

MAY 2021 TERM  
CALDWELL, IDAHO MAY 3, 2021

PRESENT: Commissioner Keri K. Smith, Chair  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White  
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Nathaniel Ashby, Juvenile Detention Supervisor.

APPROVED KEY AND SECURITY ACCESS REQUEST FORM

The Board approved key access form for Stephen (Steve) Fultz, DSD Director.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Motorola Solutions in the amount of \$14,383.40 for Trial Court Administrator/District Court
- Hess Construction Inc in the amount of \$6,980.00 for Facilities Department
- Hess Construction Inc in the amount of \$34,980.00 for Facilities Department
- Action Target, LETC in the amount of \$1,700.00 for Canyon County Sheriff

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Black Cow Café to be used 5/14; 5/15; 5/16 at High Desert Station for the Mounted Shooting Event

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Caldwell Treasure Valley Rodeo Inc dba Caldwell Night Rodeo; Whiskey River LLC dba Whiskey River (Resolution no. 21-081)
- The Board approved an Alcoholic Beverage License renewal for Walmart Inc dba Walmart #2780; Walmart Inc dba Walmart #2781; Walmart Inc dba Wal-Mart #3739; Walmart Inc dba Walmart #4180; Walmart Inc dba Walmart #4494; Thrifty Payless Inc dba Rite Aid #5409; Kammi Reynolds dba Chaparral Sports Bar and Grill (Resolution no. 21-082)

MONTHLY COMMUNITY INPUT MEETING

The Board met today at 9:01 a.m. for a monthly community input meeting. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Darryl and Sheila Ford, Larry Olmsted, Hubert Osborne, and Deputy Clerk Monica Reeves. The following citizens offered comments:

**Larry Olmsted** questioned the amount of COVID funding the County has received from the federal government. He is concerned with the emergency declaration that's in place and he hopes the Board would reverse the classification because he wants to see events like the Snake River Stampede and the God and Country event move forward and he questions if part of the rationale for not allowing those events is because the County continues to have this emergency declaration in place. He hopes the Board will not extend the emergency declaration when it comes up this month. Commissioner Smith spoke of how the County will only spend the federal dollars on allowable expenses. She has personally hosted events the past 12 months under the emergency declaration and said there is not an event that's being stopped at the SWDH level or County level because of anything that's been passed. There have been no mandates or restrictions. Additionally, the County Fair will happen this year. Regarding the federal funding, she said there are economic recovery items that are included that can make a difference for our constituents and so closing the door on funding is not something she can do easily. Mr. Olmsted disagreed said it doesn't show a lot of integrity to hang on to the emergency declaration in the hopes we can get money. Commissioner White said if the funds benefit the people it is a tax relief in the broad sense, but we don't have all of the guidelines on it and she voted to extend it because she wanted to get the whole story. Mr. Olmsted encouraged the Board not to renew the emergency declaration. Commissioner Van Beek said she voted three consecutive times not to renew that declaration. She disagrees with the spending component. A portion of the funds may be used to purchase a body scanner for the Sheriff's Office for officer safety reasons when they are in close contact with an inmate. Mr. Olmsted supports the body scanner, but believes the Board should stop taking federal money.

**Hubert Osborne** presented the Board with a copy of the guest opinion he and Larry Olmsted wrote titled "*Growth should pay for itself*". He spoke of HB 110 concerning adding ambulance district to impact fees and the Board should look at that because every dollar raised through impact fees reduces property taxes. The bill passed the House and the Senate and was signed by the Governor and will go into effect July 1<sup>st</sup>.

**Darryl Ford** spoke about his concerns with housing developments occurring in rural areas of the County and the potential for compromising the water quality with the septic systems being put in, and the additional costs that may have to be borne by existing residents. He participated in the County's comprehensive plan survey and was moved to see that most of the people who left comments loved to be in the country. He is also concerned about the CUP's that do not have any conditions. Commissioner Smith said growth is really important and we want to make sure we continue our current way of life and celebrating agriculture and the value it brings to this community. She said the Board is everything it can to make sure growth happens in an orderly fashion, and she pointed out that a lot of the growth is happening in the cities but the County does

not have much say on the annexations but we do have a say on the impact areas and how the community grows. She encouraged Mr. Ford to keep watching because there will be more happening with the comprehensive plan on how we want to grow. She said there are large impact area proposals that need scaled back so we can look at how those communities are planning on growth versus those big swaths of land. SWDH spends a lot of time working on septic system approvals and how they are being managed to ensure they are being handled in a safe manner. Additionally, the County is working on impact areas to make sure growth happens where services are available.

**Sheila Ford** spoke about how the federal COVID funds are adding to the national debt which will have to be paid for by generations to come. Commissioner Smith said the County did not participate in adding to that debt; the legislature, Congress, and the President forced that upon us and when we keep allowing the money - that we are paying for - to go to the more liberal communities we empower them to grow while we get smaller and that's not something she is okay with. It is a terrible game none of us want to be in, but the Board did not make that decision and she is not willing to continue to allow handouts for those bigger cities and for our constituents to have no say in how the dollars are spent. Mrs. Ford said the Lord will honor honesty and the refusal to participate in dishonesty.

**Larry Olmsted** asked if there has been any action on impact fees in order for growth to pay for itself. He asked the Board a couple of months ago to free up enough money out of the capital fund to begin developing CIP's so we can get impact fees. Commissioner Smith said there is action from DSD on impact fees related to highway districts and Canyon Highway District will be the first in Canyon County to implement impact fees if it passes. Mr. Olmsted said bringing in Steve Fultz (the new DSD Director) will result in "development on steroids" and he wants to know who will pay for public safety and parks aspects all the growth brings? The citizens are tired of paying for everything and they want impact fees. Commissioner Van Beek said it's been discussed but there hasn't been any momentum forward because we don't have everybody on board with creating a capital improvement plan and then providing the funding to do that. She spoke of the potential to use revenue from funding sources, such as expiring tax incentives, to put toward the annual debt service. In 2018 the Commissioners approved using \$2.4 million in foregone taxes as part of the permanent tax base and that should be dedicated to the ongoing need for public safety. We need to identify what needs to be done and identify a funding source and look at how to stage it and set it up the long-term. Mr. Olmsted said another funding source is the sunseting of the urban renewal district. Commissioner Van Beek said Clerk Yamamoto is not onboard with establishing an ongoing capital improvements project plan because he doesn't like the funding that would have to be set aside year after year. We have to come to a resolution with what the public safety needs are. What is the longevity of Pod 6 because that will be impactful at the end of the lease contract and when it's over the money which is currently in the sheriff's budget should go back to the current expense account and be used to fund what we do going forward. Mr. Olmsted wants a jail advisory committee established that works with the Sheriff, a finance person, an architect, a corrections person, and others to take a high-level look at where we want to go and what's involved.

Hubert Osborne asked if the highway district impact fee study been completed? Commissioner Smith said it's developed and they are sharing those numbers with the public and concerned groups and getting it in a format that will be set up for approval.

Commissioner White said the clerk and Controller committed to putting \$500,000 a year in the capital expense line item, and she believes that amount could be raised but that's something that can be discussed during the budget process. Commissioner Van Beek said that money is vulnerable and we can establish it be resolution to identify a percentage so that we have a way to protect it into the future. Commissioner White said a previous Board set money aside but those funds had to be used to shore up the health insurance fund in order to pay the claims coming against it. The meeting concluded at 9:52 a.m. An audio recording is on file in the Commissioners' Office.

Commissioner Minutes

May 3, 2021 – 10:35 a.m. to 11:11 a.m.

**MEETING WITH ASSESSOR'S OFFICE TO CONSIDER VARIOUS NEW AND RENEWING PROPERTY TAX EXEMPTIONS UNDER CODES 602W, 602D, 602P, 602B, 602C, 602E, 602GG, AND 50-2014**

Commissioners Keri Smith, Pam White and Leslie Van Beek

Assessor Brian Stender left 10:58 a.m.

Chief Deputy Assessor Joe Cox

Business Manager Jennifer Loutzenhiser

Imaging Specialist Helena Thompson

Deputy Clerk Jenen Ross \_\_\_\_\_

MEETING WITH ASSESSOR'S OFFICE TO CONSIDER VARIOUS NEW AND RENEWING PROPERTY TAX EXEMPTIONS UNDER CODES 602W, 602D, 602P, 602B, 602C, 602E, 602GG, AND 50-2014

The Board met today at 10:35 a.m. with the Assessor's Office to consider various new and renewing property tax exemptions under codes 602W, 602D, 602P, 602B, 602C, 602E, 602GG, and 50-2014. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Assessor Brian Stender (left 10:58 a.m.), Chief Deputy Assessor Joe Cox, Business Manager Jennifer Loutzenhiser, Imaging Specialist Helena Thompson and Deputy Clerk Jenen Ross. The tax exemptions were considered as follows:

**63-602W – Site improvement associated with land:**

- Canyon Creek #4 and Canyon Creek #5
- Carriage Hill West #3, Carriage Hill West #4 and Carriage Hill West #5

Commissioner Van Beek made a motion to continue these exemption requests to May 5, 2021 at 2:30 p.m. in order to collect additional information. The motion was seconded by Commissioner White and carried unanimously.

- Devlin Sub, Adler AB Owner V LLC
- Devlin Sub, Adler AB Owner XI LLC

Commissioner Van Beek made a motion to deny the exemptions for Devlin Sub, Adler AB Owner V and XI LLC. The motion was seconded by Commissioner White and carried unanimously.

**63-602P – Pollution control:**

The Assessor’s Office is recommending a total exemption amount of \$68,810,168 applied to facilities for water or air pollution control. A copy of the spreadsheet detailing the exemptions is included in today’s minutes. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to approve the exemptions for 63-602P.

**63-602B – Religious:**

- 09824000 0 First Church of the Nazarene

Commissioner Van Beek made a motion to approve the exemption. The motion was seconded by Commissioner White and carried unanimously.

**63-602E – Education:**

- 32717010 0 – Idaho Conference of Seventh Day Adventist Inc.

The Assessor’s office is recommending a partial removal of exemption. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to remove the partial exemption.

**63-602GG – Low income properties owned by a non-profit organization**

- 06438102 0 - Advocates Against Family Violence Inc
- 06438106 0 - Advocates Against Family Violence Inc
- 06438114 0 - Advocates Against Family Violence Inc
- 32480180 0 - Advocates Against Family Violence Inc
- 32504483 0 - Advocates Against Family Violence Inc
- 32564318 0 - Advocates Against Family Violence Inc
- 35129131 0 - Advocates Against Family Violence Inc
- 35333212 0 - Advocates Against Family Violence Inc
- 35333236 0 - Advocates Against Family Violence Inc
- 19406000 0 - Elderly Opportunity Agency Inc
- 38770000 0 - Elderly Opportunity Agency Inc
- 36243000 0 - Idaho Friends Retirement Homes Inc
- 15438000 0 - Nampa Christian Housing Inc
- 12983500 0 - Trinity New Hope Inc

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant

**63-602D – Hospital:**

- 60664500 0 - St Luke's Regional Medical Center
- 61111025 0 - St Luke's Regional Medical Center
- 64940185 0 - St Luke's Regional Medical Center
- 64940186 0 - St Luke's Regional Medical Center
- 64940243 0 - St Luke's Regional Medical Center
- 64941410 0 - St Luke's Regional Medical Center
- 64941482 0 - St Luke's Regional Medical Center
- 64941492 0 - St Luke's Regional Medical Center
- 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
- 11766000 0 - Mountain States Tumor Inst
- 01649000 0 - St Luke's Regional Medical Center Ltd
- 30995000 0 - St Luke's Regional Medical Center Ltd
- 30995011 0 - St Luke's Regional Medical Center Ltd
- 30995011B0 - St Luke's Regional Medical Center Ltd
- 30995011F0 - St Luke's Regional Medical Center Ltd

Commissioner Van Beek made a motion to approve the exemptions. The motion was seconded by Commissioner White and carried unanimously.

**63-602E – Education:**

- 60724000 0 - Greatamerica Financial Services Corporation
- 60724001 0 - Greatamerica Financial Services Corporation
- 64940104 0 - Greatamerica Financial Services Corporation
- 64941110 0 - Greatamerica Financial Services Corporation
- 64941357 0 - Insight Investments LLC
- 64941362 0 - Na Pali Coast Capital LLC
- 64941572 0 - Na Pali Coast Capital LLC
- 64935344 0 - Quadient Leasing USA Inc
- 64935345 0 - Quadient Leasing USA Inc
- 64936374 0 - TIAA Commercial Finance Inc
- 64941106 0 - TIAA Commercial Finance Inc
- 64941581 0 - TIAA Commercial Finance Inc
- 64940608X0 - Xerox Financial Services LLC
- 64941113X0 - Xerox Financial Services LLC
- 32716000 0 - Idaho Conference of Seventh Day Adventists Inc
- 00925000 0 - Idaho Conference of Seventh Day Adventists@@

Upon the motion to Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemptions.

Van Beek, White

**63-602C – Charitable:**

- 64941025 0 - Canyon County Community Clinic
- 61111022 0 - Community Council (DBA)
- 64941254 0 - Deseret Industries
- 61111007 0 - Goodwill
- 61111004 0 - Grace Place (The)
- 61111015 0 - Idaho Youth Ranch
- 61111024 0 - Idaho Youth Ranch
- 61111026 0 - Idaho Youth Ranch
- 61111027 0 - Idaho Youth Ranch
- 64941540 0 - Terry Reilly Health Services
- 64941541 0 - Terry Reilly Health Services
- 64941542 0 - Terry Reilly Health Services
- 64941543 0 - Terry Reilly Health Services
- 64941544 0 - Terry Reilly Health Services
- 64941545 0 - Terry Reilly Health Services
- 61111023 0 - Terry Reilly Health Services (Clinic)
- 61111021 0 - Terry Reilly Health Services (Dental)
- 35091000 0 - Advocates Against Family Violence Inc
- 17607030 0 - American Legion Diven Slonecker Post 126
- 13286000 0 - American Legion Joseph H Murray Post 18
- 36736000 0 - Arena Valley Park Assoc Inc
- 37939000 0 - Blazing Hope Youth Family Ranch Inc
- 31304000 0 - Boise Rescue Mission Inc
- 31305000 0 - Boise Rescue Mission Inc
- 31312000 0 - Boise Rescue Mission Inc
- 31328011 0 - Boise Rescue Mission Inc
- 31328012 0 - Boise Rescue Mission Inc
- 16835000 0 - Boise Rescue Mission Inc @@
- 34971000 0 - Caldwell Chapter of The Izaak Walton League of America
- 01113000 0 - Caldwell Elks Home Assn Inc
- 04735000 0 - Caldwell Model Railroad Club & Historical Society Inc
- 35141010 0 - Caldwell Odd Fellow Lodge No 10
- 04770000 0 - Canyon County Historical Society Inc
- 05087000 0 - Canyon County Pet Haven Inc
- 16046000 0 - Canyon County Pet Haven Inc

- 02530501D0 - Community Council of Idaho Inc
- 02530502 0 - Community Council of Idaho Inc
- 02530505 0 - Community Council of Idaho Inc
- 16873000 0 - Community Health Clinic
- 28695010 0 - Community Health Clinic Db
- 03136000 0 - Community Health Clinic Db Terry Reilly Health Services
- 08759000 0 - Community Health Clinics
- 08760000 0 - Community Health Clinics Db
- 16880000 0 - Community Health Clinics Db
- 08777000 0 - Community Health Clinics Inc
- 14447000 0 - Community Health Clinics Inc
- 14447015 0 - Community Health Clinics Inc
- 16883000 0 - Community Health Clinics Inc
- 07900101 0 - Community Health Clinics Inc Db Terry Reilly Health Services
- 27333105 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 27333106 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 14820000 0 - Fleet Reserve Assoc Branch 382
- 14822000 0 - Fleet Reserve Assoc Branch 382
- 01801000 0 - Grand Lodge of Id IOOF Inc
- 11805000 0 - Hands of Hope Northwest Inc
- 11805010 0 - Hands of Hope Northwest Inc
- 11805010A0 - Hands of Hope Northwest Inc
- 67340100 0 - Hispanic Cultural Crt Of Idaho
- 29196000 0 - Idaho Fish and Wildlife Foundation Inc
- 30505204 0 - Idaho Fish and Wildlife Foundation Inc
- 23660000 0 - Idaho Horse Therapy Inc
- 05779000 0 - Idaho State Chapter PEO Sisterhood Inc
- 01147500 0 - Idaho Youth Ranch Inc
- 01147501 0 - Idaho Youth Ranch Inc
- 37781011 0 - Idaho Youth Ranch Inc
- 37785000 0 - Idaho Youth Ranch Inc
- 00855000 0 - Lambda-Chi Chapter of Kappa Sigma House Corporation
- 15957000 0 - Lifeline Crisis Preg Cntr Inc
- 15954000 0 - Lifeline Crisis Pregnancy Center Inc
- 35790115 0 - Lifeways Inc
- 01788000 0 - Linc Living Independence Network Corp
- 33612000 0 - Lizard Butte Easter Sunrise
- 31060011C1 - Love Inc Of Treasure Valley
- 17540000 0 - Melba Valley Historical Society



- 35307103 0 - Metro Community Services Inc
- 22891000 0 - Mission Aviation Fellowship
- 31730000 0 - Mission Aviation Fellowship
- 67165204 0 - Mission Aviation Fellowship
- 67165255 0 - Mission Aviation Fellowship
- 04699000 0 - Mt Moriah Lodge 39 A F Am Inc
- 08640000 0 - Nampa Aerie #2103 FOE
- 08670000 0 - Nampa Aerie No 2103 FOE
- 08237000 0 - Nampa Lodge #1389 BPOE
- 14442000 0 - Nampa Valley Grange #131
- 31139000 0 - Pacific Press Publishing Assoc
- 38762010 0 - Parma Area Sr Citizs Cntr Inc
- 36402000 0 - Pleasant Ridge Grange #135
- 13576000 0 - Salvation Army
- 32548178 0 - Salvation Army
- 04887000 0 - Salvation Army The
- 13704000 0 - Salvation Army The
- 15988584 0 - Salvation Army The
- 67336800 0 - Shep Rock Foundation
- 13447000 0 - Society of St Vincent De Paul Southwest ID Dist. Council Inc
- 35818000 0 - St Vincent De Paul Of Caldwell Inc
- 00201000 0 - Theta Psi House Corporation
- 08154000 0 - Treasure Valley Transit Inc
- 19896000 0 - V F W Post 11065
- 67120000 0 - Warhawk Air Museum Inc
- 67120113 0 - Warhawk Air Museum Inc
- 67120114 0 - Warhawk Air Museum Inc
- 67120154 0 - Warhawk Air Museum Inc
- 67120154A0 - Warhawk Air Museum Inc
- 67371500 0 - Warhawk Air Museum Inc
- 67371501 0 - Warhawk Air Museum Inc
- 32109010B0 - Witco Inc
- 35865010 0 - Witco Inc
- 35865011 0 - Witco Inc
- 35865012 0 - Witco Inc
- 35723100 0 - Young Mens Christian Assoc Of Boise Inc
- 35723101 0 - Young Mens Christian Association of Boise Inc
- 01114000 0 - Caldwell Elks Home Assn Inc

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to approve the exemptions.

