

NOVEMBER 2021 TERM  
CALDWELL, IDAHO NOVEMBER 1, 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 579022 to 579042 in the amount of \$121,484.80

#### COMMUNITY INPUT MEETING

The Board met today at 9:04 a.m. for a community input meeting. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Larry Olmsted, Steve Burton, Ron Harriman, Dave Taylor, Mila Wood and Sr. Admin Specialist Terri Salisbury.

The Commissioners provided feedback on the following topics that were discussed:

- Sanctuary state for “right to bear arms”
- Committee of Nine update
- Redistricting map
- Juneteenth
- Jail, impact fees and capital improvement plan
- Live streaming of all Board meetings
- Education grants and ARPA money

The meeting concluded at 9:58 a.m. No Board action was required or taken. An audio recording is on file in the Commissioners’ Office.

#### CONSIDER SIGNING RESOLUTION APPROVING FY2021 BUDGET ADJUSTMENTS

The Board met today at 10:05 a.m. to consider a resolution approving FY2021 budget adjustments. Present were: Commissioners Keri Smith, Pam White, and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Deputy PA Doug Robertson, DSD Director Steve Fultz, Solid Waste Director David Loper, PIO Joe Decker, and Deputy Clerk Monica Reeves. Controller Wagoner said the books/payables stay open until the first Monday of November to pay bills that were incurred on or before September 30, 2021, and he requested the Board consider the following FY2021 budget adjustments:

**Public Defender:** \$177,371 budget **increase** from Public Defense Commission grant funds for indigent defense financial assistance.

**Public Information Officer:** \$600 **transfer** from salaries and benefits budget to other expenses budget for a COVID-19 public service announcement.

**Waterways:** \$10,000 **transfer** from the other expenses budget to salaries and benefits for waterways patrol personnel.

**Trial Court Administrator:** \$20,000 **transfer** from other expenses to salaries and benefits for part-time marshal personnel.

**Development Services:** \$10,000 **transfer** from general other expenses to Development Services other expenses for engineer expenditures.

Controller Wagoner responded to the Commissioner Van Beek's questions regarding some of the transfers. All in all, FY2021 is going to be a very good year financially for Canyon County. Following discussion and upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to sign the resolution approving the Fiscal Year 2021 budget adjustments. (Resolution No. 21-217.) Controller Wagoner said he's hoping this will be the end of budgetary adjustments. They are working with Eide Bailly to audit FY2021 and are putting together the financial report and it will be available for review in January/February. Commissioner Smith said at today's community input meeting Mila Wood asked about creating an ARPA page for reporting so they don't have to keep making public records requests. Controller Wagoner said they will look into that. The meeting concluded at 10:15 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING TO DISCUSS TRANSFER STATION

The Board met today at 10:16 a.m. to discuss the transfer station. Present were: Commissioners Keri Smith, Pam White, and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Deputy PA Doug Robertson, DSD Director Steve Fultz, Solid Waste Director David Loper, PIO Joe Decker, and Deputy Clerk Monica Reeves. Deputy PA Robertson said it would be appropriate to go into executive session because the discussion would be about specific parcels of land. The Executive Session was held as follows:

#### EXECUTIVE SESSION – REGARDING ACQUISITION OF AN INTEREST IN REAL PROPERTY

Commissioner White made a motion to go into Executive Session at 10:17 a.m. pursuant to Idaho Code, Section 74-206(1) (c) regarding acquisition of an interest in real property. The motion was seconded by Commissioner Van Beek. 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, Clerk Chris Yamamoto, Controller Zach Wagoner, Deputy PA Doug Robertson, DSD Director Steve Fultz, Solid Waste Director David Loper, PIO Joe Decker, and Deputy Clerk Monica Reeves. The Executive Session concluded at 10:53 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.

#### COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 11:16 a.m. for an office staff meeting. 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 and discussed the following topics: creating a document to track directives to department administrators and others; review process for department administrator performance evaluations; and upcoming BOCC meeting room remodel, including plans and expected costs. The meeting concluded at 11:33 a.m. An audio recording is on file in the Commissioners' Office.

