's been stated this is for the Rippee Island project, but it's also been stated there isn't a Rippee Island project yet. Granite has said they want to do it for five years but then he said they are not going to stop after five years. He does not believe this project is a good fit for the area.

Nicki Schwend said it's been stated there is no proof of historical or cultural significance on the property, but if there is any evidence it's probably buried deeper so you wouldn't expect to find things on the surface and when we get to a situation like that we look at the surrounding area for evidence to support or not support that we may or may not find something. This area is surrounded by archaeological sites so we have to proceed with great caution and we have to be very careful. This is an area with great archaeological potential and because of this there has been a lot of conversations between archaeologists, other entities, and the state historic preservation office (SHIPO) that this area needs to be presented as a national register of historic place district. We have an unfinished site report with some serious contradictions. It references the Eagle Drain and William Rowles farmhouse and it has an address that references the subdivisions around it and it is clear the conclusion does not reference the archaeological report. Even though this is not national register listed this would be a slam dunk as an archaeological district if we get there.

Harold Nevill and Carolyn Smith, who are both opposed to the CUP request, were having difficulties connecting through their audio so they submitted comments via the chat feature in Webex and that chat discussion was marked as Exhibit No. 21 for inclusion in the record.

Commissioner Dale read Dan Woodruff's closing statement into the record. Commissioner Van Beek read Dan Woodruff's opening statement into the record. (Dan Woodruff filed the appeal to the CUP and he is opposed to Granite Excavation's request.)

Neutral testimony was offered as follows:

Nathaniel Seal, an Idaho Power employee, offered neutral testimony and responded to questions from Commissioner Van Beek. He noted that the Rippee project was scheduled for construction this summer and in March it was postponed to the summer of 2021 at the earliest.

Rebuttal testimony was follows:

Josh Davis said Dale Gray is a qualified archaeologist and his qualifications should not be discredited. In regards to some questions about the Rippee Island project, Nate Seal has indicated the project has been postponed, it has not been awarded to Granite; however, the purpose of this gravel pit is to allow Granite the ability to provide gravel to this site, it's the closest location which in turn increases the likelihood of them getting the project. If the project does not occur and if there are no projects in the area then there's not going to be a demand to sell the gravel and if there's not a demand to extract and process the gravel then there are no impacts. They are not required to provide an archaeological study until prior to the work commencing. That being said, it was a contentious point in earlier hearings so they engaged with a qualified firm to do a study and have facts to discuss but unfortunately they were not able to get a complete final document; however, the information is correct, factual, and honest. The operation narrative is not changing, they have just drastically reduced the durations and the scale of the project. They are still required to mitigate fugitive dust and meet the numerous standards set for the multiple agencies. The Idaho Department of Lands has approved their reclamation plan for the original 180 acres. There's been a lot of discussion about subsurface artifacts, resources, cultural significance, etc., which he understands, but that can take place anywhere along Map Rock Road, including the recent subdivision that was built to the west of the site. Mr. Davis responded to questions from the Board regarding the water supply and the plans to supply water to the ponds upon reclamation.

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Van Beek said this application has become a moot point and she was deliberate in her questions of the Parks Director about the most valued commodity in this which is time and in the interest of time which has been granted because we know the Rippee project is no longer on the table with Idaho Power, and the bid has not been awarded so there is no reason to move forward to disturb a culturally rich area with any extraction at any time. We have the ability to wait, to look at the scenic byway, to look at what a district for this area would look like to protect it. It is unique and unusual from other parcels because of the antiquity, the spiritual nature, and the protection that needs to be afforded by the Indian Tribes in that area. She appreciates the suggestion to reduce the project, but it is the precedent that will open the door and there has been testimony that it will be an ongoing renewal process in that Map Rock area and it will forever change the area to have gravel trucks running. She gives more weight to the credible expert testimony that was given. She is strongly opposed to the request and she recommends the Board grant the appeal and deny the CUP application. Commissioner Dale said he is not ready to approve this project because more groundwork needs to be done. He is not opposed to the request because it's better for the road system because it will keep as many trucks off the road as possible. The Rippee Island project is not dead, it's been postponed for a couple years. He appreciates the input from the Tribes and said there may be something 18-feet below the surface but if that was not present he sees no scenario where they would stop farming that ground. We have to weigh the facts as we see them today; even if it's denied today there is nothing saying they cannot come back. Commissioner White appreciated the loyalty that Josh Davis had for the archaeologist who did the study. No one meant to impugn his integrity and she doesn't want anybody to feel like their integrity is being challenged or questioned. She said Granite Excavation's compromise went above and beyond, but she needs the information to be