**63-602B – Religious:**

- 61111005 0 - KTSY Radio Station
- 61111016 0 - Praise Inc
- 61111020 0 - Refuge Counseling Center LLC
- 61111002 0 - Salt & Light Catholic Radio
- 04865000 0 - Antioch Miss Baptist Ch
- 12798000 0 - Apostolic Assembly of Faith in Jesus Christ Inc
- 01136000 0 - Apostolic Assembly of The Faith in Christ Jesus
- 01143000 0 - Apostolic Assembly of The Faith in Christ Jesus
- 08807000 0 - Apostolic Way Inc \$ @@
- 28615014 0 - Assemblies of God S Id Dist.
- 02016000 0 - Assembly of God Ch Central Latin American Dist. Council
- 02653000 0 - Assembly of God Ch of Ca
- 02657000 0 - Assembly of God Ch of Ca
- 29233000 0 - Bethel Ch of the Nazarene
- 70230000 0 - Bible Missionary Church of Greenleaf Idaho Inc
- 36165000 0 - Bible Missionary Church of Greenleaf Inc
- 13439000 0 - Bible Pentecostal Church Inc
- 13441000 0 - Bible Pentecostal Church Inc
- 13443000 0 - Bible Pentecostal Church Inc
- 01342000 0 - Boone Memorial Presbyterian Church Inc
- 01353000 0 - Boone Memorial Presbyterian Church Inc
- 01354000 0 - Boone Memorial Presbyterian Church of Caldwell Idaho Inc
- 17047000 0 - Bowmont Ch of the Brethren
- 17048000 0 - Bowmont Ch of the Brethren
- 21150000 0 - Buddhist Society of Idaho
- 35746000 0 - Caldwell Free Methodist Church Inc
- 01772000 0 - Calvary Chapel Caldwell Inc
- 31394000 0 - Calvary Chapel Nampa Inc
- 31395000 0 - Calvary Chapel Nampa Inc
- 23113000 0 - Calvary Chapel of Nampa
- 23112000 0 - Calvary Chapel of Nampa Inc
- 23118000 0 - Calvary Chapel of Nampa Inc
- 19936000 0 - Calvary Holiness Church Inc
- 04656000 0 - Calvary Temple Inc
- 04657000 0 - Calvary Temple Inc

- 17607033 0 - Canyon County Church of Christ Inc
- 04218000 0 - Canyon Hill Ch of Nazarene
- 04221000 0 - Canyon Hill Ch of Nazarene
- 04222000 0 - Canyon Hill Ch of Nazarene
- 04255000 0 - Canyon Hill Ch of Nazarene
- 33945000 0 - Canyon Springs Christian Church Inc
- 33946000 0 - Canyon Springs Christian Church Inc
- 32510010 0 - Centennial Baptist Ch Inc
- 02119000 0 - Ch of God of Prophecy
- 05096000 0 - Ch of God of Prophecy Regional Office Inc
- 08712000 0 - Ch of God Prophecy
- 08575000 0 - Ch of the Nazarene
- 08833000 0 - Ch of the Nazarene
- 12158000 0 - Ch of the Nazarene
- 12514000 0 - Ch of the Nazarene
- 08573000 0 - Ch of the Nazarene N Na Inc
- 32003000 0 - Christian Faith Center Assembly of God Inc
- 35797000 0 - Christian Faith Center Assembly of God Inc
- 35666000 0 - Church of Christ Cald Inc
- 19191000 0 - Church of Christ Of Parma Idaho Inc
- 20007000 0 - Church of God
- 01577000 0 - Church of God Apostolic of Id
- 04513102 0 - Church of God Inc
- 02157000 0 - Church of God of Caldwell Inc
- 31478010 0 - Church of God of Prophecy
- 17042000 0 - Church of The Brethren
- 31440010A0 -Church of The Brethren Inc
- 15502000 0 - Church of The Living God Inc
- 11205000 0 - College Ch Of the Naz Inc
- 11200000 0 - College Ch Of the Nazarene
- 11204000 0 - College Ch Of the Nazarene
- 10993000 0 - College Church of The Nazarene Inc
- 17535000 0 - Community Baptist Church of Melba Inc
- 25279000 0 - Corp Of Pres Bis Of the Church of Jesus Christ of LDS
- 34324000 0 - Corp Of Pres Bis Of the Church of Jesus Christ Of LDS
- 29411100 0 - Corp Of Presiding Bishop
- 14926000 0 - Corp Of Presiding Bishop
- 29179000 0 - Corp Of Presiding Bishop
- 34443011A0 - Corp Of Presiding Bishop Church of Jesus Christ of LDS

- 25279010 0 - Corp Of Presiding Bishop Of
- 32900101 0 - Corp Of Presiding Bishop Of
- 00631000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 00632000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 01367000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 01368000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 01369000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 01379000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 04100010A0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 04152000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 08988000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 14096000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 16101000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 16195000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 19148000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 20155000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 20157000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 23934019 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 24709010 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 25279011 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 28688000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 29336013A0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 29729000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 30666011 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 31065000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 32041010 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 32400000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 32558010 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 32566010 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 33388000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 33395010 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 33400010 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 33401000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 33408000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 33409000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 33472000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 33483000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 33912000 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 33945011 0 - Corp Of Presiding Bishop of Jesus Christ of LDS

- 34349100 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 34513011 0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 38686011A0 - Corp Of Presiding Bishop of Jesus Christ of LDS
- 32419253 0 - Corp Of Presiding Bishop-Church of Jesus Christ of LDS
- 34356011 0 - Corp Of Presiding Bishop-Church of Jesus Christ of LDS
- 34366201 0 - Corp Of Presiding Bishop-Church of Jesus Christ of LDS
- 05176000 0 - Cp Reformed Church Inc
- 74415000 0 - Crossroads Assembly of God
- 31793395 0 - Crossroads Community Church
- 31793394 0 - Crossroads Community Church Inc
- 31793399 0 - Crossroads Community Church Inc
- 10954000 0 - Evangelical Lutheran Zion Ch Of Na
- 35080000 0 - Evergreen Heights
- 14301000 0 - Fairview Church of The Nazarene @@
- 14302000 0 - Fairview Church of The Nazarene Inc
- 14303000 0 - Fairview Church of The Nazarene Inc
- 14327000 0 - Fairview Church of The Nazarene Inc
- 14329000 0 - Fairview Church of The Nazarene Inc
- 03684000 0 - Faith Evan Luth Ch Of Cald
- 03686000 0 - Faith Evan Luth Ch Of Cald
- 37169000 0 - Fargo Community Church
- 75203000 0 - Fargo Community Church
- 30381000 0 - Fellowship Baptist Church Inc
- 06161000 0 - First Baptist Ch-Ca
- 17769000 0 - First Baptist Church of Middleton
- 17779000 0 - First Baptist Church of Middleton
- 18469000 0 - First Baptist Church of Middleton
- 18857000 0 - First Baptist Church of Notus Inc
- 38996000 0 - First Baptist Church of Roswell
- 32596000 0 - First Ch of the Nazarene
- 15436000 0 - First Christian Ch
- 15437000 0 - First Christian Ch-Na
- 15439000 0 - First Christian Ch-Na
- 15441000 0 - First Christian Ch-Na
- 27439000 0 - First Christian Church of Caldwell DbA Caldwell Christian Church
- 27440000 0 - First Christian Church of Caldwell DbA Caldwell Christian Church
- 07347000 0 - First Church of Christ Scientist
- 09845000 0 - First Church of The Nazarene
- 13817000 0 - First Church of The Nazarene

- 13891000 0 - First Church of The Nazarene
- 32007000 0 - First Congregational Church United Church of Christ Nampa Inc @@
- 35436000 0 - First Friends Church of Caldwell Inc
- 00485000 0 - First Methodist Ch Of Cald
- 35389000 0 - First Methodist Ch Of Cald
- 35391000 0 - First Methodist Ch Of Cald
- 19935000 0 - First Methodist Epis Ch Wilder
- 18987000 0 - First Presbyterian Ch
- 00330000 0 - First Regular Baptist Inc
- 32186010 0 - First Romanian Church Inc
- 24563000 0 - First Southern Baptist Church of Caldwell Inc
- 29230010 0 - First United Methodist Ch
- 78392000 0 - First United Methodist Church
- 31968000 0 - First United Presbyterian
- 31971000 0 - First United Presbyterian
- 32918000 0 - Followers of Christ
- 32923000 0 - Followers of Christ Inc
- 34174000 0 - Franklin Community Ch Inc
- 37012000 0 - Free Holiness Church
- 37021000 0 - Free Holiness Church
- 33158000 0 - Free Methodist Church of North America
- 29261011 0 - General Assembly and Church of The First-Born Inc
- 19928000 0 - Golden Gate Baptist Ch
- 08588000 0 - Good News Community Church Inc
- 32001010a0 - Grace Bible Church Inc
- 13681000 0 - Grace Episcopal Ch Of Na
- 35616000 0 - Grace Evangelical Lutheran
- 14656000 0 - Grace Tabernacle Inc
- 11133000 0 - Greater Life Church Inc
- 11134000 0 - Greater Life Church Inc
- 28875000 0 - Greenhurst Bible Church Inc
- 36241000 0 - Greenleaf Friends Ch
- 36242000 0 - Greenleaf Friends Ch
- 36263010 0 - Greenleaf Friends Church
- 36264000 0 - Greenleaf Friends Church
- 31454000 0 - Harvest Life Ministries Inc
- 05061000 0 - Heritage Holiness Chapel Incorporated
- 33715011 0 - Homedale Church of Nazarene
- 33670010 0 - Homedale Friends Comm Church

- 19438000 0 - ID Dist. United Pentecostal Church Inc
- 04001000 0 - Idaho Conference of Seventh Day Adventists
- 17902114 0 - Idaho Conference of Seventh Day Adventists
- 05032000 0 - Idaho Conference of Seventh Day Adventists Inc
- 24428010 0 - Idaho Conference of Seventh Day Adventists Inc
- 19940000 0 - Iglesia Evangelica Mexicana De Wilder Inc
- 02090011 0 - Iglesia Misionera Pentecostes Inc
- 02091000 0 - Iglesia Misionera Pentecostes Inc
- 02092000 0 - Iglesia Misionera Pentecostes Inc
- 13611000 0 - International Church of The Foursquare Gospel
- 13490010 0 - Involve Church Inc
- 05799000 0 - Jehovah's Witnesses Caldwell Idaho Inc Central Congregation
- 01112011 0 - Jehovah's Witnesses Inc N Caldwell Congregation
- 26438000 0 - Jehovah's Witnesses Inc Nampa East Congregation
- 26436000 0 - Jehovah's Witnesses Nampa East Congregation
- 15216010 0 - Jehovah's Witnesses Nampa Id Inc Lake Lowell Congregation
- 31408000 0 - Karcher Church of The Nazarene Inc
- 76061000 0 - Karcher Church of The Nazarene Inc
- 25266000 0 - La Iglesia De Dios Inc
- 29578012 0 - Lake Shore Dr Baptist Church Nampa
- 32096000 0 - Lakeview Bible Church Inc
- 15234000 0 - Lutheran Brethren Ch Na Inc
- 31355010 0 - Maranatha Romanian Church of God No 10953
- 17544000 0 - Melba Friends Church Limited
- 17537000 0 - Melba Friends Church Ltd
- 16034010 0 - Mennonite Church
- 32135000 0 - Messiah Evangelical
- 73481000 0 - Messiah Lutheran Church
- 17993000 0 - Methodist Church
- 18689000 0 - Middleton Ch Of Naz Inc
- 30895000 0 - Midland Congregation of Jehovah's Witnesses Nampa Id Inc
- 27472000 0 - Midway Bible Missionary Ch
- 11081000 0 - Nampa 1st Southern Bapt Ch
- 16765000 0 - Nampa Ch Of Christ
- 13034011 0 - Nampa First Assembly of God of The City of Nampa Idaho Inc
- 14950550 0 - Nampa First Church of The Nazarene
- 16270500 0 - New Covenant Baptist Church
- 13530000 0 - New Direction Inc
- 13570000 0 - New Direction Inc

- 32097010 0 - New Hope Baptist Church Inc
- 00087000 0 - New Life Bible Fellowship Inc
- 04774000 0 - New Life Celebration
- 04778000 0 - New Life Celebration
- 07275000 0 - Northwest Latin Conference of The International Pentecostal Holi
- 02815545 0 - NW District Bible Missionary Church
- 34536000 0 - Oregon Trail Ch Of God Inc
- 19192000 0 - Parma Ch of the Nazarene
- 19367000 0 - Parma Miss Baptist Ch
- 02709000 0 - Protestant Episc Ch Of Id
- 19565000 0 - Revival Center Ch Inc
- 31460000 0 - Rock of The Christian And Missionary Alliance Inc
- 18975000 0 - Roman Catholic Dioc Of Boi Sacred Hearts of Jesus Mary Church
- 17503000 0 - Roman Catholic Dioc Of Boise Melba Church
- 15617000 0 - Roman Catholic Dioc Of Boise St Paul's Church
- 15227000 0 - Roman Catholic Diocese of Boise
- 15228000 0 - Roman Catholic Diocese of Boise
- 16238000 0 - Roman Catholic Diocese of Boise
- 17502000 0 - Roman Catholic Diocese of Boise
- 17607020 0 - Roman Catholic Diocese of Boise
- 24564010 0 - Roman Catholic Diocese of Boise
- 31822011 0 - Roman Catholic Diocese of Boise
- 32334000 0 - Roman Catholic Diocese of Boise
- 32334100 0 - Roman Catholic Diocese of Boise
- 12829000 0 - Rosa De Saron Pentecostal Holiness Church Inc
- 35252000 0 - Salt and Light Radio Inc
- 37691000 0 - Sandhollow First Baptist
- 09491000 0 - Southern Idaho Corp Of Seventh Day Adventists
- 09492010 0 - Southern Idaho Corp Of Seventh Day Adventists
- 09492010A0 - Southern Idaho Corp Of Seventh Day Adventists
- 25909000 0 - Southern Idaho Corp Of Seventh Day Adventists
- 38837011A0 - Southern Idaho Corp Of Seventh Day Adventists
- 38837117 0 - Southern Idaho Corp Of Seventh Day Adventists
- 15216000 0 - Southern Idaho District Council of The Assemblies Of God
- 29527000 0 - Southside Blvd Methodist
- 29542011A1 - Southside Blvd Methodist
- 15459000 0 - Sovereign Grace Fellowship of Nampa Inc
- 02033000 0 - Spanish Assemblies of God Church Rosa De Saron
- 39089010 0 - Sterry Memorial Presbyterian Church Inc



- 39122000 0 - Sterry Memorial Presbyterian Church Inc
- 39123000 0 - Sterry Memorial Presbyterian Church Inc
- 32273000 0 - Sunnyridge Assembly of God
- 22961000 0 - Teen Challenge International Pacific Northwest Centers
- 09006000 0 - The Church of The Rock Inc
- 09013000 0 - The Church of The Rock Inc
- 73546000 0 - The Way Assembly of God Inc
- 03678010 0 - Treasure Valley Christian
- 03683000 0 - Treasure Valley Christian
- 03685000 0 - Treasure Valley Christian
- 01413000 0 - Treasure Valley Christian Center Inc
- 01414000 0 - Treasure Valley Christian Center Inc
- 02759000 0 - Treasure Valley Christian Center Inc
- 31999000 0 - Trinity Evangelical Luth Ch
- 33003011A0 - United Reform Church of Nampa
- 35133000 0 - Valley Pentecostal Church Inc
- 22926000 0 - Wat Idahophoxaiyaraam Inc
- 17999000 0 - Way Assembly of God Inc
- 16040000 0 - Wesleyan Holiness Ch of Na
- 78097000 0 - Wesleyan Holiness Church
- 14990002 0 - West Valley Baptist Church Inc
- 37097000 0 - Wilder Assem Of God Ch
- 04945000 0 - Word of Truth Fellowship Inc

Commissioner Van Beek made a motion to approve the exemptions. The motion was seconded by Commissioner White and carried unanimously.

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

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

The Board met today at 1:18 p.m. with the Fair Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Keri Smith arrived at 1:20 p.m., Fair Director Diana Sinner and Deputy Clerk Jenen Ross.

Director Sinner spoke about the following:

- For fiscal year 2022 budget numbers she used 2017, 2018 and 2019 to get a more realistic view since there was no fair in 2020.
- Impacts to revenue include weather and the mainstage entertainment (which can be affected by the artists routing and competition from other area concert venues)

- Highlights for the Fair FY2022 budget include:
  - Correction to the office furniture line item
  - Potential purchase of a golf cart; Director Sinner will work with Director Tolman for a quote
  - AV for the Expo Building
  - New full-time position for an Agriculture Programming Coordinator
  - Specific revenue/expenses related to bringing the livestock show in-house
  - Additional ticket booths will be necessary on the Expo Building side and options for that are being evaluated
  - Attendance, food and sponsorship are all directly related to the mainstage act
  - Commissioner Smith would like to see more money included in awards and would like to see Director Sinner redevelop the ribbon system with the inception of an open class livestock show
  - Director Sinner will email her final version of the budget before she submits it to the Clerk and Controller
- Director Sinner has met with Carrie Clarich from the Extension office regarding the MOU and a draft document is being worked on. Director Sinner is also working on draft MOU with the FFA.
- 2021 Ticket sales are already at \$30,385
- Discussion ensued regarding allowing the building to be rented to multiple producers

The meeting concluded at 2:08 p.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 2:10 p.m. with the Parks Director to discuss general issues, set policy and give direction. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Parks Director Nicki Schwend, Assistant Parks Director Laura Barbour and Deputy Clerk Jenen Ross. Director Schwend discussed the following with the Board:

- They are having a hard time filling Interpretive Specialist positions which has been posted 4 times. Usually the Interpretive Specialists help with the Canoe Science Camp but due to the lack of staff in that area they may look to hire an additional person for the camp.
- Two major requests for the FY2022 budget include the mezzanine for the Celebration Park Museum and the Parks Master Plan.
- There are a couple of open positions they are looking to interview and fill in the coming weeks
- The virtual and in-person field trips are being monitored to see how they continue to evolve.
- Improvements to the gun range are continuing; there is one open position on the advisory board; some fencing still needs to be completed.

- A spreadsheet of showing the grant award history between FY19-FY22 was provided to the Board and is on file with this day's minutes.
- A recommendation list from IT has not yet been received but Director Schwend doesn't believe her department is slated for any upgrades.
- Discussion ensued regarding the Parks Department's involvement in certain land use cases and how the preservation plan could be beneficial to certain aspects of Development Services.

The meeting concluded at 3:02 p.m. An audio recording is on file in the Commissioners' Office.

WEEKLY MEETING WITH THE DIRECTOR OF DEVELOPMENT SERVICES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION AND CONSIDER AN ACTION ITEM

The Board met today at 3:09 p.m. with the Director of Development Services to discuss general issues, set policy and give direction and to consider and action items. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, HR Generalist Jennifer Allen (left at 3:28 p.m.) and Deputy Clerk Jenen Ross. The action item was considered as follows:

***Consider signing resolution to add positions to the Development Services Department:*** Director Nilsson explained the Chief Building Inspector will be going out on FMLA for 2-3 month starting in June so they would like to have an additional Building Inspector on board in order for there to be some crossover training. The other is to change a Lead Administrative Specialist to an Office Manager. For years the position has been named Lead Administrative Specialist but that job description doesn't really cover what is being done in that role. The job description for the Office Manager is based on the same position in the Assessor's Office as they have similar roles and responsibilities. Based on a question from Commissioner Van Beek, Director Nilsson and Ms. Allen spoke about how the salary range was determined. Director Nilsson spoke about some of the succession planning they are working to get in place with the majority of the leadership nearing retirement. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the resolution approving the addition of one (1) position and one (1) title, job description and FLSA change in the Development Services Department (see resolution no. 21-083).

Director Nilsson spoke briefly about some of the budget planning she's done to this point. The noted line items included training/education, travel and computer equipment.

Discussion ensued regarding the fire/water committee. One of Director Nilsson's recommendations is to look at the ordinance standards, developers feel that things are inconsistent and unfortunately will remain that way because there aren't any standards in the ordinance. There is a presumption that subdivisions are going to be annexed by the city and there can't be something created that is substandard for a city to inherit. However, on the other side

Director Nilsson feels that the county can do a better job of delineating the areas that are exempt from water supply and thinks it would be beneficial to have some disclosure with a building permit, that the property owner acknowledges that there isn't a water supply. There are a lot of options for water supply depending on the site but she feels like if this is something that has been adopted by the state it's not something that can be overridden by the county. Additionally, there is the issue of clean-up of previous decisions and determining if the conditions are enforceable or not. The county needs to figure out its role in helping the fire districts because it hasn't been defined like it has with the health districts and the highway districts.

Discussion ensued regarding compensation for DSD staff who are unable to use their comp time hours. Director Nilsson suggested perhaps allowing certain staff to cash out their comp time balances.

The meeting concluded at 3:53 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2021 TERM  
CALDWELL, IDAHO      MAY 4, 2021

PRESENT:      Commissioner Keri K. Smith, Chair  
                 Commissioner Leslie Van Beek, Vice Chairman  
                 Commissioner Pam White  
                 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 573605 to 573658 in the amount of \$145,074.03
- The Board has approved claim 573747 in the amount of \$1,595.00

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Caldwell Housing Authority dba Farmway Store (Resolution no. 21-084)
- The Board approved an Alcoholic Beverage License renewal for El Guero LLC dba Pollos Y Mariscos El Guero; Roots and Company LLC dba Roots and Company (Resolution no. 21-085)

- The Board approved an Alcoholic Beverage License renewal for Caldwell Hospitality Group LLC dba Best Western Inn & Suites; Smashburger Acquisition-Idaho LLC dba Smashburger #1588 (Resolution no. 21-086)
- The Board approved an Alcoholic Beverage License renewal for Paleteria Y Neveria Mi Linda Michoacana dba Paleteria Y Neveria Mi Linda Michoacana Ice Cream LLC; Nampa Lodge #1389 BPOE Inc dba Nampa Elks Lodge #1389 (Resolution no. 21-087)

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

The Board met today at 8:30 a.m. with the Director of Facilities to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Facilities Director Paul Navarro and Deputy Clerk Jenen Ross. Deputy P.A. Zach Wesley arrived at 9:01 a.m. As requested by the Board Director Navarro gave a brief review of his requested budget for FY2022. The highlights of his requests are as follows:

'A' Budget:

- Would like to retitle one position to a project manager/purchaser – this position would be responsible for coordinating supplies for projects in order to increase efficiency. Recommending this be a \$14-\$18/hour position.
- Asking for one additional maintenance technician position dedicated to the fairgrounds/expo building. This position would work odd hours, possibly Wednesday thru Sunday, 11:00 a.m. to 8:00 p.m. With the growth and need of county facilities Director Navarro doesn't feel he is adequately staffed to be able to handle the fairgrounds and new expo building once it comes online. He probably wouldn't need to fill this position until Spring of 2022.

'B' budget:

- Architects: \$85,000 broken down as follows:
  - \$42K for AE to design a warehouse for the Graye Lane property.
  - \$43K to evaluate the logistics of changing the 'C' wing of the juvenile detention center into additional space for juvenile and misdemeanor probation.
- Most budgeted numbers are based on a 3-year average.
- Idaho Power has applied a 4.2% increase.
- Snow plowing: this line item will be reduced because the grounds crew can do this so there will no longer be a need to hire a contractor for snow removal.
- Security systems: \$15,000 for cameras in specific areas of the courthouse campus.
- Computer equipment: based on recommendations from IT

- Trucks and pickups: two trucks need to be replaced and he would like to buy a used skid steer to be used for various tasks throughout the county during the year.
- Other items include:
  - Replace Trane Chiller on rooftop of JDC - \$84,900
  - Key cutting machine and software for Fleet – \$11,648
  - Fiber optic pull from Courthouse to Fairgrounds – \$37,970 (this will be a priority due to an agreement with the City of Caldwell)
  - Replace SPRUNG Roof on POD 5 – \$195,000 (this is a critical item as the current roof may only last another year or two)
  - Replace store front doors on courthouse on 12<sup>th</sup> St. – \$20,000
  - Replace windows in jail admin –\$ 8,000
  - Replace roof at Extension office building – \$46,000
  - Replace 8 MAU in courthouse (original 1974 equipment) -\$45,000
  - Upgrade cellular dialers for fire alarm systems to 5G network - \$6,500
  - Replace 2 hot water heaters in courthouse with re-circ pumps - \$9,500
  - Replace 12 wall heaters in stairwells -\$5,200
  - Expand Reliable DDC controls in Elections, building maintenance and animal shelter - \$33,000
  - Add 3 HVAC units in crime lab/morgue into Reliable DDC program
  - Replace windows at DMV building - \$9,800
  - BOCC hearing room improvements - \$6,850
  - Replace gate for Juvenile Probation parking area and controller - \$4,500
  - Replace 2 gate openers for the fleet shop - \$6,500
  - Remodel IT vault into usable office space - \$4,850
  - LID improvement to Extension office - \$14,350
  - Seal-coating and re-striping of parking lots in 3-year rotation - TBD

At the request of the Board, Director Navarro said he will email a list of offices/departments that have and have not contracted him regarding capital improvement plans.