#### MEETING WITH INDIGENT SERVICES DIRECTOR TO DISCUSS INDIGENT MATTERS

The Board met today at 11:36 a.m. to discuss an indigent matter that previously came before it on October 28, 2021 regarding a partial release of lien. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Indigent Services Director Yvonne Baker, and Deputy Clerk Monica Reeves. The property in question is a 30-acre parcel of land owned by an applicant whose case was approved and he wants to sell the land which has a lien. The property has been subdivided and the purchaser is going to convert the dry grazing land into residential. It has been split into four separate parcels and although its assessed value is \$5,830, once it has a residential designation that value will increase significantly. They are seeking a partial release of lien so they can complete the purchase of the property and in exchange for the partial release they will be paying the County \$12,000. Director Baker explained that the County has a lien on three different parcels: one is 100 acres, one is 80 acres, and this one is 30 acres. She did a calculation of the proportionate share and the 30 acres equals 14% of the total amount of acreage the County has a lien on and of the outstanding amount, 14% is just over \$12,000. Commissioner Van Beek made a motion to approve the partial release of lien of property valued at \$12,000 and the percentage of the valuation is commensurate with the percent of the acreage held that the County has a lien against. The motion was seconded by Commissioner White and carried unanimously. The meeting concluded at 11:42 a.m. An audio recording is on file in the Commissioners' Office.

#### CONSIDER NEW ALCOHOLIC BEVERAGE LICENSE FOR PADDLES UP VENTURES LLC DBA PADDLES UP POKE

The Board met today at 11:43 a.m. to consider a new alcoholic beverage license for Paddles Up Ventures, LLC, dba Paddles Up Poke. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, and Deputy Clerk Monica Reeves. They are an expanding business that's currently in Nampa. Upon the motion Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the new alcoholic beverage license for Paddles Up Poke. (Resolution No. 21-216.) The meeting concluded at 11:44 a.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO COME AT A LATER TIME

Executive Session:

Executive Session regarding personnel matter, pursuant to Idaho Code Section 74-206 (1)(b) and (d)

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

Monthly meeting with the Weed & Gopher Superintendent to discuss general issues, set policy and give direction

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 and action item:

Action Item: The Board approved a memorandum of understanding with the City of Melba for Rural Community Planning. (Agreement No. 21-104)

NOVEMBER 2021 TERM

CALDWELL, IDAHO NOVEMBER 2, 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. 2203

- The Board of Commissioners approved payment of County claims in the amount of \$1,757,849.10 for a County payroll

APPROVED EMPLOYEE STATUS CHANGE FORM

- The Board approved an employee status change form for Brook Olin, Interpretive Specialist; Gail Friend, Fee Collector

APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

- The Board approved the transfer of sick leave time to vacation time for J. Schmeichel; G. Rast; T. Martinez; V. Holliday; A. Hollis; E. Cahalan; R. Britton

DETAILED MINUTES TO COME AT A LATER TIME

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

CONSIDER SIGNING NOVEMBER 2, 2021 ACTION ITEMS

The Board met today 9:03 a.m. for a legal staff update and to consider signing the November 2, 2021 action items. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Chief Deputy PA Sam Laugheed, Deputy PA Alex Klempel, Deputy PA Zach Wesley, Chief Deputy Sheriff Marv Dashiell, Captain Harold Patchett, Lt. Martin Flores, and Deputy Clerk Monica Reeves. The items were considered as follows:

***Fourth Amendment to Inmate Telecommunication and Tablet Services Agreement No. 15-139 with Telmate, LLC***

Chief Dashiell said Telmate, LLC, was the previous vendor that was bought out by Detail. This year the FCC made modifications to the amount providers can charge and so the amendment is based on those changes where they have to meet a certain cap on the amount they can charge. The primary change we'll see is on the administrative commission we receive because they are reducing the inter-state maintenance costs from 7 cents per minute to 3 cents a minute; the intrastate will remain at 7 cents per minute. The tablet applications, messaging, video visitation remains at the previous rate provided to us. Upon the motion Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the fourth amendment to

sign the Fourth Amendment to Inmate Telecommunication and Tablet Services Agreement No. 15-139 with Telmate, LLC. (Agreement No. 21-105.)