specific to the project including a project narrative, an updated reclamation plan, site plan, and archaeological survey. Commissioner Van Beek said given the magnitude of change the appeal should be upheld and the CUP denied because in the interest of a clean break and coming back it provides an opportunity for the requested information to be developed. She questioned whether the other side of the Snake River contains the same archaeological relevance as this side does and if the answer is no, we don't have to consider disturbing this site. Commissioner Dale said the other side of the river is Givens Hot Springs and it's much more likely you'll find the archeological remains on that side of the river. Commissioner Van Beek said she was talking about somewhere farther off site, to the west. She then made a motion to uphold the appeal and deny the CUP because the project is on hold, there is requested information, and the information is incomplete. Commissioner Dale seconded the motion for discussion. Commissioner Van Beek said an archaeological study is relevant and it should be done by a recognized archaeologist. In response to a question from Commissioner White, Josh Davis said Granite Excavation is willing to provide the additional information requested. Commissioner Dale said the Board's decision has to be based on what is best for all people. The Nicholson's have private property rights and a CUP does allow for gravel excavation, and although he is not ready to move ahead with approval today, he does agree with Commissioner White on taking time to request an updated reclamation plan and a more in-depth archaeological study that would be more complete. The additional information does not guarantee approval. Commissioner White said the additional information will give her the direction she needs. Commissioner Van Beek restated her position that an archaeologist should complete the survey, and that there be an injunction that would allow staff a year to allow time to look at that district and the other factors. Another concern is that we have not engaged the Tribes at all on this proposal. She said the cleanest way to do this is to get the information and have it submitted with a new application. The unusual nature of this requires we take a careful look at what happens there so we don't irreparably damage an area and offend the Native Americans. A roll call vote was taken on the motion to deny the CUP request Commissioner Van Beek voting favor of the motion and Commissioners White and Dale voting against the motion. The motion failed. Commissioner Dale made a motion to continue this discussion so the Board can receive the information regarding a completed archaeological study, a completed site plan, a completed reclamation plan and a project narrative that is specifically for using this gravel for the Idaho Power project, directly adjacent on Rippee Island. Commissioner Van Beek asked if the motion could include the necessity for Idaho Power to provide input. Commissioner Dale included that in his motion. The motion was seconded by Commissioner White. A roll call vote was taken on the motion to continue with Commissioner Van Beek voting in opposition and Commissioners White and Dale voting in favor of the motion to continue. The motion carried by a two-to-one split vote. In response to question from Commissioner Van Beek, Commissioner Dale clarified that his motion is for updated information related to the gravel project that would be going to Rippee Island. A status update will take place on Friday, July 24, 2020 at 1:30 p.m. The hearing concluded at 4:53 p.m. An audio recording is on file in the Commissioners' Office.

Due to COVID-19 and Governor Brad Little's stay-at-home order meetings were kept to a limited schedule and ministerial items were considered remotely during the first part of May. The Board and its staff returned to the office fulltime on May 15, 2020.

THE MINUTES OF THE FISCAL TERM OF MAY 2020 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 17th day of August, 2020

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Tom Dale

Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk

By: J. Ross, Deputy Clerk