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

#### MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 9:14 a.m. with county attorneys for a legal staff update. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. There were no items for discussion. The meeting concluded at 9:14 a.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARING - REQUEST BY BORTON-LAKEY LAW REPRESENTING RIDGELINE VISTA, LLC FOR A CONDITIONAL REZONE, CASE NO. CR2020-0012

The Board met today at 10:00 a.m. to go on the record to reschedule the public hearing in the matter of a request by Borton-Lakey Law representing Ridgeline Vista, LLC, for a conditional rezone, Case No. CR2020-0012. Present were: Commissioners Leslie Van Beek and Pam White, Todd Lakey, Darin Taylor, other interested persons, and Deputy Clerk Monica Reeves. The previous hearing was held on March 22, 2021 and was continued to subsequent dates of April 22 and May 4th so that all three Commissioners could be in attendance. Commissioner Smith was attending a special session of the Southwest District Board of Health and was unable to be present for today's hearing. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to May 6, 2021 at 1:00 p.m. The meeting concluded at 10:01 a.m. An audio recording is on file in the Commissioners' Office.

MONTHLY ELECTED OFFICIALS' MEETING

The Board met today at 1:36 p.m. for an elected officials' meeting. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Assessor Brian Stender, Clerk Chris Yamamoto, and Deputy Clerk Monica Reeves.

SWDH update

Commissioner Smith reported on today's special meeting at SWDH where the board unanimously passed a resolution related to COVID-19 and making it clear they were giving people the right to assemble and operate their businesses without any restrictions. There will not be any recommendations on the size of gatherings out of SWDH. Although they never imposed mandates they were hearing from schools and other organizations that there were still heavy recommendations that were affecting their business. The resolution should eliminate the confusion and hopefully send us back to normal, however, if businesses choose to follow CDC or state guidelines they are free to do so; the health board will not tell them one way or the other how to operate their businesses moving forward. There were mandates, but online there were recommendations to follow the Governor's order and to follow CDC guidelines, but all of those recommendations are gone now and it now states you have the right to gather and to operate your business. Commissioner Smith hopes the board of health has set the path forward for other health districts to make a stand.

IT email address changes

Commissioner Smith reported that IT Director Greg Rast wants to accomplish a change in the canyonco.org email address to .gov, which provides a level of security and will also change the system so we have more secure emails. She also spoke about the need for continuity for contact information including business cards. The topic will be brought up to the larger elected officials' group.

### **Cell phone stipends**

There are three different amounts people are paid each month for cell phone stipends: \$40, \$50, & \$55 but it doesn't appear there is any rhyme or reason as to who receives which amount so Commissioner Smith wants to look into that. The County pays approximately \$56,000 a year in stipends, not including the \$186,000 paid to Verizon each year for cell phone plans, hot spots and mobile wi-fi devices. Commissioner Smith spoke about how at a previous job she eliminated cell phone stipends for her team because most people carry a cell phone and it's a part of daily life and it's an expense they already have and so she questions whether the taxpayers should be paying for that. Commissioner Van Beek supports Commissioner Smith's position. Clerk Yamamoto said we should look into the expense and see if all the people who receive it actually need it. Discussion ensued about the need for a policy and the qualifiers and what makes it essential, as well as the need to have one stipend amount of either \$35 or \$45. Clerk Yamamoto said we should go office by office/department by department and see what the needs are. Commissioner Van Beek supports evaluating it to see if they come back with justifiable reasons. The Clerk also said the Board should talk to the IT Director so he can manage it. Commissioner Smith wants to hear from elected officials and department administrators on why their staff need cell phones and stipends.

### **Legislative issues:**

Assessor Stender reported that HB 389 will be heard today and if approved it will suspend every rule known to man. Clerk Yamamoto said the legislature killed the County's bill without even considering it. Chairman Harris and Representative Moyle rammed the bill through at the end of session and they rolled it out yesterday afternoon and are voting on it before noon today. The bill will raise homeowners' exemption from \$100,000 to \$125,000, which the Clerk believes won't help many people. One-third of the homeowners in the state will see their taxes go up and they will be the ones who can least afford it. In addition to that portion the bill will also change how new construction is calculated. It will also increase the PTR payout to \$1500, up from \$1320. If you qualify for PTR and your home is valued at more than 125% of the county median you won't qualify for property tax relief but you will qualify for tax deferral in exchange for signing a lien, similar to a reverse mortgage. Clerk Yamamoto said the backers of the bill don't want to see commercial or agriculture get any kind of increase and they think we do not have a value problem, but rather a spending problem mostly because the County did not take the federal government assistance. The County did not take the forgone amount, or the 3%, or new construction and we lowered the budget. The problem is the value disparity between residential and commercial and Canyon County homeowners are paying \$8 million that the commercial sector did not pay. The bill increases the personal property exemption from \$100,000 up to \$250,000 and they will replace that money from somewhere in the state. The Assessor and Clerk talked about how Canyon County has provided the legislature and the state tax commission more information than anyone else has.

### **Miscellaneous:**

Commissioner Van Beek asked if the County has run out of PPE gloves. Clerk Yamamoto said we have been short on gloves and it's been a bit of a problem.



The meeting concluded at 2:32 p.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH THE MAYOR OF MIDDLETON TO DISCUSS MIDDLETON AREA OF IMPACT

The Board met today at 4:02 p.m. with the Mayor of Middleton to discuss the Middleton Area of Impact. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Middleton Mayor Steve Rule, Middleton City Administrator Becky Crofts, Middleton City Planner Roberta Stewart, Middleton City Engineer Rachel Spear, Middleton Public Works Director Bruce Bayne, Attorney Mark Hilty for the City of Middleton, Amy Woodruff contract engineer for the City of Middleton, Attorney Chris Meyer with Givens-Pursley, DSD Planners Kate Dahl and Dan Lister joined at 4:27 p.m. and Deputy Clerk Jenen Ross.

Commissioner Smith explained that the Board has been approached by a constituent regarding annexation of land into the City of Star but that particular area is also in the Middleton Impact Area. The Board has initiated a 30-day notice to the City of Star letting them know that the county wants to start the impact area agreement negotiations with them.

Mayor Rule said when he was a Commissioner several years ago Star and Middleton were having this same battle. When he became Mayor, he started conversations with the City of Star to try determining where that line may or may not be. It became obvious to him that simply having conversations wasn't going to work well. In turn he hired Ms. Woodruff to do a geographical gravity flow concept, which he presented to the City of Star but they quickly dismissed it stating they have plans to go to Lansing and possibly Duff. He essentially walked away from the conversation and now it's to this point.

Becky Crofts said that the City of Middleton is taking a position of objecting to renegotiation based on the following information, especially the renegotiation of the eastern boundary which is CanAda. The current area of impact which was established in 2006, and the policies adopted with Canyon County was done in 2001 by ordinance. Since 2001 the area of impact grew a couple of times until 2006. The CanAda boundary was established in 2006, which was done by state code and in coordination with Canyon County. Star has not established an official area of impact west of CanAda, therefore the city is taking the position that the City of Star has been illegally annexing and developing in Middleton's area of impact in violation of state statute and county ordinance. The City of Middleton has been planning for nearly 20 years into their area of impact, they've engaged in long-term extensive land use, transportation and utility planning in this area. One major difference between Middleton and Star is that Middleton owns and manages its own critical municipal services, including water, sewer, streets and police that service the impact area. Star has recently engaged in land use planning into that area but unlike Middleton, the City of Star does not own or manage its own municipal services, they have land use authority only. All water, sewer, street and law enforcement services are contracted by a 3<sup>rd</sup> party. Middleton is their own utility and takes responsibility for the planning and development of those services throughout the impact area. Star only contracts with other districts and agencies for those services. The other important thing to understand about Star's planning is that Middleton believes they are adversely planning

into Middleton's impact area. Middleton city council has taken a pretty hard position on R-3 density and not much higher than that in most of its land use planning. They've had several developers come to the city wanting to put in townhomes or apartments but Middleton wants to remain more of a rural community. The city council has been very strict on setbacks, 10' on each side, 25' in the front, 20' in the back. Star's planning into this area is much denser, they are allowing density of up to 5 dwellings per acre and their setbacks are much smaller, Ms. Crofts believes they go as low as 5'. There is a lot of complication with Star being inside Middleton's area of impact with law enforcement services. Sometimes you can get up to 3 agencies responding. The City of Middleton is also somewhat concerned about unfair taxation, Star is collecting taxes on an overlay of taxes into Canyon County yet they are not paying for those services. Additionally, the City of Star has been annexing property and approving development in Middleton's impact area without first giving proper notice; Middleton was notified of the last annexation that came before Star city council by an adjoining property owner. Due to the lack of proper notification the City of Middleton plans to appeal that particular annexation request. Considering all the previous points, the City of Middleton perceives no basis to change the eastern boundary of its area of impact. The boundary has been properly established since 2006 with policy in place since 2001 and Middleton is in a position to serve efficiently and effectively all the property in its area of impact. They have invested millions of dollars in waste water treatment plants, a \$10M investment in the current plant with an \$8M expansion planned for 2023. They just built a booster station on the water system that serves the east zone which was a \$1M extension with water and sewer services extended to Kingsbury Lane. They don't believe based on the ordinance and where the city has been that they should agree to a renegotiation at this point.

Ms. Woodruff spoke about the ability to service this area and provided three maps for reference each of which are on file with this days' minutes. Map 1 was done in 2017 and shows the proposed water main extension from the city's existing facility. She spoke about how the city envisions the area being served. A portion of these items that were planned in 2017 have already been constructed and are in service. There are some areas where it would make more sense for the city to contract directly with Star Sewer and Water which is a district authority to provide service, however those are just judgements that will be made as developments come on. Map 2 is the City of Middleton's indicates the impact boundary and utility corridor. Ms. Woodruff spoke about the watermains and sewer sheds in the area and the directions in which they would flow. She also spoke about future watermains, gravity sewer and regional lift stations. The city has done a lot utility planning in the area and there is a good degree of confidence that it can be served planning and practically.

Commissioner Van Beek said that in the meeting with the City of Star it is her understanding that a part of their annexation went all the way to Kingsbury Rd. and asked Ms. Woodruff to speak to that. Ms. Woodruff said that on map no. 2 there is a brown shading which is the area of Star annexation, it is called out as 'Existing Star City Boundary'. There are not currently constructed utilities in the area, it's just a land planning boundary.

The 3<sup>rd</sup> map provided is the City of Middleton's transportation, schools and recreation map. This map has been used since 2014 and is the map that is referred to for transportation improvements,

open space, parks and schools. This map is in the city code and the requirements of it are required to be reviewed and incorporated into developments that annex into the City of Middleton.

Mr. Meyer's doesn't really feel that this conversation should even be happening based on LLUPA (Local Land Use Planning Act), the whole concept of LLUPA is that this conversation happened years ago when the City of Middleton worked with the Board of County Commissioners to negotiate its area of city impact. The core principle of LLUPA is the concept of area of impact or area of city impact, the idea is that the boundaries are worked out with the county and then they are honored, that has not happened here. Another provision of LLUPA that deals expressly with the question of a city annexing across a county line. The provision says that can happen but only by agreement with the city and county concerned, however, there is no such agreement in place here. The county is in a position to inform the City of Star that unless and until there is an agreement it cannot annex into Canyon County. That is something that has not been honored, it was not honored with the previous annexations into Canyon County and that's a big problem because as others have explained, the idea behind LLUPA is to allow cities and the people who live in and near cities to have some reasonable expectation of where growth is going to occur so that the millions of taxpayer dollars that is expended in planning and designing and building infrastructure and dollars from private enterprise that follow that can have a model to know this is the way it is expected to unfold. That did not occur in this case. The City of Star will say that they have an exception and point to a particular provision in the annexation statute that says they are authorized, that any city is authorized to annex beyond its area of impact if it is doing a voluntary category 8 annexation, which is true. They do have the ability to go beyond their area of impact, it does not say they have the ability to annex into somebody else's area of city impact. This can be unwound in any number of ways but his opinion is that Middleton has done everything right, and Star has done everything wrong. This is a situation where investments have been made and they should be honored. Right now, he feels it's very important for the Board to recognize that they have an investment. If the mechanism isn't honored then why go thru the exercise of having an area of city impact. The legislature has pages on how to resolve disputes on areas of city impact and it created complex mechanisms to resolve these issues. The statute states that the City of Star can annex beyond its area of city impact, meaning it can annex into some unincorporated area that no other city had staked out. He believes there needs to be conversations and that the issue can be resolved thru the kinds of discussions that have been had here today and to ask the question 'who can serve this area the best?'. The discussion needs to be had from the perspective that right now these annexations are illegal.

Commissioner Van Beek asked Mr. Meyer if perhaps a precedent is being set by the City of Star trying to annex into another jurisdiction. Mr. Meyer said this is unprecedented to his knowledge and reiterated that LLUPA solved this. This is very unusual, normally cities honor other areas of city impact. Commissioner Smith asked that since this happened years ago with a different Board of Commissioners and a different Mayor who didn't object to it, what precedent did that set at this point? Mr. Meyer thinks there two things to contemplate: 1) are we going to allow any more of these illegal annexations? and 2) are we going to attempt to undo previous illegal annexations? He has no idea how this will go, perhaps there will be some compromise that will allow some or all of the previous annexations to remain in place, but if someone wanted to challenge them they

could do that in court. If these previous illegal annexations were category 'B' or 'C' annexations they would be subject to judicial review. Category 'A' annexations are not subject to judicial review which means they are subject to an action for declaratory judgement in district court.

Commissioner Van Beek said it sounds like there is already development into the area of annexation that she would like to know what the City of Star's position is. For clarification she confirmed with Mr. Meyer that things could be unwound based on the grounds of illegal annexation by the City of Star. Mr. Meyer said it could be done by either forcing it as court dictated or the parties could simply agree. Star could de-annex some or all of those annexations which could be moved over and re-annexed by the City of Middleton. If a negotiation were successful that is how you'd implement it. Mayor Rule said he really does see both sides, that was why one of the first things he did as mayor was set up a meeting with the mayor of Star. Unfortunately, he started to feel like it was just a mechanism for the City of Star to gain commitment and information and it became obvious to him that no discussions between him and Mayor Chadwick were going to work. Mr. Meyer said that since Mayor Rule has not had any success in discussions with Mayor Chadwick perhaps what is needed is something of a wake-up message. Right now, the City of Star is being told they can do this and that no one can stop them. The county has a dog in this fight because the statute says you can't annex into this county without an agreement with the county.

Based on a question from Commissioner Smith, Mr. Meyer said that the argument that the City of Star is collecting taxes but not paying for any portion of the services would probably become part of the argument but its not the thing that makes the annexation illegal. Once you recognize that the annexation is illegal then you have the question of what to do about it – will there be a de-annexation? At that point the county has a role to play in bringing the parties together so that some of the common-sense questions can be answered.

Commissioner White asked about MOUs in place for law enforcement. Ms. Crofts said that Middleton has an MOU in place with Canyon County. Middleton has an agreement that if it's outside of city limits that they respond anywhere within the impact area and outside if Canyon County needs support services. She doesn't know if Ada County Sheriff's Office and Canyon County Sheriff's Office have an MOU in place. She explained that dispatch centers are largely tax code or area based for 911 services so there are a lot of questions from residents on who is going to respond. They get regular calls from frustrated residents about addresses whose property has been annexed by the City of Star, it is in Canyon County but also in the Middleton impact area so addressing is problematic and they don't know who to call for services.

Commissioner Smith said the frustrating part for her is the claim by the City of Star that the county was notified of the annexation, however, the notification seemed to be an email to DSD staff about a road name for the subdivision but that is not legal notice of land use.

Commissioner Van Beek confirmed for the record with Ms. Crofts that the City of Middleton is not willing to pull back their area of impact. They are holding the line at CanAda. Mr. Meyer thinks the county can play a very important role, at this point the only option for the City of Middleton is to go to court. He feels it would be preferable for elected officials who are responsible to the

taxpayers to play a role in this. The county has the ability to ask for an agreement. Commissioner Smith said that LLUPA provides in section C where there is requested overlap the cities can first negotiate and if they can't reach an agreement then it spells out that the BOCC makes that decision. The Board met last week with the City of Star who have their own thoughts and opinions on the subject but as the chairman pointed out there is no area of impact agreement with Canyon County. Mayor Rule reiterated that he got the sense it was just a game being played by the City of Star and felt like they were trying to see how far they could push him. Any time he would present any kind of possible solution he was told it wouldn't work – he felt like he couldn't reach any resolve.

Commissioner Smith confirmed that either city can make a request that the Board make a decision within 30 days. The county has put the City of Star on 30-day notice which they are currently in the middle of right now. She is not sure what the legal position is on waiting for a proposal to come from them and then possibly some kind of agreement request from the City of Middleton. Mayor Rule said they are ready to make that presentation today based on the 2001 agreement and to work with Canyon County. Mr. Meyer said perhaps it would be worthwhile to pause for a moment on this allowing him time to speak with the county's legal counsel. Commissioner Smith referenced code 67-6526C on areas that overlap which she recognizes that as of right now there is no overlap but the county has asked the City of Star to stop annexing into the county without an impact area agreement. The county has put them on notice that they need to start negotiating an impact agreement and noticed them that they are requesting an area that has overlap and that they needed to work with Middleton. Mr. Meyer is struggling a bit as to if this really falls under subsection C because the first words in the statute are "...if areas of city impact overlap..." and they don't so he's not sure how it can be under subsection C. Additionally, if it does fall under subsection C, if all else fails it could take an election to resolve the issue. Mr. Meyer said the statute as he reads it contemplates a situation where the county for some reason allowed 2 areas of city impact or the city unilaterally extended an area of city impact into the county. The City of Star has not unilaterally extended its area of city impact into Canyon County so in order to be under the statute he thinks they would first need to adopt an ordinance declaring that the area of city impact extends way over into Canyon County then it would fall under subsection C but they haven't done that yet. Commissioner Smith agrees with that statement. She said that the county has said that they need an area of city impact so then the city council is going to make their recommendation that it goes to Kingsbury and at that point it would appear that there would be overlapping ones which fall under C then pushing it to the Board to make a decision on where it would be. Commissioner Van Beek asked, if you have a city [Middleton] that has it [an area of impact agreement with the county], how come it doesn't become a moot argument and we just don't say you [Star] need to push your line back because you don't have an agreement and you're coming in after the fact trying to develop an area of impact that has clearly been established by another city. Mr. Meyer said that you could say that, that would be a great thing to say. You don't need to engage with the City of Star on this, the county is in the driver's seat. Commissioner Van Beek said she likes the options and wants to know what the pros and cons are. She said in reference to the LLUPA legislation if it's interpreted in its truest sense it makes this a non-argument, if the county allows them to go forward and the city council to meet and declare an area of city impact then we're in unprecedented territory that jeopardizes other cities in the county and their areas of

impact. Mr. Meyer said that the City of Star must not simply act unilaterally, they cannot simply ignore somebody else's area of city impact. If they want to move into or annex land that is in another city's area of city impact they need to do something to move the previous area of city impact. It could overlay its own area of city impact right on top so it conflicts with the City of Middleton's area of city impact which would put this under subsection C and then you can have the mechanism to resolve it then if that fails it goes to an election. Commissioner Smith said the problem with that is that they are annexing in accordance with section A of the annexation which is still a problem and goes back to the county sending the demand letter for compliance with the impact area agreement so they've been asked to do that. Commissioner Van Beek said section A implies that you're not infringing on the area of impact of another city. Being that this Board has taken a posture of being very policy, ordinance and rule based, she is struggling to find a basis for allowing that invasion and she doesn't know what it looks like from a legal standpoint, if you took that line of thinking what does that look like for everything they've annexed and built on that is in the City of Middleton's area of impact? Mayor Rule feels that the point that has lost focus is the question of which city has the ability to serve and the plans that have been in place since 2001. Middleton is at Kingsbury right now, Star is trying to annex past Kingsbury without services. Their city water and sewer are approximately 1 ½ miles away from where they've annexed to without the overlay in place.

Commissioner White said that when the Board met with Star they indicated that the area between Kingsbury and Lansing was "no-man's land" and that Middleton doesn't have the ability to get to CanAda. Mayor Rule said that the "no-man's land" [between Kingsbury and Blessinger] was proposed by the Mayor Chadwick, however it wasn't anything the City of Middleton agreed on. As indicated earlier by Ms. Woodruff, Middleton can get to CanAda and can hire the Star Water and Sewer Company as a private enterprise or they can take a lift station out near there and take care of it with the Middleton municipal services.

Mr. Meyer said that in his opinion at this point there is no appeal to be filed what would need to be done is a petition for declaratory relief.

Commissioner Smith would like to have county legal staff work with Middleton's legal representation to get a consensus on timeframes, what's been asked of Star and to reconvene once the attorneys have had a chance to meet.

Commissioner Van Beek spoke about the lack of noticing and concerns about any assurances the City of Middleton and the county may or may not have that the City of Star won't continue to move forward. Commissioner Smith said there are no assurances in place but that the Board did specifically ask Mayor Chadwick to provide notice and that the Board can monitor their land use hearing calendar.