***Consider signing Request for Proposals and Legal Notice for Thermal Imaging Kiosk for Dale Haile Detention Center***

Chief Deputy Laugheed said this is the next phase of a project that started last year where the County had gone through an IFB process and there was a conclusion made that an RFP process would be superior because it would give the County more flexibility. The equipment offered by the vendors that we've seen so far isn't really apples to apples and an RFP process will allow us to look at those differences and look at the references. Commissioner Van Beek said the Board looked at the specs for what's been considered at the last jail inspection and got a great feel from Captain Patchett on what it looks like. There is a company who won the bid last time and she thinks it would be good for the Sheriff's Office to look at that and make sure we get everything back in, and we don't want price to be the only factor driving it so we should build that into the RFP to make sure it fits the constraints. The Board asked facilities staff to evaluate enlarging and removing a non-load bearing wall so the equipment can be installed in one piece instead of taking it apart. Commissioner Van Beek made a motion to sign the Request for Proposals for a Thermal Imaging Kiosk for Dale Haile Detention Center, and to sign the legal notice requesting the same. The motion was seconded by Commissioner White for discussion and she asked if the Sheriff's Office has seen the equipment in person. Captain Patchett said of the four proposals, he has seen three in operation at different facilities. There is one he has not seen and the closest one he can find is in Colorado but he's trying to find one that's closer. That was the company that offered three different machines as an option and the cost variance was significant between the top model and bottom model and so it would be nice to have more information. Chief Deputy Laugheed said other firms might be identified that the County would want to visit as well. The motion carried unanimously. The meeting concluded at 9:15 a.m. An audio recording is on file in the Commissioners' Office.

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

Commissioner White made a motion to go into Executive Session at 9:36 a.m. pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. The motion was seconded by Commissioner Van Beek. 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, Chief Deputy Assessor Joe Cox, Caldwell Economic Development Director Steve Jenkins, and Deputy Clerk Monica Reeves. Assessor Brian Stender arrived at 9:47 a.m. The Executive Session concluded at 9:50 a.m. with no decision being called for in open session.

PUBLIC HEARING TO CONSIDER A REQUEST BY JACK & KIRSTEN ALVORD FOR A REZONE, CASE NO. RZ2020-0030

The Board met today at 10:05 a.m. to conduct a public hearing in the matter of a rezone request by Jack and Kirsten Alvord, Case No. RZ2020-0030. Present were: Commissioners Keri Smith and Pam White, DSD Planner III Kate Dahl, TJ Wellard, Jack Alvord, Kirsten Alvord, and Deputy Clerk Monica Reeves. The Planning & Zoning Commission denied the case on August 19, 2021. The Board of County Commissioners tabled the case on September 1, 2021, in order for the applicant to limit the request to R-1 Zoning on the proposed one-acre parcels on the east side of the property (2.64 acres total) only. The remaining 21 acres would remain in the agriculture zoning district. Kate Dahl gave the oral staff report and said this is a rehearing for a zoning amendment on the eastern 2.64 acres of Parcel R37984010 from "A" (Agricultural) to "R-1" (Single-Family Residential). The property is located on Cemetery Road in Middleton. The original request was to rezone the full 24 acres to an R-R rural residential zone with the intent to develop two one-acre lots on the eastern corridor due to a number of neighbor concerns and no development agreement. The P&Z Commission denied the request and the applicant brought the request to the Board who heard it and now they are coming back to request an R-1 zone of the two acres on the eastern side of the parcel. The 21 acres to the west will remain in the agricultural zoning district. The original 79-acre parcel was split three times via an administrative land division 2014. The parcel is located in an area that is designated residential on the future land use map, and there are 20 subdivisions within a one-mile radius of the property. The applicant is proposing lot sizes of just over one acre. The property contains moderately suited soils and is considered prime farm land. As far as agency comments, there are no major impacts anticipated. Although staff received a number of concerns at the P&Z Commission hearing most were centered around full buildout of the parcel, but since the applicant is just requesting two lots there were no concerns from the neighbors. Staff is recommending approval of the rezone request. TJ Wellard testified in support of the request stating there will be 21.5 acres left in agriculture with a building permit and the two one-acre parcels will be in the R-1 zone. Upon the motion of Commissioner White and the second by Commissioner Smith, the Board voted unanimously to close public testimony. Commissioner White said the applicant has done what the Board asked at the last hearing and she supports it. Commissioner Smith said it's a great way to keep family local to farm. Upon the motion of Commissioner White and the second by Commissioner Smith, the Board voted unanimously to approve the request by Jack and Kirsten Alvord for a rezone, Case No. RZ2020-0030 and to approve the FCOs and sign the ordinance directing amendments to the zoning map. (Ordinance No. 21-036.) The hearing concluded at 10:14 a.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO COME AT A LATER TIME