The meeting concluded at 5:06 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2021 TERM

CALDWELL, IDAHO    MAY 5, 2021

PRESENT:     Commissioner Keri K. Smith, Chair  
                 Commissioner Leslie Van Beek, Vice Chairman  
                 Commissioner Pam White  
                 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS ORDER NO. 2116

- The Board of Commissioners approved payment of County claims in the amount of \$1,733,307.81 for a County payroll.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- International Pip & Steel Corp in the amount of \$26,689.50 for the Parks Department
- BOE in the amount of \$1,060.00 for the Information Technology Department

APPROVED FEBRUARY 2021 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of February 2021 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

PUBLIC HEARING – REQUEST BY GREG SCHATZEL FOR A REZONE FROM AGRICULTURE TO SINGLE-FAMILY RESIDENTIAL, CASE NO. RZ2020-0027

The Board met today at 9:02 a.m. to conduct a public hearing in the matter of a request by Greg Schatzel for a rezone from an “A” (Agricultural) Zone to an “R-1” (Single Family Residential) Zone, Case No. RZ2020-0027. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Director Steve Fultz, DSD Planner Dan Lister, Greg Schatzel, Alan Mills, Chaz Fitzgerald, Mikel Bartol, Jakob Bourgojn, Richard and Priscilla Anderson, Middleton City Planner Roberta Stewart, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that the applicant contributed campaign funds on her last election but that should not interfere with her ability to make an unbiased decision in this case.

Dan Lister gave the oral staff report. In 2006 a conditional use permit was approved to allow 17 residential lots and 3 common lots which came in through a preliminary plat as Serenity Creek Subdivision in 2007, however, the subdivision was never completed and therefore the CUP and the subdivision expired. The applicant is seeking a rezone to develop the property as was approved in 2006/2007. The R-1 zone allows for a one-acre average minimum lot size if served by individual wells and septic systems, or no less than 12,000 square feet if connected to city services, or a community system. The total acreage of the parcel is 26.38 acres so there is a potential of 25 lots if the rezone is approved without any development agreements locking in lot sizes, or there could be a lot more if the project is connected to city services. This request does not have a development agreement so there is not a condition to lock in that number of lots. The property and surrounding area consist predominately of the "A" (Agricultural) zone. The future land use plan designates this as residential. The property is located within the City of Middleton's area of city impact and their comprehensive plan also shows this to be residential. The property is surrounded by 36 subdivisions within a one-mile radius. Similar rezones were approved in this area due to the proximity to other residential zones. The property has a mix of moderate to best suited soils, most of the land is considered prime farm ground if irrigated and drained. Mr. Lister reviewed the agency comments noting that Canyon Highway District will require future development to meet their requirements at the time of platting. One of the requirements is a right-of-way dedication, internal streets, and the planned development of a collector road that connects Whisper Creek Drive through the division that's planned on the functional classification map. A traffic impact study (TIS) is not required at this time. ITD advised that no direct access is allowed from Highway 44 unless a TIS is completed and requires that access. The City of Middleton is opposed to the proposal and is requesting a pre-annexation agreement and extension of city services. According to Mr. Lister, DSD staff accidentally added a letter from the City of Middleton which referenced the same name, but it's for a different case. After talking to the city, they indicated that is the same letter they would have applied to this case so even though the city's letter is not referencing this project, their concerns are the same. The city wants the applicant to work with them regarding the City of Middleton's future plans and how future development is not to impact those plans. Concerns from neighbors included: number of lots, lot sizes, increased traffic, impacts to existing irrigation and irrigation users, there is not enough information about future development and no conceptual plan, lack of information regarding privacy fencing, CC&R's to reduce noise, light pollution, dust, and livestock, and they questioned why this is not being annexed into the city or connecting to city services. On March 18, 2021, the P&Z Commission recommended denial mostly due to concerns with traffic and the cumulative impacts of traffic in the area, and a lack of information about how it's being addressed. Based on recommendations by the P&Z Commission and the City of Middleton staff provided findings of fact, conclusions of law and order (FCO's) recommending denial of the rezone application. Following his report, Mr. Lister responded to questions from the Board.

**Testimony in support of the request is as follows:**

Alan Mills testified in support of the request. He referenced the FCO's which erroneously stated the case was being recommended for approval when in fact the case was recommended for denial. He still has not received corrected FCO's. Mr. Mills said the first staff report delineated the issues,



had a recommendation for approval and then a hearing was held, and the traffic issue came up. He thinks the traffic issue will resolve itself with impact fees because there is very good chance they will be implemented and in effect by the time this project would be done. The City of Middleton has impact fees for transportation and the County does not but that will be negated by this new impact fee and they will be equalized between the City of Star and the City of Middleton and this sub-district of the Canyon Highway District. He received the staff report two days ago and there was no recommendation, but today he learned there is a recommendation for denial. Since receiving the staff report two days ago he has not had time to work on the letter from the City of Middleton. According to Mr. Mills, the neighbors are adamantly opposed to city densities. He hopes this is not a step towards forced annexation. State code allows forced annexation of anything under five acres and a good share of the properties are under that which is creating a lot of questions. Mr. Mills said the neighbors do not want the Whisper Creek access and neither does the developer. Lansing Lane has a turn land and a deceleration lane and the developer will work with the highway district to try to get that access to Lansing Lane and make a nice access. It is much safer to have one access at Lansing Lane rather than to have two accesses in that area. They put in 17 monitoring wells but they will not know until October what density will be allowed because they have to wait for the results of the monitoring wells and that will set the standard for the type of septic systems that go in. It could be that nitrate reducing systems will be required. They plan to make big improvements to the irrigation system for the neighbors and for this development. Jeremy Cox has agreed to help with design the irrigation and drainage. The tax base will be greater for the contemplated homes than it will be in the city. It's perplexing that 17 homes will be an impact to traffic, but somehow 50 homes won't be an impact. Mr. Mills said the city had no comment the first time around and but today think this project will stop them from growing, but that's not the case. He referred to letters of support from residents of Whisper Creek Subdivision. He said the developer has no ownership that would allow city services to come to the property because the people who own the lots between the subject property and the city services do not want it. In his opinion it would be a taking to require services be brought to this location. Following his testimony Mr. Mills responded to questions from the Board. Commissioner Smith said this is a straight rezone request therefore the Board cannot put any conditions on it. (The Board took a brief recess at 10:06 and went back on the record at 10:11 a.m.)

Greg Schatzel is the project developer and he testified in support of the request stating he has no intention to have more than 17 lots. With regard to fencing, he will do whatever the neighbors want, and he will fence the property before he sells a lot. He wants to keep the access to Lansing Lane and keep traffic away from Whispering Creek. It will be a nice entrance and it will be a up to the highway district on whether it's private or public. He referred to a "headache" on the south that connects to Highway 44 and said it could be an emergency fire lane in the future, or, he could give it to a neighbor and get rid of the "headache".

**Neutral testimony was offered as follows:**

Mikel Bartol stated Alan Mills and Greg Schatzel eloquently explained everything he was thinking; however, he had questions about process. Are there any resources we can use to look at the ramifications of city, county and state in terms of zoning requirements? Commissioner Smith said

the state gives that authority to the local jurisdictions, and there is a lot of control given through state statutes for cities to annex land through various processes and the county loses all control. The city can force annex if they want to, and Middleton has done that in the past. They are one of the cities in Canyon County that's actively forced annexed. Regardless of the decision the Board makes today they could still come through and force annex. Mr. Bartol had concerns about the logistical requirements of having any ingress/egress points built into his subdivision. The only ingress/egress are from State Street on both Whisper Creek Drive and Buskirk. He understands the logic behind traffic flow, but it doesn't solve the problem, it just moves the problem. The Whisper Creek neighborhood does not want that connection through to this new proposal. If it means he can be forced into using city water and sewer he would be opposed to that because it'd be a complete uproot to what they have done to develop their water and sewer system. There are also secondary considerations to the water table that Mr. Mills articulated. He believes it will be a substantial problem no matter what you do. He sees the movement toward what we currently have as the best solution in terms of impact to the area. He'd choose an R-1 designation over a city annexation with higher density.

Jakob Burgoin testified about his concerns with negative impacts to irrigation delivery and traffic, specifically with the use of Lansing Lane which is a very busy road. He spoke with Alan Mills and Greg Schatzel about his concern with irrigation and they assured him they will do improvements for his irrigation rights.

**Testimony in opposition was as follows:**

Roberta Stewart, Middleton City Planner, testified the city opposes this application and is seeking denial since there are no conditions that can be attached, or, tabling it to turn it into a conditional rezone. She was approached about this property in the last few months at least three times and she begged them to consider pre-annexation because the city is getting hemmed in and it's ruining long-term planning goals, but there was no response to her request. The city just heard of this project in the last few hours so they could not reach out to Alan Mills because they did not know this project had gone this far. She submitted a map (Exhibit 9) showing water and sewer is 1400 linear feet. There are two alternatives to bring sewer and water depending of if there are problems with topography. The cost to bring in services is \$100 per lineal foot and it would cost \$280,000 to bring in city water and sewer. Compare that to people putting in septic and well that's about \$40,000 per lot – so someone is going to pay to bring services to these lots - either the developer (through latecomer fees or agreements with the city) or they can dump it on the future landowners. If the developer brings it in this booming market he just has to raise the price of his lots and the homeowners will get a better deal that way because it's cheaper in the long run for the purchasers. It's important to bring sewer and water for environmental concerns because this is riverbed bottom and septic and well are bad (given the nitrates) and you want to get people on to city services even if may cost more. The benefit far outweighs the burden. The city does not want higher density; R-1 is perfect for their long-term planning which shows rural lots so this plan is fine with them. This is what the city would want in an agreement: sewer and water throughout the subdivision and they need to bring it to the property. The city wants them to build the roads to city standards (no curb, gutter, or sidewalks), and to do frontages to city standards and the only

frontage is Lansing Lane. They want the developer to pay the city's impact fees for fire, police, parks and traffic impact fees. When the city does get out there then annexation is completed automatically. Ms. Stewart said Alan Mills' argument that this is a country subdivision and there is no place for Middleton to go is not true because a lot of the subdivisions' septic systems and wells will fail some day and this subdivision is the beginning of the safety net for when they fail. We'll be able to clean up the groundwater and have a long-term planning. The City of Middleton has spent millions of dollars on water and sewer treatment upgrades just for this and if you keep saying no it's county, it just concretes in more the city's ability to fix things in the future. Following testimony Ms. Stewart responded to questions from the Board.

**Rebuttal testimony was as follows:**

Alan Mills said the highway district met Wednesday to discuss a connection for Kingsbury from Purple Sage to come all the down through the Dick Phillips property, that is imminent, so that will be another connection. A lot of traffic currently funnels to Lansing Lane because there is not a good connection for Blessinger Road nor Kingsbury Road. Very soon we will have two more connections and the traffic on Lansing will diminish significantly. He does not agree with the numbers stated by the city because when you're in high water table and you're trying to lay sewer 15 feet deep \$100 a foot will not cover it. The other issue is you have 1,500 feet of length within the interior and \$100,000 will not bring it there. He will obtain bids/quotes and bring them to the Board at a later date. He disputes reports that septic systems will fail and he referenced many older systems in the area that have not failed. There is a shallow aquifer and a deep aquifer and nobody can explain how they are going to contaminate the lower aquifer. When you drill through the impervious layer at 20-30 feet the pressure is upwards. Mother nature has protected our deep aquifer better than we ever could because you'd have to force contaminates by pressure to get that deep aquifer contaminated. These septic systems stay in the confined shallow aquifer. The majority of contaminates come from agriculture and we have to live with the fact that their contamination is far greater than any other single source and we live with that because it hasn't hurt anything. He takes exception to the fact that the City of Middleton is growing this direction. This is truly an enclave that we'd be putting a minor city inside of a rural development. Following rebuttal remarks, Mr. Mills responded to questions from the Board.

Commissioner Smith said the FCO's that were signed by the P&Z Commission were incorrect. They took staff's original FCO's from the case packet where staff had originally recommended approval and signed that document versus signing the FCO's where they rendered a decision of denial. She noted that the minutes from the P&Z Commission hearing correctly indicate the recommendation was a denial. Mr. Mills said he is not questioning the validity of the recommendation for denial, it's just a matter of the paperwork coming out wrong. Dan Lister said staff can bring back the corrected FCO's to the P&Z Commission for signature on May 6. He suggested the Board table the matter to get the correct information/record. He then addressed the statements that were made during the testimony:

- Middleton said they never received a notice of this case, but they did receive notice in December, and it was probably during the time when they had staff changes. They were

also noticed on April 10, 2021 but they did not respond. DSD staff reached out to the city to see if they had any comments.

- If the Board feels a development agreement is necessary this is the opportune time to include those conditions.
- The FCO's should be corrected and brought back to the Board.

Commissioner Smith said the finding she struggles with is Finding E. – *Will adequate facilities and services including sewer, water, drainage, and irrigation be provided.* We did not receive a response from SWDH and we could solicit responses from SWDH and possibly DEQ so that the Board has more information to make an adequate finding. We have testimony from Alan Mills, and although he has a lot of experience he does not have the expertise to say there are adequate services. Commissioner Van Beek said the Board cannot condition a straight rezone, but she just heard staff say this is the point to add conditions. Commissioner Smith said you cannot condition it, but the developer could request a change to a conditional rezone. If we cannot find adequate findings to support a rezone request it would be a recommendation for denial and the reason for denial would be that we would recommend a conditional rezone so we can address some of these questions. Mr. Lister said if the applicant asks for a continuance to bring in as part of this decision a development agreement it would be a \$385 application fee and we would table the hearing to allow for notification. It would not have to go back to P&Z Commission because they denied the application and so it would be a hearing before the Board. After the development agreement is submitted and with notification, we are looking at a month or two to come back before the Board to consider the agreement. Commissioner Smith said she wants it to be a conditional rezone. Mr. Lister said the P&Z Commissioner did not find anything they could condition to make it right so it wouldn't necessarily have to go to the P&Z Commission. If the request is denied today they would have to go through the full process and reapply for a conditional rezone and it would be about six months out. Commissioner Smith's recommendation is to get more information on the services, keep testimony open, and solicit a response from SWDH which will give the applicant time to get cost comparisons. She doesn't know if we should be doing that because it's land use, not the Board determining which one is the most affordable for them. She wants to know if there is adequate water and sewer in the area and she doesn't know that the Board has that information today. Commissioner Van Beek said that's a compromise where it doesn't push the developer off for six months. Mr. Mills said they would consider a conditional rezone if it's clearly delineated what the conditions would be, but they are not going to open Pandora's Box. Commissioner White said forced annexation is problematic for her because it's an overreach. She likes the idea of a pre-annexation agreement because it's a defined situation for future growth.

Mr. Lister said it sounds like the direction is to get some time to fix the FCOs; get comments from SWDH and allow time for the city and the applicant to bring back cost comparisons. Commissioner Smith wants to hear from IDWR and DEQ as well. That is one reason for services to be brought to the property if there are concerns with the well levels in the area. Commissioner Van Beek wants clarification on a pre-annexation agreement because that says to her there is imminent annexation and so whether it's now or delayed, it is still government saying this is what we are doing. Commissioner Smith said the Board would have the choice on whether to require the applicant to have a pre-annexation agreement as part of the conditions of approval. She does not want to see

growth going north into the farm ground; the growth should be centered around our transportation systems and our cities and so taking away that opportunity for the community to grow along those and enclaving it is hard for her to swallow. Commissioner Van Beek said Mr. Mills' testimony is credible in that the Commissioners are the people they vote for and are the elected officials that have jurisdiction over what that looks like and how it develops. Commissioner Smith asked if we have enough information to understand if there will be undue interference with existing or future traffic patterns. She believes Mr. Mills is up to the challenge of looking at undue interference with existing traffic patterns and bringing back information that will help the Board with that, and also with services. Mr. Lister recommended the Board keep testimony open for the following new information:

1. Staff will contact IDWR and DEQ regarding well levels and the water table.
2. SWDH requirements regarding the lot and potential future development.
3. Cost comparisons shall be provided to address the comparison between bringing services or allowing individual wells and septic systems.
4. Obtain more information about pre-annexation agreements.
5. Have a review by Canyon Highway District regarding their request versus one access for future development.
6. Correct the FCOs.

Commissioner Smith wants the information removed from the staff report about the letter of opposition received from the City of Middleton. She wants to exclude the letter (Exhibit 5b) since it does not reference this property, however, the city is welcome to submit a specific letter if they would like to. Additionally, she wants to include Exhibit 9 from the City of Middleton. Late exhibits will be entered into the record. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue the hearing for Case No. RZ2020-0027 to June 2, 2021 at 1:30 p.m. in order to allow staff and the applicant to gain additional information. (Testimony will remain open.) The hearing concluded at 11:14 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DISCUSS UPON DEATH FLOW CHART

The Board met today at 2:03 p.m. to discuss the upon death flow chart. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Coroner Jennifer Crawford, Chief Deputy P.A. Sam Laugheed, Chief Deputy Treasurer Jennifer Mercado, Director of Indigent Services Yvonne Baker, Case Manager Camille Tilden, Controller Zach Wagoner, PIO Joe Decker and Deputy Clerk Jenen Ross.

A motion was made to go into executive session as follows:

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

*Note for the record: As properly noticed the Board met today at 2:10 p.m. for a legal staff update. A request was made to go into Executive Session as follows:*

Commissioner Van Beek made a motion to go into Executive Session at 2:10 p.m. pursuant to Idaho Code, Section 74-206(1) (d) 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 by Deputy Clerk Jenen Ross with Commissioners Van Beek, White and Smith voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Coroner Jennifer Crawford, Chief Deputy P.A. Sam Laugheed, Chief Deputy Treasurer Jennifer Mercado, Director of Indigent Services Yvonne Baker, Case Manager Camille Tilden, Controller Zach Wagoner and PIO Joe Decker. The Executive Session concluded at 2:44 p.m. with no decision being called for in open session.

MEETING WITH ASSESSOR'S OFFICE TO CONSIDER VARIOUS NEW AND RENEWING PROPERTY TAX EXEMPTIONS UNDER CODES: 602W, 602D, 602P, 602B, 602C, 602E, 602GG, AND 50-2014

The Board met today at 2:55 p.m. with the Assessor's Office to consider various new and renewing property tax exemptions under codes: 602W, 602D, 602P, 602B, 602C, 602E, 602GG, and 50-2014. Present were: Commissioner Keri Smith, Pam White and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Imaging Specialist Helena Thompson, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. A motion was made by Commissioner Van Beek to continue this meeting to May 7, 2021 at 11:45 a.m. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 2:55 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2021 TERM  
CALDWELL, IDAHO      MAY 6, 2021

PRESENT:      Commissioner Keri K. Smith, Chair  
                  Commissioner Leslie Van Beek, Vice Chairman  
                  Commissioner Pam White  
                  Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 573659 to 573717 in the amount of \$200,940.19

### APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Cloverdale Nursery in the amount of \$4,449.60 for Facilities Department
- Prime Construction & Asphalt in the amount of \$10,549.38 for Facilities Department

### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for JP Thailand Express LLC dba JP Thailand Express; Williamson Orchards Inc dba Williamson Vineyards; Maverik Inc dba Maverik #595; Maverik Inc dba Maverik #551; Maverik Inc dba Maverik #552; Maverik Inc dba Maverik #430; Maverik Inc dba Maverik #298; Maverik Inc dba Maverik #287; Maverik Inc dba Maverik #178; Walgreen Co dba Walgreens #05648 (Resolution no. 21-088)
- The Board approved an Alcoholic Beverage License renewal for JTT Enterprises Inc dba Dutch Goose; 4T Sports Bar LLC dba 4T Sports Bar; Agave Cantina LLC dba Agave Cantina (Resolution no. 21-089)
- The Board approved an Alcoholic Beverage License renewal for Idaho Center Chevron Inc dba Idaho Center Chevron; Pantera Market & Mexican Restaurant #2 LLC dba Pantera Market #2; Asia Market Inc dba Asian Grocery; Pilot Travel Centers LLC dba Pilot Travel Center #638; Spuds Baseball Club LLC dba Spuds Baseball Club (Resolution no. 21-090)
- The Board approved an Alcoholic Beverage License renewal for Koda Bear Winery Inc dba Koda Bear Winery (Resolution no. 21-091)
- The Board approved an Alcoholic Beverage License renewal for Belle Event Center LLC dba Belle Event Center; Luna Blu LLC dba Luna Blu; Apple Idaho LLC; Applebee's Neighborhood Grill & Bar (Resolution no. 21-092)
- The Board approved an Alcoholic Beverage License renewal for Walgreen Co dba Walgreens #07276; Walgreen Co dba Walgreens #10672; Walgreen Co dba Walgreens #11541; Walgreen Co dba Walgreens #12483; City of Caldwell dba Purple Sage Golf Course; City of Caldwell dba Fairview Golf Course (Resolution no. 21-092)

### MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:46 a.m. to consider matters related to medical indigency. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Deputy P.A. Doug Robertson, Deputy P.A. Alex Klempel and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions issued within 30 days on case nos. 2021-576, 2021-570 and 2021-573.

Liens and releases of liens were presented for Board signatures.

The meeting concluded at 8:48 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:50 a.m. to consider matters related to medical indigency. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Deputy P.A. Doug Robertson, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley (arrived at 9:02 a.m.) and Deputy Clerk Jenen Ross.

Director Baker spoke about the following cases:

Case no. 2009-639: This case was previously approved by the county but there is now a request to have a subordination agreement signed in order to refinance. The applicant will be receiving \$60,000 from the refinance and in an email from the applicant that was provided to the Board she plans to use it for her education and to pay back her spouse's student loans. The medical indigency lien is always subordinate but the financial institution likes to have it in writing. \$57,650 is still owed to on this case. Commissioner White feels it's a misuse of county taxpayer monies and would like to see some kind of payment made to the county, at least 50%. Commissioner Van Beek said she doesn't feel like the numbers provided by the applicant add up and would like additional information to substantiate the numbers provided. The Board would like to see some kind of agreement of payment to the county before they will sign the subordination agreement. Commissioner White made a motion to require 50% of \$57,650 be paid prior to a subordination agreement being signed. The motion was seconded by Commissioner Smith. Commissioner Van Beek is opposed. The motion passed with a 2-to-1 split vote.