Monthly Elected Officials' Meeting

DETAILED MINUTES TO COME AT A LATER TIME

Meeting to discuss FY2022 funding for Canyon Recovery Community Center

NOVEMBER 2021 TERM

CALDWELL, IDAHO NOVEMBER 3, 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 579243 to 579269 in the amount of \$46,325.88
- The Board has approved claims 579214 to 579242 in the amount of \$15,679.68
- The Board has approved claims 579093 to 579149 in the amount of \$70,732.47
- The Board has approved claims 579197 to 579213 in the amount of \$12,378.00
- The Board has approved claim 579021 in the amount of \$2,077.35
- The Board has approved claims 579070 to 579092 in the amount of \$64,506.33
- The Board has approved claims 549093 to 579147 in the amount of \$70,682.47
- The Board has approved claims 579150 to 579196 in the amount of \$232,180.99

APPROVED EMPLOYEE STATUS CHANGE FORM

- The Board approved an employee status change form for Homero De Los Reyes, Heavy Equipment Mechanic; Richey Britton, Interim Director of Operations & Facilities; Erin Lancaster, Legal Support Specialist I; Tammie Halcomb, Economic Development Specialist

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Architectural Glass in the amount of \$10,385.00 for Facilities Department
- LLCO Services Products in the amount of \$10,802.25 for Facilities Department

DETAILED MINUTES TO COME AT A LATER TIME

Executive Session:

Executive session pursuant to IC 74-206(1)(b) and (d) to discuss personnel issues related to specific employees and related documents

\*This meeting is continued to 2:30 pm --Cancelled

DETAILED MINUTES TO COME AT A LATER TIME

Meeting to review remodel project and budget of BOCC meeting room

NOVEMBER 2021 TERM

CALDWELL, IDAHO NOVEMBER 4, 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:

- Neology in the amount of \$89,920.05 for Canyon County Sheriff

APPROVED JULY 2021 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of July 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.

DETAILED MINUTES TO COME AT A LATER TIME

Medical indigency appeal hearings and decisions

Action item: Consider approval/denial of indigent decisions and signing of liens

Action Item: Consider applications on appeal of initial determination (names and other information withheld pursuant to Idaho Code §74-106(4) and (6))

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with county attorneys for legal staff update and action items:

Action Item: Consider signing resolution classifying records of the Canyon County Information Technology Department and authorizing the destruction of financial records

Action Item: Consider signing mutual assistance compact for law enforcement services between Ada County and Canyon County

Action Item: Consider signing Juvenile Detention Housing agreement between Washington County and Canyon County

DETAILED MINUTES TO COME AT A LATER TIME

Meeting to review new claim approval process

NOVEMBER 2021 TERM

CALDWELL, IDAHO    NOVEMBER 5, 2021

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$6,321.24 for Information Technology Department
- Dell in the amount of \$1,382.73 for Information Technology Department
- Newegg in the amount of \$1,097.45 for Information Technology Department
- Dell in the amount of \$1,378.11 for Information Technology Department
- Paessler-PRTG in the amount of \$1,901.88 for Information Technology Department
- A-Gem in the amount of \$1,470.00 for Canyon County Sheriff
- Tree Maintenance in the amount of \$7,900.00 for Facilities Department

APPROVED EMPLOYEE STATUS CHANGE FORM

- The Board approved an employee status change form for Terrence Martinez, IT Business Analyst; Benjamin Larson, Systems Administrator I; Mark McMinn, Operations Manager; Don Dutton, DevOps Team Lead