Case no. 2020-467: The applicant is requesting a temporary lift of the lien in order to allow the purchase of a home. The current lien is a blanket lien which is not on a home. If she is able to purchase a home that would serve as collateral to the county's lien. This transaction cannot happen without the lien being lifted. Commissioner Van Beek said she doesn't feel that the numbers work. Director Baker recommends requesting a payment before lifting the lien. Currently the amount owed to the county is \$19,560. The applicant is current on payments and once a home is purchased the county lien will be placed on the real property. Commissioner Van Beek made a motion to deny the request to lift the lien. The motion was seconded by Commissioner Smith. Commissioner White is opposed to the denial. The motion carried in a 2-to-1 split vote.

The meeting concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2021-462

The Board met today at 9:13 a.m. to conduct a medical indigency hearing for case no. 2021-462. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Deputy P.A. Doug Robertson, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, Director of Indigent Services



Yvonne Baker, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to deny the case. The hearing concluded at 9:23 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2021-216

The Board met today at 9:26 a.m. to conduct a medical indigency hearing for case no. 2021-216. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Doug Robertson, Deputy P.A. Alex Klempel, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Luke's, Michelle Davis for St. Luke's and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to approve the case. The hearing concluded at 9:48 a.m. An audio recording is on file in the Commissioners' Office.

#### MEDICAL INDIGENCY HEARING FOR CASE NO. 2021-365

The Board met today at 9:47 a.m. to conduct a medical indigency hearing for case no. 2021-365. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Doug Robertson, Deputy P.A. Alex Klempel, Director of Indigent Services Yvonne Baker, Attorney Mark Peterson for St. Luke's, Michelle Davis for St. Luke's and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue the case to July 1, 2021. The hearing concluded at 9:50 a.m. An audio recording is on file in the Commissioners' Office.

#### MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 9:53 a.m. to consider matters related to medical indigency. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Doug Robertson, Deputy P.A. Alex Klempel, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross.

Case no. 2021-373 meets the eligibility criteria for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue an approval on the case.

Case no. 2021-217 meets the eligibility criteria for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue an approval on the case.

Commissioner Van Beek made a motion to continue case no. 2021-375 to July 1, 2021. The motion was seconded by Commissioner White and carried unanimously.

The meeting concluded at 9:55 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – PERSONNEL MATTER, 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 10:00 a.m. for a legal staff update. A request was made to go into Executive Session as follows:*

Commissioner Van Beek made a motion to go into Executive Session at 10:01 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) (f) and (i) regarding personnel matters, 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 White. A roll call vote was taken on the motion by Deputy Clerk Jenen Ross with Commissioners Van Beek, White and Smith voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Doug Robertson, HR Benefits & Training Coordinator Nicole Ahlstrom and Deputy P.A. Mike Porter. Ms. Klempel, Mr. Porter and Ms. Ahlstrom left the meeting at 10:28 a.m. The Executive Session concluded at 10:44 a.m. with no decision being called for in open session.

CONTINUATION OF PUBLIC HEARING - REQUEST BY BORTON-LAKEY LAW REPRESENTING RIDGELINE VISTA, LLC FOR A CONDITIONAL REZONE, CASE NO. CR2020-0012

The Board met at 1:04 p.m. for a continuation of the public hearing the matter of a request by Borton-Lakey Law representing Ridgeline Vista, LLC, for a conditional rezone, Case No. CR2020-0012. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Planner Dan Lister, DSD Director Steve Fultz, Todd Lakey, Alan Mills, Kevin McCarthy, Matt Drown, Darin Taylor, Debra Bruner, Melissa Wieland, Roger Craig, and Deputy Clerk Monica Reeves. Today's hearing was continued from March 22, 2021 because the Board asked for additional information. Commissioner Smith disclosed that she has a friend who lives in the subdivision and since the first hearing she has been there multiple times for team roping and she has viewed the site, but that will not affect her ability to participate in this hearing.

Dan Lister gave the staff report. On March 22, 2021 the Board tabled this item and requested the applicant provide the following information: Response from Idaho Dept. of Water Resources (IDWR) regarding the existing irrigation well and the transfer of water rights to 20 residential lots; a response from the Middleton School District regarding existing school bus transportation issues; a response from the Middleton Fire District regarding the secondary access requirements; review the development agreement conditions related to lot sizes, private road construction, restriction of secondary dwellings, agricultural uses outside the building envelopes, and incorporating

floodplain, drainage, fire, and Idaho Dept. of Fish and Game requirements into the conditions. The applicant submitted a letter from KM Engineering regarding stormwater drainage and the floodplain. The stormwater will be retained on site, and barrow ditches and infiltration facilities will be used along roadways. Future development is planned to stay outside the existing floodplain, and drainages will be maintained to allow for historic runoff flows. A letter was provided from Middleton Fire District stating they have reached an agreement which will exempt the development from secondary access requirements subject to installation of a fire hydrant, and fire sprinklers in each home and establishing fire-wise best management practices. The applicant did not submit any information regarding the school bus transportation issue or any information from IDWR regarding the transfer of rights. Mr. Lister reviewed the revised conditions. Based on the Board's concerns, staff is recommending additional conditions:

- At the time of subdivision plat submittal, an agriculture preservation and irrigation plan shall be submitted and include: 1. Adequate irrigation uses and methods shall be demonstrated to ensure ongoing agricultural uses can be supported without disturbing neighboring irrigation uses; and 2. Lots and building envelopes shall be configured to support ongoing agricultural uses, preservation, and irrigation. The conceptual plan may be modified subject to the limitations stated in Condition No. 2A.1 (which is the lot sizes) to best support ongoing agricultural uses, preservation, and irrigation.
- At the time of subdivision plat submittal, the applicant shall submit evidence that the owner/developer reviewed and discussed school bus transportation improvements to support the development of the subject property and benefit existing development on Shalako Street. (This is based off of not receiving any information.)
- Staff is recommending the removal of Condition No. 2B regarding the base flood elevation study. As it's currently written it allows a caveat that if they do not build within that area they do not have to do the study. Staff would rather rely on Condition No. 1 where they have to comply with federal, state, and county laws. Staff does not want to lock in the language that they don't have to do a study. The Board can make that decision at the time of review.

Commissioner Van Beek said the Board has typically backed away from requiring sprinklers in houses, but this project includes sprinklers, a fire-wise plan, and a hydrant. Mr. Lister said the applicant has agreed to provide the measures to find a way to not consider a secondary access requirement and so it's not the County requiring it, it's an agreement between the fire district and the applicant so they don't have to do the secondary access requirement. Discussion ensued regarding the conditions. Commissioners Van Beek and Smith want to remove Condition No. 2B.

**Testimony in support was as follows:**

Todd Lakey stated they are in agreement with the conditions of approval. They have an agreement with the fire district but they are not subject to the fire code, they are exempt based on the location and the type of project. They are exempt from the requirements regarding access and water supply. They met with the fire chief and his letter states that since the project is exempt from the international fire code requirements they appreciate being able to reach a mutually

acceptable agreement. The agreement doesn't make the project compliant with the fire code, it garners the full support of the fire district and it's something the developer is willing to do. The letter reflects the terms of the agreement and it will be recorded. They agree to use the residential fire sprinklers in the homes, and to have a fire-wise plan, and they offered the fire hydrant that will come from the existing well that provides a water source and supply for fire trucks to refill as well as enhances fire protection for the project and neighbors. He appreciates the recommendations regarding the floodplain and he said they intend to stay out of it. They will comply with the ordinance and any federal requirements. They will comply with County road standards to widen the road and do improvements. They request not to have a pathway due to neighbors who have put improvements within the road lot, outside and off their property. They are not going to have a common irrigation system. There will be individual wells so the irrigation plan for each lot will be fairly general. They will provide irrigation to the landscaped areas, but when it comes to the agricultural areas they can describe the types of irrigation and the location and the main point of delivery and how that will be handled, but they cannot pin down the specific type of irrigation that will continually exist on a lot. They intend to be consistent with what has been happening in the area and allow for other creative agricultural uses. Mr. Lakey said the development agreement signature line needs to be changed to reflect Mr. Drown's name as he is the manager of the LLC. In response to question from Commissioner Smith about utilizing a water source or sprinklers, Mr. Lakey said they agreed to do both but if the Board wants to remove the requirement for the well the developer will probably do it anyway, but doubts the developer would have a problem removing that requirement. Following his testimony Mr. Lakey responded to questions from the Board.

Alan Mills testified that he met with the bus company and they are not prepared at this point to take any action because there is only one child in the neighborhood, but they are open to travelling down Shalako Road. They would like to see a preliminary plat and as it develops they will count the kids and that will trigger what they are willing to do. He met with IDWR staff and they are willing to work with us, but they say it's premature and want to see a preliminary plat. They are willing to help appropriate the waters and it will be similar to the High Plains Estates development with a few exceptions. On the parcels to the west that are fully covered by the deep well water right, they will drill their domestic well and get a new half-acre water right which can be transferred to the dry ground and enhance the irrigation ability for the entire project. He gave testimony regarding wells and hydrants. Following his testimony Mr. Mills responded to questions from the Board.

Kevin McCarthy, the project engineer, responded to questions from Commissioner Smith who asked about the dam that was constructed in the floodplain. He said anything that's been constructed in the floodplain is not supposed to be there so the dam needs to be removed so the floodplain can return to the previous condition. This project will be designed around the floodplain.

Neutral testimony was as follows:

Darin Taylor represents the High Plains Estates HOA. Regarding the secondary house issue, he said the HOA prefers the Board let the existing code prevail and not have any special/unique

requirements. Keep it plain, simple, and consistent. The HOA prefers there be no pathway. In High Plains Estates some of the properties have an established water source and some have sprinklers in their buildings, and some don't have anything. They want the landowners to use their properties how they would like to. Most of the existing development does not have water rights, it's dry and the landowners have made good use of their properties. Following his testimony, Mr. Taylor responded to questions from the Board.

Debra Bruner testified she wants the road brought to private county standards so the neighbors don't inherit the burden of the repair that could eventually happen. The road needs the base layer; they do not support a band-aid approach to resurface and widen it. Commissioner Smith said the current conditions require them to improve the entire road at their expense and they have agreed to that. Commissioner Van Beek said they did not agree to ongoing maintenance after improving the road to 24 feet which would fall to any homeowner. Ms. Bruner said secondary housing should be based on code. She has secondary house (a barn) on her property that has a small apartment that's used as a guest house. Commissioner Smith said with the way the code is written they can build two very large homes and rent the property. Ms. Bruner is not in favor of that. Mr. Lister said the new development has agreed to abide by the CC&R's that were in the High Plains Estates.

Melissa Wieland's concerns include the secondary access issue and who will maintain the well that is used for hydrants and who will pay for the repair costs if it fails. There is no turn around or round about so are they looking to extend that. Commissioner Smith said it was testified that it was an oversight and there would be an end, whether it be a hammerhead or a bulb but they will meet code on that and have sufficient turnaround. There is no secondary emergency access which is why they have been working with the fire district and agreeing to the standards. Ms. Wieland said she built her home last year and was required to install fire sprinklers.

Testimony in opposition was as follows:

Roger Craig has concerns about the flooding that occurs on the property, as well as the wildlife that lives on the property. He said the reason the school buses won't go into the subdivision is because it was a private road and there was no secondary access out of there. There are six kids in the neighborhood. If there was a walkway kids would have to walk a ½ mile down Emmett Road then Hollow Road to get to a bus stop. He wants to make sure the project is done right and conditions are followed. Following his testimony Mr. Craig responded to questions from the Board.

Todd Lakey offered rebuttal testimony. The developer appreciates the flexibility but they are willing to stick with the original commitment. If they work it out where they don't have a hydrant and do sprinklers instead then it's not an issue; if they decide to go with a hydrant instead of sprinklers the expense to that would be minimal. There would be potential maintenance on that well and pump. They prefer to work it out with the HOA, but if necessary the CC&R's do provide for a condition on certain lots under the umbrella of the CC&R's so they can impose a condition that those 20 lots simply maintain that fire hydrant. They will meet county road standards either with specified base and different types of materials, but ultimately that's an engineering question.

The developer's use will be better and different than the more concentrated ag use where more water is put on a limited period of time where now it will be spread out among the different parcels and people will water at different times so the amount of water impacted will be different. He appreciates Mr. Craig recognizing that he did build in the floodplain and that comes with some responsibility on his part. Stormwater will be kept on site and they will maintain the existing floodplain and stay out of it. Regarding the concerns about wildlife – these are 9-acre lots if the neighbors have lived in harmony with the wildlife the new lot owners will do the same. This project will be different than High Plains Estates in that they don't have a development agreement or conditions of approval like this project does. His clients are developers and they plan on developing, but if that changes, whoever moves forward will be subject to those conditions. The developer has no problem with the HOA's position that we just comply with code and/or the CC&R's which state no building shall be constructed on any lot or parcel other than one single-family dwelling and attached garage as well as any approved outbuildings or other approved structures. No split-level dwellings or homes manufactured or built elsewhere shall be permitted. All buildings shall be a brick, frame, stone, stucco construction. The project is exempt from the water supply requirements so that includes the secondary access.

Dan Lister is concerned about Condition No. 2D regarding the biological assessment, because allowing that as a plat note puts the enforcement on staff. He is concerned about adding any type of restrictions to how something is built as a plat note versus a CC&R. He reminded the Board that the original condition for the fire district was not based on access or water supply, it was based on the high fire risk in that area so staff added that they maintain the best practice management requirements for the high-risk fire areas and adapt those into the development. With regard to wildlife, Commissioner Smith said let's make that a condition of approval on the rezone that they have to submit that information at platting. Mr. Lakey said they could provide a copy of that report to the landowners so they understand the pros and cons and what is going on out there. If it comes to an existing species on the site maybe they could monitor for that and delay construction. Commissioner Smith wants to remove the plat note and manage it how we have it, except for it being on the plat. There was a review of language for conditions. Commissioner Smith said this is an agricultural area, but because of her site review and knowing it is surrounded by BLM ground there is not going to be an impact to an agricultural community that this development would hinder. It's a great location for a continued ag-related subdivision and it's compatible with the surrounding land uses. There was a continued review of conclusions with some revisions being made based on the testimony and discussion. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to close public testimony. It was noted that all exhibits were admitted into the record. Based on the testimony provided today and the changes to be made to the FCO's, Commissioner Van Beek made a motion to approve the request by Ridgeline Vista, LLC, for a conditional rezone, Case No. CR2020-0012 and to continue the matter for review of the amended FCO's on May 13, 2021 at 10:15 a.m. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 3:05 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2021 TERM  
CALDWELL, IDAHO MAY 7, 2021

PRESENT: Commissioner Keri K. Smith, Chair  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White  
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORM

- The Board approved an employee status change form for Yadira Cruz, Permit Tech I
- The Board approved an employee status change form for Amanda Hudgins, Seasonal Weed & Gopher Tech
- The Board approved an employee status change form for Kathy Frost, Office Manager

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Oracle America, Inc in the amount of \$4,000.00 for Information Technology

SIGNED RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Inter Mountain Management LLC dba Fairfield Inn & Suites; Messenger LLC dba Messenger; Crescent Brewery LLC dba Crescent Brewery (Resolution no. 21-094)
- The Board approved an Alcoholic Beverage License renewal for Don Ulmer dba Airport Inn; Firehouse Sports Pub & Pizza LLC dba Firehouse Sports Pub (Resolution no. 21-095)

FILE TREASURER'S REPORTS IN MINUTES

The Board filed the Treasurer's monthly report for March 2021, and the Quarterly report for October 1, 2020 thru December 31, 2020. and the annual report for October 1, 2019 thru September 30, 2020.

CONSIDER FINAL PLAT FOR BRITANIA HEIGHTS SUBDIVISION 5 AND 6, CASE NOS. SD2020-0021/SD2020-0022

The Board met today at 8:49 a.m. to consider the final plat for Britannia Heights Subdivision 5 and 6, Case Nos. SD2020-0021 and SD2020-0022. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Planner Dan Lister, Jeff Hess, and Deputy Clerk Monica Reeves. Commissioner Smith asked about the time requirements associated with this case noting that the preliminary plat was approved in 2016. Dan Lister said the project is being done in phases and there is a two-year period and so with this being phase 5 and phase 6 it is within the allowed time limits. Jeff Hess said the phasing for this project is unique in that a road goes through the property which is why it's in two phases. They will be presenting the next two phases back-to-back and then there will be one or two phases after that. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to approve the final plat for Britannia Heights Subdivision 5 and 6, Case Nos. SD2020-0021 and SD2020-0022. The meeting concluded at 9:01 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY CODY AND AMY LORDS FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE, CASE NO. OR2020-0012 & RZ2021-0007

The Board met today at 9:05 a.m. to conduct a public hearing in the matter of a request by Cody and Amy Lords for a comprehensive plan map amendment from "Agriculture" to "Residential" and a rezone from "A" (Agriculture) to "R-R" (Rural Residential), Case Nos. OR2020-0012 & RZ2021-0007. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Planner Dan Lister, Cody Lords, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The property was divided through a land division in 1991, and was further divided by deed after that without going through County process so therefore this property does not have a building permit available. Within a one-mile radius there are 11 platted subdivisions with a total of 150 lots with an average lot size of 2.05 acres. The property will utilize individual wells and septic systems. It is within a nitrate priority area therefore SWDH requirements need to be adhered to. A review of agency comments was given. The P&Z Commission recommended approval on March 11, 20221 and staff is recommending approval finding the request complies with the comprehensive plan. Following his report Mr. Lister responded to questions from the Board. Cody Lords testified in support of this request. He spoke of the historical splits that have occurred on the property noting that he owns two parcels (Parcel 11B and Parcel 12) that were combined through a recorded deed. There is an ingress/egress easement for use of the parcels and to the agricultural parcel east of Parcel 11B that will remain in place. He asked the highway district for a variance because he needed a residential access. He wants to build one home on the 5.5-acre combined parcel; he does not want a development. According to Mr. Lords it is not prime farm land. Following his testimony Mr. Lords responded to questions from the Board. Commissioner Smith asked if he knew a building permit was not available, and if he thinks a residential designation is a more appropriate designation for this agricultural area. Mr. Lords said he knew he needed to go through a process to get a permit for the property which he's owned since December 2020, but he was not aware of what was involved. He wants to use one acre for a home and yard the remaining four acres will be for agricultural use for livestock and alfalfa. Discussion ensued. Commissioner Smith said once you introduce a comprehensive plan map change you will be changing the character of



the area, one rezone at a time and there is no planning in that. Upon the motion of Commissioner White and the second by Commissioner Van Beek the Board voted unanimously to close public testimony. Commissioner Smith said the area is predominately agriculture with some limited commercial and industrial uses closer to the city along the highway. This is not in an area of impact planned for growth. It is not in accordance with the map or the agricultural policies of the comprehensive plan. There is a subdivision to the west but it's been there since the 1970's and expanding on that with a residential designation does not seem conducive to agriculture in the area. There are no trends in the area for residential development. Commissioner Van Beek referenced divisions that have occurred in the area, some of which predate the comprehensive plan. Commissioner White said the subject property borders an established subdivision and the applicants are seeking only one home and they are keeping four acres for a hobby farm therefore, she has no problem with this request. Commissioner Smith said there are ways to get access and improve existing easements by buying them and it could be developed into 2-acre lots with appropriate access so we are not just looking at one home today. This is a straight rezone and comprehensive plan map change and there are all sorts of uses that could be on that property that are not conducive to agriculture. There needs to be another process for people to be able to have an agricultural parcel and create a hobby farm, but the rural residential zone does not accomplish that. Commissioner Van Beek said the Board has wrestled in a period of growth and it's been painful for many as we struggle to get ahead of the growth. If we could find a way to do this that was conforming and didn't require a variance. When the County develops a process, she would be in favor of entertaining this again without cost to the applicant. The argument on changing the nature and the character of the area is a point that we are asked to base our decision on and so while it is consistent with the adjacent property, it is inconsistent with the County ordinance. Dan Lister said a change to a comprehensive plan is a serious thing and the findings we have to make have to say that area has changed so much that our comprehensive plan is wrong and it needs to be changed, but the facts are the area has not changed. The area has been agriculture for a very long time. Staff wants to add some caveats to how to do a split in the ag zone and maintain the agricultural character and allow for it, but we don't have that process. Commissioner Van Beek made a motion to deny the comprehensive plan map amendment for Case Nos. OR2020-0012 direct staff to update the FCO's to support that. The motion was seconded by Commissioner White for discussion. She said the property is bordered by a subdivision and the applicants are only seeking one house therefore she does not think the request is incompatible. She then withdrew her second. Commissioner Smith seconded the motion and said she appreciates the sentiment; however, she believes the criteria has not been met for a comprehensive plan map amendment and is comfortable moving forward with a denial on that portion. She asked staff how comfortable they would feel holding a decision on the rezone and allowing for a modification to the application, maybe even holding it until we are able to pass a zoning ordinance amendment so that the applicant doesn't have to incur additional fees. Perhaps it can be held for an indefinite period of time. Commissioner Van Beek supports that concept. The motion to deny the comprehensive plan map amendment carried by a two-to-one split vote with Commissioner White voting against the motion to deny. Staff will bring back updated FCO's to be signed at later date. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to table the rezone request to allow the applicant time to reconsider a path

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

#### BOARD REVIEW OF FY2022 BUDGET MATTERS

The Board met today at 10:40 a.m. to review FY2022 budget matters. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek and Deputy Clerk Jenen Ross.

The following items were discussed:

- Employee needs: Commissioner Smith suggested a joint person just to address the influx of emails. Discussion ensued regarding more use of the Public Information Officer.
- Salary increase: Discussion regarding increase for Board members; Commissioner White would like to see a COLA between 3-5% for all employees. Commissioner Van Beek feels that the margin between the need for services and requested budget is the available amount for raises and/or hiring personnel. At this time a 5% COLA will be added to the budget.
- Outside counsel: Commissioner Van Beek would like to add one attorney into the budget to meet the needs of certain departments that require a dedicated attorney. Discussion ensued as to how this would be funded.
- Cell phone: Increase to cover cost of cell service on cell phones and iPad service
- Document shredding: \$100
- Advertising: \$17,000
- Postage: \$250
- Fed Ex: Board would like to see this line removed
- Meals: \$2,000
- Mileage: \$3,000
- Taxi: \$200 (Board would like the title of this line changed to 'Transportation')
- Parking: \$200
- Hotel: \$2,500
- Gas/oil: \$100
- Local mileage: Board would like to see this line removed
- Education and training: Commissioner Smith would like herself and/or the Board to attend some Rapport Leadership trainings. Commissioner Van Beek is supportive of the Board attending leadership training. Commissioner Smith will be able to provide a budget number once she meets with a representative from the company next week.
- Board meeting room: Commissioner Van Beek said she met with Director Rast last week and the A/V improvements are estimated at \$60,000 to \$70,000. Commissioner White feels this is not a good year for this to be added to the budget. Commissioner Smith suggested hearing the proposal prior to a decision being made; she is not in favor of raising property tax to pay for it.
- Hotel: 3-year average is \$0
- Airfare: No change

- Association dues: Memberships to the chambers of commerce; additional information is necessary as to the exact amount for each organization.
- Subscription: Idaho Press Tribune which allows for both the paper and digital editions.
- Employee appreciation: \$500 (Board would like this line to be added).
- Office equipment: \$3,000 which includes upgrades to two desktop computers for the front office staff; Commissioner Smith is requesting a different desktop so her current one will be recycled to the front office staff and a new one will be purchased for her and one for the front office.
- Office supplies: \$750

The meeting concluded at 11:24 a.m. An audio recording is on file with the Commissioners' Office.

MEETING WITH REPRESENTATIVE FROM SENATOR RUSS FULCHER'S OFFICE TO DISCUSS LOCAL ISSUES

The Board met today at 11:30 a.m. with Dirk Mendive from Senator Russ Fulcher's office to discuss local issues. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Dirk Mendive with Senator Fulcher's Office and Deputy Clerk Jenen Ross. The discussion items included the dual taxation regarding Middleton Parks and Rec, site improvement exemptions, Congressman Simpson's dam removal plan and the federal stimulus money. The discussion was general in nature and there were no decisions made by the Board. The meeting concluded at 11:50 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF MEETING WITH ASSESSOR'S OFFICE TO CONSIDER VARIOUS NEW AND RENEWING PROPERTY TAX EXEMPTIONS UNDER CODES: 602W, 602D, 602P, 602B, 602C, 602E, 602GG, AND 50-2014

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

Commissioner Van Beek made a motion to go into Executive Session at 11:50 a.m. pursuant to Idaho Code, Section 74-206(1) (d) 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 by Deputy Clerk Jenen Ross with Commissioners Van Beek, White and Smith voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Chief Deputy P.A. Sam Laugheed and Deputy P.A. Doug Robertson. The Executive Session concluded at 12:26 p.m.

At the conclusion of the executive session the following exemptions were considered:

- Toll Southwest LLC for Canyon Creek Nos. 4 and 5 and Carriage Hill West Nos. 3, 4 and 5. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to approve the exemptions.

The meeting concluded at 12:27 p.m. An audio recording is on file in the Commissioners' Office.

**MAY 2021 TERM**

**CALDWELL, IDAHO    MAY 10, 2021**

**PRESENT:**     **Commissioner Keri K. Smith, Chair**  
**Commissioner Leslie Van Beek, Vice Chairman**  
**Commissioner Pam White**  
**Deputy Clerks Monica Reeves/Jenen Ross**

APPROVED CLAIMS

- The Board has approved claims 573873 to 573919 in the amount of \$63,518.76
- The Board has approved claims 573920 to 573977 in the amount of \$179,613.51
- The Board has approved claims 573978 to 574007 in the amount of \$19,383.14
- The Board has approved claims 573718 to 573763 in the amount of \$80,991.42
- The Board has approved claims 573764 to 573814 in the amount of \$187,224.83
- The Board has approved claims 573815 to 573839 in the amount of \$13,410.84
- The Board has approved claims 573840 to 573872 in the amount of \$58,867.02

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

The Board approved an Alcoholic Beverage License Maverik Inc. dba Maverik #661 (See resolution no. 21-096)

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Smoky Mtn Pizza & Pasta Nampa LLC dba Smoky Mountain Pizzeria Grill; WW Ink LLC dba Rocca's Roadhouse (Resolution no. 21-097)
- The Board approved an Alcoholic Beverage License renewal for Golden Place Inc dba Golden Palace; Ridley's Family Markets Inc dba Ridley's Family Markets; THD LLC dba Mongolian Fire Grill (Resolution no. 21-098)

#### COMMISSIONERS OFFICE STAFF MEETING, AND FY2022 BUDGET REVIEW

The Board met today at 8:38 a.m. for an office staff meeting, and to review FY2022 budget matters. Present were: Commissioners Keri Smith, Pam White, and Leslie Van Beek, Deputy Clerk Jenen Ross, Admin. Specialist Terri Salisbury, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. The staff meeting portion of the meeting concluded at 8:44 a.m. and then the Board's budget review followed and the highlights from that discussion were:

- Board requested a spreadsheet showing the funding history of community groups who are seeking County funding this year
- The HR budget will be completed by HR staff
- The Board's meeting room audio/visual project will be included in the IT Department budget
- \$2,000 for computer equipment – The Board will accept IT's recommended upgrades this fiscal year; (Commissioner Smith's computer will be repurposed and utilized by one of the BOCC secretaries)
- \$500 for office furniture (If the Board buys chairs this year with the current budget, the office furniture line can be reduced to \$500)
- \$0 for machinery
- \$500 for employee appreciation
- \$3,000 for mileage
- \$200 for transportation
- \$200 for parking
- Possible increase to cellphone plan and copier contract line items
- The Board discussed budgeting for conflict counsel fees, but no decision was made because further discussion is necessary.

The meeting concluded at 8:58 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DISCUSS FY2022 PRELIMINARY BUDGET REQUEST FOR COMPASS

The Board met today at 9:02 a.m. to discuss the Fiscal Year 2022 preliminary budget request for COMPASS. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Executive Director Matt Stoll, and Deputy Clerk Monica Reeves. Director Stoll reviewed the proposed membership dues and noted this year they are requesting \$118,802 from Canyon County. The amount represents an increase of \$4,027 over last year's requested amount and is based on the County's increase in population. Controller Wagoner said in 2021 the County did not budget for the requested amount of \$114,775, we budgeted \$109,594 making the decision to not raise the amount from 2020-2021. Director Stoll said this is the first he's heard of that and it will be brought to the COMPASS board on whether Canyon

County's membership will continue. Discussion ensued. Clerk Yamamoto said it would be good to know what benefits the County receives through its funding of COMPASS. Commissioner Van Beek wants to see the numbers in terms of value vs. expense. Commissioner Smith said the reason for a regional transportation organization is because we are connected by a road system network and it's not fair to only look at Canyon County's numbers. We should be evaluating the return on investment of the traffic coming in. Commissioner Van Beek supports that. Director Stoll talked about the various transportation grants COMPASS has been instrumental in obtaining and he said if a coordinating entity like COMPASS didn't exist the County would not receive federal funds for local transportation projects nor for state transportation projects. Controller Wagoner said last year the County did not take a 3% property tax increase or a new construction increase and some entities such as VRT, Jannus, and the Western Alliance for Economic Development (which are funded with property tax) and they followed the County's plan of property taxes staying the same. He said the Board has options for the current year on whether they want to fund COMPASS at the \$114,775 amount, and then they will also need to make a decision at what level will be funded for FY2022. Commissioners White and Van Beek want to have further discussion, but Commissioner Smith would rather fund the additional \$5,000 for COMPASS. Another meeting will be scheduled where the Board can make a decision on the next steps for the FY2021 amount. The meeting concluded at 9:48 a.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO COME AT A LATER TIME

FY2022 budget presentation:

- FY2022 budget presentation for Canyon Recovery Community Center - Rescheduled to 5/12/2021

DETENTION CENTER INSPECTION CONDUCTED

The Board conducted a quarterly inspection of the detention center. The Board evidenced proper care and security and the inmates' welfare throughout the facility. General grievances were filed and have been processed in accordance with standard procedures.

DETAILED MINUTES TO COME AT A LATER TIME

FY2022 budget presentation for Valley Regional Transit

DETAILED MINUTES TO COME AT A LATER TIME

Action Item: Consider signing resolution granting a new alcoholic beverage license to Maverik Inc dba Maverik #661 (Resolution no. 21-096)

DETAILED MINUTES TO COME AT A LATER TIME

Weekly meeting with the Director of Development Services to discuss general issues, set policy, give direction and action items

- Action item: Consider signing a resolution to grant a refund to Mitchell Vermeer for a rezone and comprehensive plan amendment application fee (Resolution no. 21-100)
- Action Item: Consider signing a resolution to grant a refund to Brian & Janet Starr for a rezone and comprehensive plan amendment application fee (Resolution no. 21-099)
- Action Item: Consider signing a resolution to grant a refund to Aleksey Strelyuk for a building permit (Resolution no. 21-101)

MAY 2021 TERM

CALDWELL, IDAHO    MAY 11, 2021

PRESENT:     Commissioner Keri K. Smith, Chair  
                 Commissioner Leslie Van Beek, Vice Chairman  
                 Commissioner Pam White  
                 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Hanson Janitorial Supply, Inc in the amount of \$5,940.00 for Canyon County Sheriff
- Intermountain Wood Products in the amount of \$5,132.02 for Facilities Department

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Mother Earth Brew Co. LLC dba Mother Earth Micro Brews (Resolution no. 21-102)
- The Board approved an Alcoholic Beverage License renewal for O seafood Inc. dba O Crab; Chapala Mexican Restaurant #7 Inc. dba Chapala Mexican Restaurant #7; Fiesta of Nampa Inc. dba Fiesta Guadalajara (Resolution no. 21-103)

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with county attorneys for legal staff update

DETAILED MINUTES TO COME AT A LATER TIME

FY2022 budget presentations:

- FY2022 budget presentation for Caldwell Veterans Council
- FY2022 budget presentation for Third District Youth Court
- FY2022 budget presentation for Metro Community Services

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with the Director of Information Technology to discuss general issues, set policy and give direction

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with Coroner's office to discuss FY2022 budget

DETAILED MINUTES TO COME AT A LATER TIME

Action items:

- Action Item: Consider approving final plat for Kestrel Estates #2: Case no. SD2019-0048
- Action Item: Consider signing the FCO's regarding Country Sage Ranches Subdivision preliminary plat: Case no. SD2018-0031

MAY 2021 TERM  
CALDWELL, IDAHO      MAY 12, 2021

PRESENT:      Commissioner Keri K. Smith, Chair  
                 Commissioner Leslie Van Beek, Vice Chairman  
                 Commissioner Pam White  
                 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORM

- The Board approved an employee status change form for Elizabeth Allen, Planner II



- The Board approved an employee status change form for Samuel Dickinson, Deputy Public Defender I
- The Board approved an employee status change form for Christopher Thompson, Deputy Public Defender I

#### APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Prime Construction & Asphalt in the amount of \$2,052.00 for Facilities Department
- Frontier Precision in the amount of \$6,295.00 for Canyon County Sheriff
- Mobile Mini Storage Solutions in the amount of \$7,172.10 for Facilities Department

#### APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used 6/26/21 for Unrein Wedding; Eastside Tavern to be used 6/12/21 for Schoonover Wedding; Eastside Tavern to be used 6/05/21 for Henson Wedding.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Chapala Nampa Inc dba Chapala Mexican Restaurant III; Mariscos El Viejon LLC dba Mariscos El Viejon (Resolution no. 21-104)
- The Board approved an Alcoholic Beverage License renewal for Costco Wholesale Corporation dba Costco Wholesale #734; Target Corporation dba Target Store T-2206; Short Stop Inc dba Lake Lowell Market; Kebob LLC dba Tobacco Connection #1; Kebob LLC dba Tobacco Connection #6; Kebob LLC dba tobacco Connection #12; Kebob LLC dba Tobacco Connection #16; Kebob LLC dba Tobacco Connection #22; Kebob LLC dba Tobacco Connection #23; Kebob LLC dba Tobacco Connection #32; Tacos El Rey LLC dba Tacos El Rey Restaurant #5 (Resolution no. 21-105)

#### MEETING TO DISCUSS FY2022 PRELIMINARY BUDGET REQUEST FOR WESTERN ALLIANCE FOR ECONOMIC DEVELOPMENT

The Board met today at 9:36 a.m. to discuss the Fiscal Year 2022 preliminary budget request for Western Alliance for Economic Development (WAED). Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Tina Wilson, the Executive Director of WAED, Lee Belt from the City of Greenleaf, David Lincoln from WAED Chairman, and Deputy Clerk Monica Reeves. Ms. Wilson provided a draft budget and spoke about public and private sector funding along with grant monies they are looking to obtain. She also

reviewed the projects that are in process. WAED is seeking \$27,650 in county funding for FY2022. There was discussion about an economic development district that would serve as a multi-county organization with a planning element. Commissioner Smith said the Board sees a demand for economic development in-house and she asked Ms. Wilson how she sees WAED pivoting related to the possibility of the County bringing economic development in-house. Ms. Wilson said it depends on what Steve Fultz (the newly hired DSD Director who has an extensive economic development background) envisions for a plan. If the County pulls its funding to WAED she won't be eligible to make application for salary. She does more than just write grants; she provides "boots on the ground" services, develops marketing plans and financing packages, as well as provides a lot of services to the cities. Commissioner Smith said she sees the value of having an economic development person in-house who is managed by Director Fultz. It would be expansion, retention and recruitment role. Ms. Wilson asked if the Board will support WAED in 2022; she would like to know ASAP as grant application with the Department of Commerce is due May 27<sup>th</sup>. (The grant is for \$30,000 and she needs a match of \$15,000 in order to be eligible.) Commissioner Smith asked Ms. Wilson to meet with Director Fultz and get a preliminary vision and come back before the Board after that meeting has occurred. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DISCUSS FY2022 PRELIMINARY BUDGET REQUEST FOR NATIONAL SERVICE PROGRAMS OF JANNUS

The Board met today at 10:10 a.m. to discuss the Fiscal Year 2022 preliminary budget request for National Service Programs of Jannus. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Program Director Melissa Radloff, Volunteer Coordinator Lisa Underwood, Judy Whitworth, who serves as a volunteer, and Deputy Clerk Monica Reeves. Ms. Radloff spoke about the volunteers and training for the volunteers for the different programs. She provided a handout illustrating the funding partners and the economic impact her programs have on the community. This year the organization is requesting \$18,000 in county funding which represents a \$3,000 increase over last year's request. Ms. Underwood and Ms. Whitworth spoke of the foster grandparent program and the valued services the program provides. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 10:33 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DISCUSS FY2022 PRELIMINARY BUDGET REQUEST FOR ADVOCATES AGAINST FAMILY VIOLENCE

The Board met today at 10:33 a.m. to discuss the Fiscal Year 2022 preliminary budget request for Advocates Against Family Violence. Present were: Commissioners Keri Smith, Pam White, and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, AAFV Executive Director Kim Deugan, Michelle Stimmel, Tricia Lofton, and Deputy Clerk Monica Reeves. Ms. Deugan reviewed the organization's statistical and budget information. This year the organization is requesting at

least a 50% increase over last year's amount and so they would like to receive \$45,000 to \$60,000. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 11:01 a.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO COME AT A LATER TIME

Monthly meeting with Directors of Juvenile Probation and Misdemeanor Probation to discuss general issues, set policy and give direction

DETAILED MINUTES TO COME AT A LATER TIME

FY2022 budget presentations:

- FY2022 budget presentation for West Valley Humane Society
- FY2022 budget presentation for Canyon Recovery Community Center
- FY2022 budget presentation for Treasure Valley Partnership

MAY 2021 TERM

CALDWELL, IDAHO      MAY 13, 2021

PRESENT:      Commissioner Keri K. Smith, Chair  
                 Commissioner Leslie Van Beek, Vice Chairman  
                 Commissioner Pam White  
                 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Carbon Networks LLC in the amount of \$1,153.00 for Information Technology Department
- O'Reilly Auto Parts in the amount of \$6,909.00 for Fleet Department
- Gunarama Wholesale Inc. in the amount of \$4,800.00 for Canyon County Sheriff

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Brick 29, LLC dba Brick 29; Amano Restaurante, LLC dba Amano (Resolution no. 21-107)

- The Board approved an Alcoholic Beverage License renewal for Bitner Vineyards. LLC dba Bitner Vineyards; Campos Market Nampa, LLC dba Campos Market Nampa (Resolution no. 21-108)

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

The Board met today at 9:31 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Keri Smith and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Mike Porter (left at 10:35 a.m.), Deputy P.A. Doug Robertson, Facilities Director Paul Navarro (left at 9:51 a.m.), Fair Director Diana Sinner (left at 9:51 a.m.), Assistant Fleet Director Dawn Pence (left at 9:33 a.m.), DSD Director Steve Fultz (joined at 10:36 a.m.) and Deputy Clerk Jenen Ross. The action item was considered as follows:

***Consider signing resolution consenting to the sale of surplus county property to Caldwell Police Department:*** Ms. Klempel explained this resolution is to sell a pick-up truck from Canyon County Fleet to the Caldwell Police Department. This is a vehicle that has been taken out of rotation by the fleet department. Director Tolman has previously discussed this with the Board. Ms. Klempel said there is no legal reason not to sign and that selling the vehicle is in the public's best interest. Upon the motion of Commissioner Van Beek and second by Commissioner Smith the Board voted unanimously to sign the resolution consenting to the sale of surplus county property to Caldwell Police Department (see resolution no. 21-106).

*A request was made to go into Executive Session as follows:*

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

Commissioner Van Beek made a motion to go into Executive Session at 9:34 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (i) regarding personnel matters concerning named personnel, records exempt from public disclosure and attorney-client communication and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Smith. A roll call vote was taken on the motion by Deputy Clerk Jenen Ross with Commissioners Van Beek and Smith voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Keri Smith and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Mike Porter (left at 10:35 a.m.), Deputy P.A. Doug Robertson, Facilities Director Paul Navarro (left at 9:51 a.m.), Fair Director Diana Sinner (left at 9:51 a.m.) and DSD Director Steve Fultz (joined at 10:36 a.m.) The Executive Session concluded at 10:58 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 TO CONSIDER ACTION ITEMS

The Board met today at 10:58 a.m. to consider action items. Present were: Commissioners Keri Smith and Leslie Van Beek, Director of DSD Steve Fultz (left at 11:01 a.m.), DSD Planner Dan Lister (left at 11:01 a.m.), Todd Lakey for Ridgeline Vista (left at 11:01 a.m.), Director of Indigent Services Yvonne Baker, Case Manager Jenniffer Odom, Clerk Chris Yamamoto and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider signing FCO's, development agreement, and ordinance for Ridgeline Vista, LLC: Case no. CR2020-0012:*** The Board indicated that they've had time to review the documents and are satisfied with them. Upon the motion of Commissioner Van Beek and second by Commissioner Smith the Board voted unanimously to sign the FCO's, development agreement (see agreement no. 21-033) and ordinance (see ordinance no. 21-012) for Ridgeline Vista, LLC; Case no. CR2020-0012.

***Consider approval/denial of indigent decisions and signing of liens:*** Jenniffer Odom stated that the following cases do not meet the eligibility criteria for county assistance: 2021-581, 2021-671, 2021-577, 2021-578 and 2021-658 and upon the motion of Commissioner Van Beek and second by Commissioner Smith the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days on the cases as read into the record.

Commissioner Van Beek made a motion to issue an initial approval on case no. 2021-670 with written decision within 30 days. The motion was seconded by Commissioner Smith and carried unanimously.

Liens and lien releases were presented for Board signatures.

Director Baker addressed two cases that have been previously discussed with the Board as follows:

Case no. 2009-639: Last week the Board made a motion that the applicant was to pay 50% of the remaining \$28,825 in exchange for the subordination agreement. The applicant asked if that payment would satisfy the entire debt? Consensus among the Board is that the 50% does not satisfy the debt and the remaining amount will still be owed. The applicant has indicated to Director Baker that if the debt is not considered paid in full they will not be moving forward with the refinance.

Case no. 2020-467: The applicant has requested a temporary lift of lien in order to finance the purchase of a home. This request was denied by the Board last week. The applicant offered a counter proposal to pay \$5,000 toward their debt and sign a promissory note to make \$140 monthly payments. The applicant has indicated that the monthly mortgage payment will be

approximately \$1800. Director Baker has concerns that this could potentially be setting this person up to not be successful in repaying debts and noted that there has been a history of inconsistent payment amounts made over the past year. Commissioner Van Beek is not supportive of this request as the numbers that have been provided don't make sense to her.

The meeting concluded at 11:13 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DISCUSS FY2022 PRELIMINARY BUDGET REQUEST FOR CANYON SOIL CONSERVATION DISTRICT

The Board met today at 11:18 a.m. to discuss the Fiscal Year 2022 preliminary budget request for the Canyon Soil Conservation District. Present were: Commissioners Keri Smith and Leslie Van Beek, Clerk Chris Yamamoto, and Lori Kent, Mike Swartz, Bob McKellip, Mike Summerville, and Dave Dixon from the Canyon Soil Conservation District, as well as Deputy Clerk Monica Reeves. (Controller Zach Wagoner arrived at 11:37 a.m.) A PowerPoint presentation was given showcasing the services the district provides. This year the organization is requesting \$15,000 in county funding. Mr. McKellip spoke of a concern the district has regarding the transition from agriculture to development and the importance of making sure development is done in a controlled manner. Commissioners Smith and Van Beek said it's very helpful to the Board to hear from agriculture professionals regarding the impact development has on agriculture and they encouraged the district to respond to agency notifications (hearing notices) and provide feedback on proposed development projects. No Board action was required or taken as the meeting was held for information purposes only. The meeting concluded at 11:40 a.m. An audio recording is on file in the Commissioners' Office.