DETAILED MINUTES TO COME AT A LATER TIME

Canvass November 2nd, 2021 Election

CONSIDER RESOLUTION DESIGNATING A POLLING LOCATION FOR THE NOVEMBER 30, 2021 MAYORAL RUNOFF ELECTION

The Board met today at 1:36 p.m. to consider a resolution designating a polling location for the November 30, 2021 Mayoral runoff location. Present were: Commissioners Keri Smith and Pam White, Chief Civil Deputy PA Sam Laugheed, Clerk Chris Yamamoto, Elections Supervisor Haley Hicks, Elections Specialist Brandi Long, and Deputy Clerk Monica Reeves. The O'Connor Field House/Caldwell Event Center located at 2207 Blaine Street in Caldwell has been selected as the polling location for all Caldwell precincts. Elections staff will conduct two weeks of early voting from November 15 through November 26, 2021, with the exception of November 25 which is Thanksgiving Day. Staff plans to have more lines and equipment on Election Day in order to process all the voters. Clerk Yamamoto spoke of the issues associated obtaining polling locations and keeping locations; he also talked about how the Elections Office has outgrown its current location. Commissioner White inquired about utilizing the former Rite Aid location in Caldwell. Clerk Yamamoto said he has been in contact with the owners, he also said the ideal solution would be to have one location in Caldwell and one in Nampa, and with ARPA funds there is an opportunity to look at other options as well. Haley Hicks talked about the list of stipulations from the Department of Justice they have to adhere to when considering polling locations. Staff goes through the checklist of measurement requirements, height requirements, etc., and then they have to submit a report along with pictures 30 days prior to using the site as a polling location. Additionally, they have to monitor the sites on Election Day and send a report showing they continued to have ADA compliance throughout the election. There are buildings that look enticing but once she goes through the DOJ requirements they find the location is not suitable. Upon the motion of Commissioner White and the second by Commissioner Smith, the Board voted unanimously to sign the resolution designating the polling location for the November 30, 2021 runoff location. (Resolution No. 21-219.) The meeting concluded at 1:49 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2021 TERM  
CALDWELL, IDAHO NOVEMBER 8, 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 579043 to 579069 in the amount of \$81,727.07

APPROVED EMPLOYEE STATUS CHANGE FORM

- The Board approved an employee status change form for Justin Hutton, Hazardous Waste Screener

FILE TREASURER'S REPORTS IN MINUTES

- The Board filed the Treasurer's monthly report for September 2021, and the Quarterly report for July 1, 2021 thru September 30, 2021, and the annual report for October 1, 2020 thru September 30, 2021

DETAILED MINUTES TO COME AT A LATER TIME

Public hearing to consider a request by Troost Family Living Trust & Best Investments, LLC for a rezone: Case no. RZ2020-0029

Following the Board's deliberation Commissioner Van Beek made a motion to approve the request from an "A" (Agricultural) Zone to an "R-R" (Rural Residential) Zone, as well as approve the FCO's for Case No. RZ2020-0029. The motion was seconded by Commissioner White and carried unanimously.

CONSIDER SIGNING RESOLUTION GRANTING A NEW ALCOHOLIC BEVERAGE LICENSE TO VAPE DBA VAPOR, LLC

The Board met today at 10:26 a.m. to consider a resolution granting a new alcoholic beverage license to Vape dba Vapor, LLC. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, and Deputy Clerk Monica Reeves. The premises are located on 12<sup>th</sup> Avenue in Nampa and it's for retail sales of beer and wine. Commissioner Van Beek made a motion to sign the

resolution granting a new alcoholic beverage license to Vape dba Vapor, LLC. The motion was seconded by Commissioner Smith. Commissioner White was opposed to the granting of the license. The motion carried by a two-to-one split vote as noted. (Resolution No. 21-220.) The meeting concluded at 10:29 a.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO COME AT A LATER TIME

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

DETAILED MINUTES TO COME AT A LATER TIME

Monthly meeting with Administrative District Judge and TCA to discuss general issues

DETAILED MINUTES TO COME AT A LATER TIME

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

Action items: Consider signing Historic Preservation Support Award agreements with:

Historical Society of Middleton (2)

Melba Valley Historical Society (2)

Canyon County Historical Society

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

**NOVEMBER 2021 TERM**

**CALDWELL, IDAHO    NOVEMBER 9, 2021**

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

APPROVED CLAIM

- The Board of Commissioners approved payment of County claim in the amount of \$13,712.00 for County Election workers

#### APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for B&N Legacy LLC to be used 11/13/21

#### APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Space Saver Intermountain in the amount of \$5,068.68 for Canyon County Sheriff
- Asphalt Driveways and Patching in the amount of \$1,800.00 for Solid Waste Department
- Consolidated Supply Co. in the amount of \$3,986.70 for Solid Waste Department
- Imprint City in the amount of \$4,005.08 for Facilities Department

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

Meeting with county attorneys for legal staff update and action items:

- Action Item: Consider signing a resolution appointing Eva Gohr to the Canyon County Board of Community Guardians
- Action Item: Consider signing FY2022 Pickles Butte Sanitary Landfill Geotechnical Boring Project agreement with Holt Services Inc
- Action Item: Consider signing a memorandum of understanding for Information Technologies Services between Canyon County Mosquito Abatement District and Canyon County
- Action Item: Consider signing master service agreement with Konexus

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

Action Item: Consider signing resolution adding four (4) positions in Juvenile Detention

#### EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTER PURSUANT TO IDAHO CODE 74-206(1)(A) AND (D) - INTERVIEW AND CANDIDATE EVALUATION FOR PLANNING AND ZONING COMMISSION

The Board met today at 10:04 a.m. for an Executive Session to interview and evaluate a candidate for the Planning and Zoning Commission. Commissioner White made a motion to go into Executive Session pursuant to Idaho Code, Section 74-206 (1) (a) and (d) to discuss a personnel matter and records exempt from public disclosure. The motion was seconded by Commissioner Van Beek. 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, DSD Director Steve Fultz, DSD Planning Official Dan Lister, Ron Amarel, and Deputy Clerk Monica Reeves. The Executive Session concluded at 10:38 a.m. with no decision being called for in open session. Commissioner Smith noted that staff will start the process to appoint a new P&Z Commissioner.

#### MEETING WITH THE INFORMATION TECHNOLOGY DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 10:40 a.m. with the Director of Information Technology to discuss general issues, set policy, and give direction. Present were: Commissioners Keri Smith, Pam White, and Leslie Van Beek, IT Director Greg Rast, Assistant IT Director Eric Jensen, and Deputy Clerk Monica Reeves. The topics of discussion were as follows:

##### General Discussion:

3 vacancies in IT – 2 desktop techs and 1 system admin

Courts website and new URL will be completed this month *thirdjudicialdistrict.idaho.gov*

Courtroom remodels – 211-215

Working with Supreme Court/Facilities/TCA

Equipment and audio/visual overhaul

Email overhaul for Canyon County Mosquito Abatement District: *2CMAD.org*; and website redesign and host

CAD-2-CAD project: Canyon, ADA, ISP working on project (passing calls back and forth between dispatches). Working with Ada/CCSO dispatch

DSD – Online building permits and status project kicking up slated to start January, 2022

Working through project management philosophy and how to apply to DSD

GIS (ESRI) imaging data – Pictometry Eagleview/COMPASS

DSD receipting problems in CAPS are now fixed. Reconciling revenue reports and impact fees.

Asked to work with Facilities, DSD, HR, to help with admin. tasks and director transitions

Disaster recovery efforts and Skype phone replacement project (June 2023 deadline)

Purchase order for fiber work on 12<sup>th</sup> Avenue – weather dependent

Budgeted \$12,000 – new quote came in at \$14,000 based on material costs

BPMS Data – importing into CAPS (last stage of data conversion)  
BPMS, Black Bear, Accela into CAPS location  
2021 Jury wheel data refresh – deadline of November of every odd year  
    Elections/Driver's license data de-duplication effort  
    Testing currently by Jury Commissioner

Finalized project in closing:

Assessor – Finalizing online homeowner exemption application via website  
Coroner case management solution – reports, asset reporting for Treasurer, decedent chain of custody, on-scene witnesses, photo gallery, added functionality and data to be tracked  
Fairgrounds website project for 2021 (May-October)  
OnBase infrastructure upgrade  
IOT/Switch replacement project – countywide (3-year fiscal effort)  
    Replaced all switches throughout the County

BOCC related discussion:

OnBase purchase order/claim/claim batch approval process/blue sheet

BOCC recording – purchase order the week of November 15  
    Two-phase approach – construction and A/V overhaul  
    Microphone demonstration

Working with Caldwell DSD – Brent Orton on fiber work  
    Caldwell Airport/Sewer Project (Darigold area to fairgrounds)

Commissioner Smith asked when the new process for the employee status change form (blue sheet) will be completed. The new form itself will be rolled out soon via paper process soon, but workflow process will take six months to complete. She asked if IT tracks the number of hits on website because she wants to compare old stats vs new stats. Director Rast said hits are tracked per page, per office. Commissioner Van Beek wants a cost estimate and scope of work for IT to assist the Ambulance District. Director Rast said that is a Board decision. Commissioner Smith left the meeting at 10:48 a.m. The items discussed were general in nature and did not require Board action. The meeting concluded at 11:14 a.m. An audio recording of the meeting 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 2:38 p.m. for a monthly code enforcement meeting to discuss general issues, set policy and give direction. Present were: Commissioners Keri Smith, Leslie Van Beek, Code Enforcement Officer Eric Arthur, Director of Development Services Steve Fultz (arrived at 3:02 pm) and Sr. Administrative Specialist Terri Salisbury.