#### MONTHLY CODE ENFORCEMENT MEETING TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 1:34 p.m. regarding code enforcement matters. Present were: Commissioners Pam White and Leslie Van Beek, Code Enforcement Officers Eric Arthur and Nick Edwards, and Deputy Clerk Monica Reeves. Commissioner Keri Smith arrived at 1:37 p.m. Deputy PA's Zach Wesley and Doug Robertson arrived at 1:38 p.m. Officer Arthur submitted a list of current code enforcement cases broken out by violation type (weed, zoning, building, junk). His also report included data on cases from January 1, 2018 to May 13, 2021:

- Total number of cases open: 509
- Public nuisance violations: 245
- Zoning violations: 191
- Building permit violations: 40
- Non-violations: 4
- Number of cases closed: 104

- Total active cases: 405

Part of today's discussion will be in executive session because they will be discussing specific cases. The Board reviewed the code enforcement process and changes and there was discussion about whether to abate or issue a citation. Commissioner Smith wants to add a new process for infractions which will require an ordinance amendment. Zach Wesley said the infraction element may be part of the last page of the Officer Arthur's flowchart. The Board previously discussed modeling an ordinance revision after the City of Middleton's ordinance. The County ordinance is currently structured that all violations (public nuisance or zoning violations) are misdemeanor offenses. The City of Middleton uses a process where they use an infraction with a fixed fine in place that escalates three infractions and with the fourth it becomes a misdemeanor. Discussion ensued. The amendment related to the zoning ordinance would have to go through the P&Z Commission but the public nuisance amendment can be done quickly, and could model Middleton's ordinance. Officer Arthur would like firm direction from the Board as to are we going for voluntary compliance with multiple chances or is it an infraction after one letter/warning. He suggests a notice of violation, then an infraction and said we could extend the time period to 14 days or 30 days depending on the severity of the cleanup. Commissioner Van Beek had questions about extending it from 10 days to 14 or possibly 30 days. Discussion ensued. Commissioner Smith said staff can work out the ordinance amendment for the public nuisance and the zoning ordinance and make sure there is one for the building department as well because if there are building violations we want the same infraction process. Mr. Wesley said we can include language about the danger to public health; if there's not a danger to public health we will use a longer timeframe for them to remedy the violation and if there is a danger it will be on a quicker turnaround. Commissioner White had questions about enforcement. More discussion followed about enforcement and abatement. Commissioner Smith asked staff to update the flowchart to include by violation, and include the Board's role which will fall in line with our monthly meetings, and then an amendment will be done for each of those sections. An Executive Session was held as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 1:57 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss records exempt from public disclosure and attorney-client communication, and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Smith, Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Code Enforcement Officer Eric Arthur, Code Enforcement Officer Nick Edwards, Deputy PA Zach Wesley, Deputy PA Doug Robertson, and Deputy Clerk Monica Reeves. The Executive Session concluded at 2:27 p.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.

MAY 2021 TERM  
CALDWELL, IDAHO    MAY 14, 2021

PRESENT:     Commissioner Keri K. Smith, Chair  
                 Commissioner Leslie Van Beek, Vice Chairman  
                 Commissioner Pam White  
                 Deputy Clerks Monica Reeves/Jenen Ross

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for **Craft Lunge LLC dba Craft Lounge** (Resolution no. 21-110)
- The Board approved an Alcoholic Beverage License renewal for **Maria Samiento dba Alondras Store; Tacos Colimas LLC dba Tacos Colimas** (Resolution no. 21-111)

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 6/27/21 at Hahn Wedding; Raising Our Bar to be used 6/26/21 at UTT Wedding; Raising Our Bar to be used 6/25/21 at Gist Wedding; Raising Our Bar to be used 6/19/21 at Arrillaga Wedding; Raising Our Bar to be used 6/17/21 at Homer Wedding; Raising Our Bar to be used 6/13/21 at Bian Wedding; Raising Our Bar to be used 6/12/21 at Bradley Wedding; Raising Our Bar to be used 6/10/21 at Guerro Wedding; Raising Our Bar to be used 6/6/21 at Blackburn Wedding; Raising Our Bar to be used 6/5/21 at Baney Wedding; Raising Our Bar to be used 6/4/21 at Dee Wedding

FISCAL YEAR 2021 PRELIMINARY BUDGET REQUEST FOR GENESIS COMMUNITY HEALTH – CANYON COUNTY CLINIC

The Board met today at 9:03 a.m. to discuss the FY2022 preliminary budget request for Genesis Community Health – Canyon County Clinic. Present were: Commissioners Keri Smith, Pam White, and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Steve Davis and Cathy Simpkins from Genesis Community Health/Canon County Clinic, and Deputy Clerk Monica Reeves. Steve Davis said last year Genesis Community Health merged with the Canyon County Community



Clinic and he shared what the clinic accomplished last year and what their vision is for providing free medical, dental, mental, social, and spiritual support. The organization is requesting \$75,000 (\$35,000 for patient costs and \$40,000 for personnel/admin costs) in County funding for FY2022. Commissioner Van Beek had questions about federal funds and Mr. Davis advised that they are not federally funded. For every dollar invested the clinic generates over \$4 in free medical care to the community. They are affiliated with the national free and charitable clinics and they help us provide standard rates. They also have a volunteer physicians' network and they are able to get care, including labs and imaging, for free. In response to questions from Commissioner White, Mr. Davis spoke of the community organizations they partner with. They received KIVI's *Shine the Light* award for doing telemedicine and providing services to the community during COVID. Clerk Yamamoto asked if the clinic ever turns people away. Mr. Davis said they will serve only the amount of people the Lord provides with funding and volunteers. He's had to be very careful with the marketing side of things because if they don't have the funding or volunteers they have to stop accepting new patients. He also spoke of the clinic's need for more space and how they want buy or building something in Canyon County. No Board action was required or taken. The meeting concluded at 9:30 a.m. An audio recording is on file in the Commissioners' Office.

#### FY2022 PRELIMINARY BUDGET REQUEST FOR THE NAMPA FAMILY JUSTICE CENTER

The Board met today at 11:07 a.m. for the FY2022 preliminary budget request for the Nampa Family Justice Center. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Director Jeannie Strohmeyer and Deputy Clerk Monica Reeves. Ms. Strohmeyer gave an overview of the services the organization provides to the community. The center experienced significant reductions in funding last year totaling \$60,000. This year they are requesting \$40,000 for FY2022. The meeting concluded at 11:31 a.m. An audio recording is on file in the Commissioners' Office.

#### DETAILED MINUTES TO COME AT A LATER TIME

Meeting with the County Agent to discuss general issues, set policy and give direction

#### DETAILED MINUTES TO COME AT A LATER TIME

Meeting with the Public Defender to discuss FY2022 budget matters and consider an action item  
Action Item: Consider signing the Public Defense Commission Fiscal Year 2022 grant

MAY 2021 TERM  
CALDWELL, IDAHO    MAY 17, 2021

PRESENT:     Commissioner Keri K. Smith, Chair - OUT  
                 Commissioner Leslie Van Beek, Vice Chairman - OUT  
                 Commissioner Pam White - OUT  
                 Deputy Clerks Monica Reeves/Jenen Ross

There were no meeting held this day.

MAY 2021 TERM  
CALDWELL, IDAHO    MAY 18, 2021

PRESENT:     Commissioner Keri K. Smith, Chair  
                 Commissioner Leslie Van Beek, Vice Chairman – via teleconference  
                 Commissioner Pam White  
                 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 574065 to 574099 in the amount of \$22,079.75
- The Board has approved claims 574100 to 574129 in the amount of \$28,369.51
- The Board has approved claims 574166 to 574202 in the amount of \$26,132.97
- The Board has approved claims 574035 to 574064 in the amount of \$33,653.68
- The Board has approved claims 574130 to 574165 in the amount of \$22,662.19

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change forms for Lindsay Thompson, Office Coordinator; Nicole Brock, Event Coordinator.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 5/29/21 at Edmy Vega Wedding; Slicks Bar to be used 6/12/21 at Parma Ruel Fire Department Inferno Bull Riding; Capital City Events Center to be used 6/12/21 for Schmid Wedding; Slicks Bar to be used 5/28/21 at P'Pool residence for Graduation Party.

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for TNT's Dynamite Bar & Grill LLC dba TNT's Dynamite Bar & Grill (Resolution no. 21-112)
- The Board approved an Alcoholic Beverage License renewal for Red Robin International Inc dba Red Robin Gourmet Burgers & Brews; Nampa Aerie #2103, Fraternal Order of Eagles dba 2103 Aeris (Resolution no. 21-113)
- The Board approved an Alcoholic Beverage License renewal for City of Nampa dba Centennial Golf Course; Fred Meyer Stores Inc dba Fred Meyer #226; Uppercuts Barber Shop LLC dba Barber Shop/Upperclass Beauty Salon; Destination Caldwell Inc dba Destination Caldwell; D&S Panasiuk LLC dba Grocery Outlet of Nampa; Dan's Ferry Service LLC dba Dan's Ferry Service; Gallegos Meat Market 2 LLC dba Gallegos Meat Market #2 (Resolution no. 21-114)

#### MEETING TO CONSIDER ACTION ITEMS

The Board met today at 1:06 p.m. to consider action items. Present were: Commissioners Keri Smith and Pam White, Commissioner Leslie Van Beek via teleconference, Prosecuting Attorney Bryan Taylor, Assessor Brian Stender, Coroner Jennifer Crawford, Treasurer Tracie Lloyd, Chief Deputy P.A. Sam Laugheed, Controller Zach Wagoner, EOM Christine Wendelsdorf and Deputy Clerk Jenen Ross. The action items were considered as follows:

***Consider establishing the Board of County Commissioners as the County's "Authorized Representative" for all purposes relating to the American Rescue Plan Act (ARPA); AND Consider authorizing and directing Chairwoman Smith to act on behalf of the Board as the Authorized Representative for the limited purpose of submitting certification documents relating to ARPA eligibility; AND Consider establishing County Controller Zach Wagoner as the "Contact Person" for administrative purposes relating to ARPA:***

Mr. Laugheed provided a brief overview of each of these items; the first is substantive to consider approval for submission of the request for funding. The other actions are to establish the Board as the authorized representative, authorize the Chair to act on behalf of the Board as the authorized representative because the certification process requires an individual and to establish the county Controller as a contact person for administrative purposes. By doing it this way the county is able to comply with federal requirements and makes sure there are two separate elected offices on

the frontend who are both directly involved. All of this is done in the interest of redundancy, transparency and accountability. Mr. Laugheed indicated that there seems to be a fair amount of concern among the elected officials about how the money will be spent so making sure the redundancy is in place is in everyone's best interest. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to approve all three of the above noted action items.

***Consider approving submission of request for Coronavirus State and Local Fiscal Recovery Funds under ARPA effective this 18th day of May, 2021:*** Mr. Laugheed explained that in order to receive deposits of these funds there needs to be a submission request. Treasure Lloyd has set up a separate back account just to hold these monies which will essentially be a trust so that the Board and other stakeholders have input on specific projects. Mr. Laugheed noted for the record that by accepting these monies or submitting this request the County is not committed to spending any of the money or committing to any program nor will the County be incurring any liability. Controller Wagoner said the money will be deposited in two separate deposits approximately a year apart and can be spent between now and December 31, 2024. There is time to put together a plan to best utilize the monies for the community. Commissioner White made a motion to approve the submission of request for Coronavirus State and Local Fiscal Recovery Funds under ARPA effective this 18<sup>th</sup> day of May, 2021. The motion was seconded by Commissioner Smith. Commissioner Van Beek said she spoke with a Representative this morning and in that conversation, she understood his position to be that the State of Idaho did everything they could to safeguard and protect state and local government from potential overreach by the federal government and understands that the strongest arguments for taking that; she knows there are two sides to this. There is also a side, this particular Representative did not vote for this either, she is going to stand on the other side knowing this will pass and having confidence that the collective body, when it does pass this will be looked at carefully. She understands when the second wave of this comes thru there will be different, additional strings attached but she still fundamentally believes that government can exist on solid fiscal policy and she is not able to support this at this time. A vote was taken on the motion with Commissioners Smith and White voting in favor and Commissioner Van Beek in opposition. The motion carried in a 2-to-1 split vote.

The meeting concluded at 1:16 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2021 TERM  
CALDWELL, IDAHO      MAY 19, 2021

PRESENT:      Commissioner Keri K. Smith, Chair - OUT  
                 Commissioner Leslie Van Beek, Vice Chairman  
                 Commissioner Pam White  
                 Deputy Clerks Monica Reeves/Jenen Ross

#### APPROVED CLAIMS

- The Board has approved claims 574272 to 574291 in the amount of \$13,471.00
- The Board has approved claims 574292 to 574305 in the amount of \$5,288.01
- The Board has approved claims 574410 to 574439 in the amount of \$12,636.76
- The Board has approved claims 574262 to 574271 in the amount of \$3,424.00
- The Board has approved claims 574333 to 574368 in the amount of \$ 24,252.26
- The Board has approved claims 574203 to 574231 in the amount of \$24,972.98
- The Board has approved claims 574232 to 574261 in the amount of \$18,665.13
- The Board has approved claims 574306 to 574332 & 574367 in the amount of \$24,884.92
- The Board has approved claims 574008 to 574034 in the amount of \$23,657.00
- The Board has approved claims 574369 to 574409 in the amount of \$136,000.23
- The Board has approved claim 574440 in the amount of \$1,180.00

#### APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Right! Systems Inc in the amount of \$2,145.40 for Information Technology Department
- Data Bank IMX in the amount of \$3,700.00 for Information Technology Department
- SHI in the amount of \$2,767.80 for Information Technology Department
- Apple, Inc in the amount of \$1,356.00 for Information Technology Department
- HP Inc in the amount of \$3,049.00 for Information Technology Department

#### SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Garbonzo's Pizza Inc dba Garbonzo's Pizza (Resolution no. 21-115)
- The Board approved an Alcoholic Beverage License renewal for Alejandras 1 LLC dba Alejandra's Mexican Restaurant; Wild Heart Springs LLC dba Wild Heart Springs (Resolution no. 21-116)
- The Board approved an Alcoholic Beverage License renewal for Fiesta's Arts Inc dba Fiesta Guadalajara; Double Barrel Enterprises LLC dba Double Barrel Bar & Grill; Kickback Bar Inc dba Kickback Bar (Resolution no. 21-117)

#### DETAILED MINUTES TO COME AT A LATER TIME

Monthly meeting with Director of Juvenile Detention to discuss general issues, set policy and give direction

DETAILED MINUTES TO COME AT A LATER TIME

Monthly meeting with Fleet Director to discuss general issues, set policy and give direction

MAY 2021 TERM

CALDWELL, IDAHO    MAY 20, 2021

PRESENT:     Commissioner Keri K. Smith, Chair - OUT  
                 Commissioner Leslie Van Beek, Vice Chairman  
                 Commissioner Pam White  
                 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Right! Systems Inc in the amount of \$2,000.00 for Information Technology Department
- College of Western Idaho in the amount of \$1,795.00 for Information Technology Department
- Dell in the amount of \$37,831.58 for Information Technology Department
- Jamf in the amount of \$7,200.00 for Information Technology Department
- HP Inc in the amount of \$3,900.00 for Information Technology Department
- Apple, Inc in the amount of \$44,900.00 for Information Technology Department
- Amazon in the amount of \$7,968.45 for Information Technology Department

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Jalapeno's Bar & Grill LLC (Resolution no. 21-118)

CONSIDER MAY 20, 2021 AGENDA ITEMS, AND LEGAL STAFF UPDATE

The Board met today at 1:07 p.m. for a legal staff update and to consider the May 20, 2021 agenda items. Present were: Commissioners Leslie Van Beek and Pam White, Chief Civil Sam Laugheed, Deputy PA Mike Porter, Deputy PA Zach Wesley, Deputy PA Doug Robertson, Deputy PA Alex Klempel, Chief Deputy Sheriff Marv Dashiell, Indigent Services Director Yvonne Baker, Assessor Brian Stender, and Deputy Clerk Monica Reeves. The items were considered as follows:

**Treasurer's tax charge adjustments by PIN for April 2021:** The Board will reschedule this item for a time when the Treasurer is available to answer questions.

**Consider Change Order No. 1 to the Motorola Solutions, Inc., Communications Systems and Services Agreement No. 20-131:** Chief Dashiell said with the change order is for a swap for equipment and services with no financial obligation. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to sign change order no. 1 to the Motorola Solutions, Inc., Communications Systems and Services Agreement No. 20-131. (Mr. Porter and Chief Dashiell left at 1:13 p.m.)

**Consider indigent decisions and signing of liens:** Yvonne Baker presented four cases and said per the Clerk's statement of findings the following cases do not meet eligibility criteria for County assistance: Case Nos. 2021-589, 2021-593, 2021-602, and 2021-604. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to deny the four cases read into the record with a written decision to be issued in 30 days. The Board also signed liens. There was discussion regarding the subordination agreement for Case No. 2015-253, which is an approved case with an active reimbursement. The request is for a subordination agreement for a HELOC (home equity line of credit). The total equity in the home is \$124,000 which is also the amount of the HELOC. There is an amount owing on the mortgage of \$84,000. The original indigent balance was \$21,857, and today the outstanding balance is \$19,044.57. The applicant makes regular payments ranging from \$20-\$50 each month. The value of the home is \$201,000. The Board asked questions of Director Baker and discussion ensued. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to ask the applicant to pay off \$19,044.00 which will allow him more room to borrow. (Director Baker left at 1:24 p.m.)

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

*Note for the record: As properly noticed the Board met this afternoon for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication. The Executive Session was held as follows:*

Commissioner White made a motion to go into Executive Session at 1:25 p.m. pursuant to Idaho Code, Section 74-206(1) (d). The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Leslie Van Beek and Pam White, Chief Civil Deputy PA Sam Laugheed, Deputy PA Zach Wesley, Deputy PA Doug Robertson, Deputy PA Alex Klempel, Assessor Brian Stender, and Deputy Clerk Monica Reeves. The Executive Session concluded at 2:02 p.m.

While in open session, Commissioner Van Beek said there was discussion regarding the contract to award the bid for the Fair Expo building and out of that discussion there is an action item to sign a letter. Mr. Wesley said there is an action item for the Board to formally do this tomorrow

at 3:00 p.m. with 48-hours' notice, but because this project is evolving rapidly they want to give the parties the most time available to respond if they wanted to. This is the next step in the process, this action does not bind the Board whatsoever or enter us into a contract. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to sign the letter to CM Company, Inc.; Scott Hedrick Construction; ESI; and HC Company, Inc., regarding the Fair Expo Building Project. The meeting concluded at 2:03 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office. The Board will sign the letter today and it will be on the agenda formally tomorrow.

MAY 2021 TERM

CALDWELL, IDAHO      MAY 21, 2021

PRESENT:      Commissioner Keri K. Smith, Chair - OUT  
Commissioner Leslie Van Beek, Vice Chairman  
Commissioner Pam White  
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS ORDER NO. 2117

- The Board of Commissioners approved payment of County claims in the amount of \$1,627,888.09 for a County payroll.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Conrad & Bischoff Inc dba Garrity 66; Carniceria Mi Tierra Inc dba Carniceria Mi Tierra; 2C Wine Down LLC dba 2C Wine Down (Resolution no. 21-119)
- The Board approved an Alcoholic Beverage License renewal for Blazin Wings Inc dba Buffalo Wild Wings #592; Macabi Inc dba Acapulco Mexican Restaurant; Paleteria Y Neveria Mi Linda Michoacan dba Paleteria Y Neveria Mi Linda Michoacana Ice Cream LLC (Resolution no. 21-120)

DETAILED MINUTES TO COME AT A LATER TIME

Discussion on funding for Western Alliance for Economic Development



DETAILED MINUTES TO COME AT A LATER TIME

Action item: Consider signing amendment to award of Canyon County Fair Expo IFB

MAY 2021 TERM

CALDWELL, IDAHO      MAY 24, 2021

PRESENT:      Commissioner Keri K. Smith, Chair  
                 Commissioner Leslie Van Beek, Vice Chairman  
                 Commissioner Pam White  
                 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Right! Systems Inc in the amount of \$1,286.00 for the Information Technology Department
- HP Inc in the amount of \$1,250.00 for the Information Technology Department

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:40 a.m. for an office staff meeting. Present were: Commissioners Keri Smith and Leslie Van Beek, Deputy Clerk Jenen Ross, Admin. Specialist Terri Salisbury, and Deputy Clerk Monica Reeves. The Board reviewed this week's schedule with staff. There was discussion regarding the budget process, the claims review process, and other calendaring issues. The meeting concluded at 8:55 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY GREGORY SPOHN FOR A REZONE, CASE NO. RZ2020-0024

The Board met today at 9:00 a.m. to consider a request by Gregory Spohn for a rezone of approximately 14.29 acres from an "A" (Agricultural) Zone to an "R-1" (Single Family Residential) Zone, Case No. RZ2020-0024. Present were: Commissioners Keri Smith and Leslie Van Beek, DSD Planner Dan Lister, Gary Johnston, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Smith disclosed that she knows Gary Johnson and his business donated to a prior organization she worked for but that will not impact her decision-making ability in this process. Dan Lister gave the oral staff report. The properties are designated as residential on the future land use map and are located 650 feet outside of Middleton's impact area. The property is zoned agriculture and is surrounded by other properties zoned agriculture; you don't see the residential

area until it gets to the impact area. There were two rural residential zones within a one-mile radius that were created in 2011 and 2019. The subject property is surrounded by previously approved subdivisions. The land consists of moderately suited soils although some portions are considered prime while others are not. The property is outside the nitrate priority area; wells and septic systems will serve the property. Wells in the area show signs of nitrates but the levels do not exceed DEQ standards. The property does not have irrigation rights. Mr. Lister reviewed the letters of opposition noting the following concerns: desire to maintain the rural and agricultural character of the area; impacts to property values, wells, and traffic; and future development impacts on livestock uses. They feel the rural residential zone is more appropriate than the zone being requested. There was a review of agency comments. SWDH finds that the future development can be served subject to a subdivision engineering report at the time of platting. The P&Z Commission recommended approval of the request and staff recommends approval as well. Gary Johnston testified in support of the applicant and on behalf of the applicant, Gregory Spohn. The future use is for residential to mirror the subdivisions to the south that join this property and across Kingsbury. There are two existing houses that will be incorporated into the development. There are 13 lots but they are still working on the plat. SWDH has done the test holes and they are working through that process. They plan to construct a public road, but he can do either if the Board has a preference. Commissioner Smith had questions regarding why the applicant is seeking an R-1 designation as opposed to R-R designation, whether they plan to have a public water system, and the size of the lots. Commissioner Smith is concerned that the lot sizes appear to be smaller than the surrounding subdivision lots. Mr. Johnston said they want to be consistent with other development in the area, and he noted that the parcels they want to rezone have not been utilized for agricultural purposes. With no irrigation available it will be easier to maintain one-acre lots as opposed to two-acre lots. Upon the motion of Commissioner Van Beek and the second by Commissioner Smith, the Board voted unanimously to close public testimony. There was a review of staff's findings which were found to be satisfactory. Upon the motion of Commissioner Van Beek and the second by Commissioner Smith, the Board voted unanimously to approve the request by Gary Johnson on behalf of Gregory Spohn for a rezone, and to approve the ordinance (No. 21-013) for Case No. RZ2020-0024. The hearing concluded at 9:43 a.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with county attorneys for legal staff update

MAY 2021 TERM

CALDWELL, IDAHO    MAY 25, 2021

PRESENT:     Commissioner Keri K. Smith, Chair  
                 Commissioner Leslie Van Beek, Vice Chairman

APPROVED CLAIMS

- The Board has approved claim 574441 in the amount of \$27,270.50

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Mountain Home Auto Ranch in the amount of \$27,754.00 for Fleet Department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Pocket of Boise to be used 7/02/21 for Tucker Wedding.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Mi Tierra Inc dba Mi Tierra (Resolution no. 21-121)
- The Board approved an Alcoholic Beverage License renewal for Franklin United Inc dba United Oil; Gallegos Meat Market LLC dba Gallegos Meat Market; I.C.A.N. Foods Inc dba The Griddle; Canyon Golf Partners LLC dba Red Hawk Golf Course; Sol Invictus Vineyard LLC dba Sol Invictus Vineyard; Idaho Golf Partners Inc dba Timberstone Golf Course (Resolution no. 21-122)
- The Board approved an Alcoholic Beverage License renewal for Clifford Randall Raymond dba Red Dog Saloon; LD Wood Investments LLC dba The Ranch; Indian Creek Steakhouse LLC dba Indian Creek Steakhouse; Dos Caminos Mexican Restaurant LLC dba Dos Caminos Mexican Restaurant; New Empire LLC dba The Blue Eye; The Hop House LLC dba The Hop House; JM Assets LLC dba Garbonzo Pizza; Mesa Downtown LLC dba Mesa Tacos & Tequila (Resolution no. 21-123)

CONSIDER SIGNING TREASURER'S TAX CHARGE ADJUSTMENTS BY PIN FOR APRIL 2021

The Board approved tax charge adjustments by PIN for April 1 through April 30, 2021.

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with county attorneys for legal staff update and action items

- Action Item: Consider signing independent contractor agreement with Rodney Evans & Partners PLLC for Pickles Butte landscape improvement (Agreement no. 21-034)
- Action Item: Consider signing addendum to invitation for bids for purchase of a Thermal Imaging Kiosk for Dale Haile Detention Center

DETAILED MINUTES TO COME AT A LATER TIME

Monthly meeting with the Fair Director to discuss general issues, set policy and give direction

DETAILED MINUTES TO COME AT A LATER TIME

Action Item: Reconsider Annual - 2021 Urban Renewal Property Tax Exemption, I.C. 50-2014 – NAMPA DEVELOPMENT CORP – Parcel no. 13415011 0

CANVASS MAY 18, 2021 ELECTION - CANYON COUNTY ELECTIONS OFFICE

The Board canvassed election results for the May 18, 2021 General Election. The official documents were presented by Elections staff and were signed in the Elections Office.

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with Public Defender to discuss general issues, set policy and give direction

DETAILED MINUTES TO COME AT A LATER TIME

Discussion regarding funding for Western Alliance Economic Development

MAY 2021 TERM

CALDWELL, IDAHO    MAY 26, 2021

PRESENT:    Commissioner Keri K. Smith, Chair

Commissioner Leslie Van Beek, Vice Chairman - OUT  
Commissioner Pam White  
Deputy Clerks Monica Reeves/Jenen Ross

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Winco Foods LLC dba Winco Foods #11; Winco Foods LLC dba Winco Foods #144; County Line Wine Company LLC dba County Line Wine Company; Valley Wide Cooperative Inc dba Valley Country Store (Resolution no. 21-125)
- The Board approved an Alcoholic Beverage License renewal for Local First LLC dba Local First; Salinas Foods LLC dba Yita's Family Restaurant King Legend Hall; Coronar LLC dba Los Mariachis Mexican Restaurant # 2; Nampa Wings, LLC dba Winger's Restaurant & Alehouse (Resolution no. 21-126)
- The Board approved an Alcoholic Beverage License renewal for Hong Kong Restaurant Inc dba Hong Kong Restaurant; IOU Sushi II LLC dba IOU Sushi II; Shewil LLC dba Slicks Bar; La Michoacana Mexican Restaurant LLC dba La Michoacana; El Tenampa Inc dba El Tenampa; Shi Sushi Restaurant LLC dba Shi Sushi Spirits (Resolution no. 21-127)
- The Board approved an Alcoholic Beverage License reviewal for Scoria Vineyards & Winery LLC dba Scoria Vineyards & Winery; Hat Ranch Winery LLC dba Vale Wine Company/Hat Ranch Winery; 2C Family Brewing Company dba 2C Family Brewing Company; Aguililla (Resolution no. 21-128)

DETAILED MINUTES TO COME AT A LATER TIME

Weekly meeting with the Director of Development Services to discuss general issues, set policy and give direction

- Action item: Consider signing a resolution to grant a refund to Nick and Suzanne DeRuyter for a withdrawn conditional use permit application (Resolution no. 21-124)

MAY 2021 TERM  
CALDWELL, IDAHO    MAY 27, 2021

PRESENT:     Commissioner Keri K. Smith, Chair  
                 Commissioner Leslie Van Beek, Vice Chairman

APPROVED CLAIMS

- The Board has approved claims 574561 to 574589 in the amount of \$57,876.62
- The Board has approved claims 574471 to 574500 in the amount of \$20,583.18
- The Board has approved claims 574531 to 574559 in the amount of \$102,629.92
- The Board has approved claims 574501 to 574530 in the amount of \$38,788.99
- The Board has approved claims 574442 to 574469 in the amount of \$41,786.77
- The Board has approved claim 574560 in the amount of \$9,857.89
- The Board has approved claim 574470 in the amount of \$213.50

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change forms for Abigale Gregory, Canoe Science Camp Program Intern; Garrett Hays, Canoe Science Camp Program Intern; Haven Davis-Martinez, Canoe Science Camp Program Intern; Isabella Martin, Canoe Science Camp Program Intern; Cecilia Durcan, Canoe Science Camp Program Intern; Tom Moore, Juvenile Detention Assistant Supervisor

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The End Zone to be used 6/12/21 for Sprout Wedding and Paeteria Y Neveria Mi Linda Michoacana to be used 6/5/21 for Luna Wedding.

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Fast Mart Nampa, Inc dba Fast Mart (Resolution no. 21-129)
- The Board approved an Alcoholic Beverage License renewal for Verns Lounge LLC dba Vern's Lounge; Tacos Y Mariscos El Compa LLC dba Tacos Y Mariscos El Compa (Resolution no. 21-130)

MEDICAL INDIGENCY DECISIONS

The Board met today at 8:46 a.m. to consider matters related to medical indigency decisions. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker, Case Manager Jenniffer Odom, and Sr. Admin Specialist Terri Salisbury.

The following cases do not meet the eligibility criteria for county assistance and upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to issue initial denials with written decisions within 30 days on the following cases: 2021-651; 2021-575; 2021-635; 2021-730; 2021-649.

Case no. 2021-636 meet the eligibility criteria for county assistance. Commissioner White made a motion to issue an initial approval with written decision within 30 days on the case as read into the record. The motion was seconded by Commissioner Van Beek and carried unanimously.

Liens and lien releases were presented for Board signatures.

Director of Indigent Services Yvonne Baker presented a subordination request on case no. 2007-522. Discussion ensued regarding the applicant's request for subordination of the lien. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the subordination request.

The meeting concluded at 8:56 a.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with county attorneys for legal staff update and action item

Action Item: Consider signing amendment no. 7 to Food Service Agreement with Summit Food Service.

BOARD REVIEW OF FY2022 BUDGET MATTERS

The Board met today at 10:33 a.m. to review FY2022 budget matters. Present were: Commissioners Keri Smith, Pam White, and Leslie Van Beek, and Deputy Clerk Monica Reeves. There was discussion about giving the Fair Director the spending authority to set the price for retail goods such as beer, hotdogs, and t-shirts, as well as concert tickets, as opposed to the Board setting the price for those things. Commissioner Smith will reach out to IAC and see if they have any written opinions on the matter. Commissioner White said she has never seen the cost of goods brought to the Board, and Commissioner Smith said that's because the price has not been increased. Apparently, Director Sinner was told by the PA's office she cannot increase prices without a fee schedule change and Commissioner Smith's position is it's not a fee, it's a retail good that's being sold. Discussion ensued about the difference between a fee and the cost of goods. Director Sinner has a fair board meeting and will see if she can get a recommendation from them and will see if it can be moved forward. Commissioner White said if events aren't paying for themselves it has to change; however, she does not want to put the liability on the department head. Following that discussion, the Board reviewed its budget via PowerPlan and decided to schedule a meeting with the Clerk and Controller to talk about having access to the PowerPlan notes for all elected officials and department administrators. They also want to discuss the

following items: a funding plan for the community groups; 4-H and Fair funding; and the spending authority for the Fleet Director for vehicle purchases which will warrant further discussion with the Clerk, who has the statutory authority to build the budget. The Board also wants to have a discussion with the County Agent about staffing levels and responsibilities now that they are not managing the livestock showings at the Fair. The meeting concluded at 11:03 a.m. An audio recording is on file in the Commissioners' Office.

BID OPENING - PURCHASE OF A THERMAL IMAGING KIOSK FOR THE DALE HAILE DETENTION CENTER

The Board met today at 11:04 a.m. to open bids for the thermal imaging kiosk for the Dale Haile Detention Center. Present were: Commissioners Keri Smith, Pam White, and Leslie Van Beek, Captain Harold Patchett, Deputy PA Mike Porter, and Deputy Clerk Monica Reeves. Bids were due no later than May 27, 2021 by 10:59 a.m. and were received as follows:

**OD Security North America**

416 Island Park Drive  
Daniel Island, South Carolina 29492  
Date received: May 20, 2021  
Bid amount: \$159,500.00

**Command Sourcing, Inc.**

6100 Horseshoe Bar Road, Ste. A #228  
Loomis, CA 95650  
Date received: May 26, 2021  
Bid amount: \$141,000 with an optional extended warranty add-on of \$10,000

**Tek84, Inc.**

13495 Gregg St.  
Poway, CA 92064  
Date received: May 26, 2021  
Bid amount: \$169,400

**Adani Systems, Inc.**

13631 Polar Circle  
Conroe, TX 77304  
Received May 26, 2021  
Bid amount: \$170,698.12

*Upon further review it was noted that Adani had three separate bid amounts: \$170,698.12 (exceeds specifications); \$112,501.75 (meets specifications); and \$270,352.62 (exceeds specifications).*



Captain Patchett will review the bids and identify the qualifying bids, compare the scope of work, and identify the low bid, and then the Board can direct the preparation of a notice of intent to award. The first action the Board will take is signing a contract which will come later. Commissioner Van Beek said we don't have to take the lowest bid, we can take what's in the best interest deemed by Captain Patchett, his staff and key stakeholders. Mr. Porter said the scope of work drafted by Captain Patchett will decide the qualifying bid, and if for some reason there's a problem then we can talk about what is best for the County. Commissioner Smith said the lowest qualified bidder will be identified. The meeting concluded at 11:14 a.m. An audio recording is on file in the Commissioners' Office.

MAY 2021 TERM  
CALDWELL, IDAHO      MAY 28, 2021

PRESENT:      Commissioner Keri K. Smith, Chair  
                 Commissioner Leslie Van Beek, Vice Chairman  
                 Commissioner Pam White  
                 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 574625 TO 574652 in the amount of \$20,731.28

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 6/12/21 at Lauren Cable wedding; O'Michael's Pub & Grill to be used 6/26/21 at Cynthia Lusebrink wedding

SIGNED RESOLUTION FOR ALCOHOLIC BEVERAGE LICENSE

- The Board approved an Alcoholic Beverage License renewal for Parma Ridge Wine & Spirits Co LLC dba Parma Ridge; Percept Brands LLC dba Ste Chapelle Winery/Sawtooth Winery; NKVS LLC dba Lakeshore Market; Eva Contreras De Cuevas dba Tacos El Centro (Resolution no. 21-132)
- The Board approved an Alcoholic Beverage License renewal for Taqueria Mexico Chiquito LLC dba Taqueria Mexico Chiquito (Resolution no. 21-133)
- The Board approved an Alcoholic Beverage license renewal for Campos on Lonestar dba Campos on Lone Star; Khanpur LLC dba Friendly Fred's; Armgusher LLP dba Nampa Gusher; Kerry Hill Winery LLC dba Kerry Hill Winery (Resolution no. 21-134)

CONSIDER MAY 28, 2021 ACTION ITEMS

The Board met today at 8:49 a.m. to consider the May 28, 2021 action items. Present were: Commissioners Leslie Van Beek and Pam White, and Deputy Clerk Monica Reeves. The items were considered as follows:

***Resolution granting a transfer alcoholic beverage license to Armgusher LLP dba Nampa Gusher –***

The Board had questions about this license because someone had crossed out payment amounts on the paperwork so the additional research needs to be completed.

***Resolution granting a transfer alcoholic beverage license to Khanpur LLC dba Friendly Fred's –*** This license indicated an amount change from \$3,000 to \$5 so the Board wanted additional information about this license as well.

***Vendor License Agreement with Ride the Water, LLC –*** The Board decided to postpone this item until Parks Director Schwend and a representative from the PA's Office can be present to discuss the agreement.

The meeting concluded at 8:53 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY SHILO HIXON (WATTS) FOR A CONDITIONAL REZONE, CASE NO. RZ2020-0020

The Board met today at 9:02 a.m. to conduct a public hearing in the matter of a request by Shilo Hixon (Watts) for a conditional rezone of approximately 28.96 acres from an "A" (Agricultural) zone to a "CR-RR" (Conditional Rezone/Rural Residential) zone, Case No. RZ2020-0020. Also requested is a development agreement which will restrict the development of the site to three (3) residential lots. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Director Steve Fultz, DSD Planner Jennifer Almeida, Shilo Hixon, John Healey, and Deputy Clerk Monica Reeves. The subject property is located at 22750 Arena Valley Road in Wilder. The P&Z Commission recommended approval of the conditional rezone and development agreement on January 7, 2021. Their recommendation was forwarded to the Board who made a material change to the recommendation by denying the request on February 24, 2021 and therefore a second hearing was required and is being held today. Commissioner Van Beek disclosed that her husband works for Simplot and they have farming operations in that area but that will not prevent her from making an informed decision in this case. Jennifer Almeida gave the same oral staff report she presented at the February 24, hearing. The applicant is requesting a "CR-RR" zone which has an average minimum lot size of two acres. The property is designated as agriculture on the future land use map. The property does not have water rights available to it. The applicant has agreed to restrict the development to three lots. One of the proposed lots contains the existing residence, and as restricted by the development agreement, the proposed parcels would be of a size that would not interfere with surrounding agriculture. The primary zoning district is agriculture. There are no platted subdivisions within one mile. The P&Z Commission recommended approval and staff has found, as restricted by the development agreement, that the request complies with the

criteria for a conditional rezone, and staff is recommending approval of the request. Following her report Ms. Almeida responded to questions from the Board. John Healey, who is Shilo Hixon's representative, testified in support of the request. The property is deemed nonviable farm ground and is assessed as rural residential by the County. He said Mr. Hixon embraces the agricultural community and has been a part of it all of his life and he is only asking for an avenue to utilize his private property as he sees fit. The subject property does not have water rights and has never been farmed. All neighbors have given a vote of confidence for the two additional parcels; one parcel to build a shop/house with living quarters; and one parcel to be reserved for his 14-year-old daughter to potentially build a house later in life. The property is not economically viable ag ground. As defined by Canyon County, the purpose of a rural residential zone is to encourage and guide growth in areas where a rural lifestyle may be determined to be suited. There are pockets of property within all zones that do not meet the zoning designations letter-for-letter and so exceptions are needed, reasonable ones at least. Mr. Hixon has obtained approval from the P&Z Commission; has signed a development agreement; has received letters of support from the Watsons and Simplots who have large farming operations in the area; and the neighbors have no problem with the request. No new wells will need to be drilled for many years. Following his testimony, Mr. Healy responded to questions from Commissioner Van Beek regarding the letters of support that were submitted and the fact that they were not on company letterhead. Shilo Hixon testified in support of the application and stated he is only asking for two additional lots on ground that is not economically viable and cannot be farmed. It has no water rights and is taxed by the County as residential. Mr. Hixon has the support of property owners in the area. Commissioner Smith said property taxes are based on the use of the property and there are ways to get agricultural exemptions and she suggested he speak to the Assessor about that. The way the land is assessed is not how the land is zoned – they are not tied together. It's not an area for rural residential lots. She hopes Mr. Hixon has an opportunity in the future, but the timing is not right. Commissioner Van Beek had follow-up questions for Mr. Hixon, and she asked Director Fultz if there anything in the works that would help Mr. Hixon overcome what we have for criteria under a conditional rezone. Director Fultz said there are some drafts to the ordinance with a potential additional classification for a residential-type of use that would be in the ag area. It is currently under review and there is the potential to do something. Commissioner Smith said the time is not correct to rezone any of this area to rural residential. She's torn because the ordinance provides for opportunities for this land to be divided. This property has already exercised additional rights with the nonviable opportunities that were provided in the prior ordinance to create the four parcels. The current ordinance also allows for Mr. Hixon to build a secondary residence for his daughter, and there are options that are available. One of the goals of the comprehensive plan is to protect agricultural land from incompatible development. The testimony we have heard from large companies and irrigation districts is that residential development hinders their ability to do their job, and the right-to-farm does not help them mitigate any of the concerns because it just takes one phone call to the Department of Agriculture and a full inquiry into the issue begins which takes away time from the farmers. Mr. Hixon and Mr. Healy referenced a development that was approved a mile away. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner White said she has not changed her opinion on this matter; land decisions are made on a case-by-case basis and there are houses on every corner in this area, and there is no opposition from any of the farmers.

She believes it's a good proposal. It has never been farmed there are no waters rights, and the applicant has agreed to a development agreement. Commissioner Van Beek does not find it is generally consistent with the comprehensive plan because it does not provide orderly development, it is a spot rezone. Commissioner Smith directed staff to make changes to the FCO's that would support a denial, specifically that it's not consistent with the comprehensive plan map or text, specifically the agricultural components. It is not more appropriate than the current zoning designation. Commissioner White said the current zoning is agriculture, but there are no water rights and the property has never been farmed. She does not feel it will change the area. Commissioner Van Beek said changing the comprehensive plan map designation is serious and it changes what future development goes into that. The Board is given specific criteria to make decisions on and she does not have a legal finding on how to overcome the criteria she is charged with. Commissioner Smith said two commissioners are saying the proposed zone is not more appropriate than the current zone and so that will be a finding, and the comprehensive plan finding need to be modified. The proposal could cause further encroachments into the area. Additional Board discussion ensued. Commissioner Van Beek made a motion to deny the conditional rezone request for Case No. RZ2020-0020 and direct staff to prepare FCO's based on the deliberation. The motion was seconded by Commissioner Smith. Commissioner White was opposed to the motion to deny. The motion carried by a two-to-one split vote. In regards to what the applicant can do for future consideration, Commissioner Smith said it's a timing issue and he has to wait. It's going to be some time before development is approved in this area, or before there is an amendment to the ordinance that would allow for Mr. Hixon to have additional building lots in an agricultural setting. The hearing concluded at 9:56 a.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO COME AT A LATER TIME

Action Item: Consider signing agreement with HC Company Inc. for the Canyon County Fair Expo Construction Project (Agreement no. 21-037)

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with City of Star Officials regarding the Star Impact Area

- Action Item: Establish a Committee of Nine

THE MINUTES OF THE FISCAL TERM OF MAY 2021 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 \_\_\_\_\_ day of \_\_\_\_\_, 2021.

CANYON COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Commissioner Leslie Van Beek

\_\_\_\_\_  
Commissioner Keri K. Smith

\_\_\_\_\_  
Commissioner Pam White

ATTEST: CHRIS YAMAMOTO, CLERK

By: \_\_\_\_\_, Deputy Clerk

DRAFT