The following topics were discussed:

- Abatement process
- Current case load
- RV ordinance and ideas for new processes

When details of a specific case were discussed the Board went into Executive Session as follows:

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND PERSONNEL MATTERS

Commissioner Van Beek made a motion to go into Executive Session at 2:58 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss records exempt from public and personnel matters. The motion was seconded by Commissioner Smith. A roll call vote was taken on the motion with Commissioners Smith and Van Beek voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Keri Smith, Leslie Van Beek, Code Enforcement Officer Eric Arthur, and Steve Fultz (arrived at 3:02 pm). The Executive Session concluded at 3:24 p.m. with no decision being called for in open session.

The meeting concluded at 3:25 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners’ Office.

NOVEMBER 2021 TERM  
CALDWELL, IDAHO      NOVEMBER 10, 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 Dustin Moore, Maintenance Technician; Luke Gallagher, Shop Technician

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Elmrige Protection in the amount of \$1005.95 for Canyon County Sheriff

## MEDICAL INDIGENCY DECISIONS

The Board met today at 8:57 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 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: 2021-1055; 2021-1053; 2022-1; 2021-1054; 2021-1058; 2022-0071; 2021-1056; 2021-1057 and 2022-2.

Liens and lien releases were presented for Board signatures.

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

## DETAILED MINUTES TO COME AT A LATER TIME

Meeting with Facilities Director and Assessor regarding DMV facility

## CONSIDER RESOLUTION AUTHORIZING TRANSFER OF COUNTY PROPERTY BY QUITCLAIM DEED TO THE CALDWELL HOUSING AUTHORITY

The Board met today at 10:04 a.m. to consider a resolution authorizing the transfer of County property by quitclaim deed to the Caldwell Housing Authority. Present were: Commissioners Keri Smith, Pam White, and Leslie Van Beek, Chief Civil Deputy PA Sam Laugheed, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Mike Dittenber and Rosario Soto from the Caldwell Housing Authority, and Deputy Clerk Monica Reeves. *There were two properties noticed for transfer, however, the property located at 301 E. Elgin Street in Caldwell was redeemed by the owner and is no longer being considered for transfer.* Treasurer Lloyd said the property located at 2407 College Avenue in Caldwell was taken in July for tax deed and as of today the outstanding taxes total \$13,231.24 through the 2021 tax year. The owner is deceased and the Treasurer's Office has had communication with the family but they have not shown interest in redeeming the property. The Caldwell Housing Authority has shown an interest in the property and has requested the County consider transferring it to them. Chief Deputy Sam Laugheed said the standard of review is that the Board find that the grant or exchange in property be in the public interest. There is a resolution that memorializes the necessary law and it gives the Board an opportunity to make that finding and there is a quitclaim deed attached to it. Commissioner Smith said she has a hard time taking property that has value and not giving it back to the family after the taxes have been made. Commissioner White spoke of the benefits the housing authority provides to the community through their efforts to assist the vulnerable population. Mike Dittenber spoke of the times the

housing authority has cleared blighted properties and constructed new buildings which includes considerable time and expense. They are not looking to make a lot of money, they want to make affordable housing available to the community. Commissioner Van Beek asked if due diligence has been done to locating the deceased owner's family. Treasurer Lloyd said her office has been in communication with the family members. Mr. Dittenber said if the County decides to transfer the property the housing authority cannot get title policy, sell it, or get a lender to lend against the property for about 16 months to 2 years. If there is a complaint or suit brought against the property the housing authority would probably transfer it back to the County. Commissioner White supports the property transfer. Commissioner Smith had questions about the auction process if the property was sold. Treasurer Lloyd said if there were excess funds after the taxes were paid it would be turned over to the State of Idaho as unclaimed property. Any party in interest can submit a claim if they had an outstanding lien. There is a significant medical lien (approx. \$60,000) on this property and that may be the reason the family chose not to redeem it. Mr. Dittenber said even though the liens of record go away, there is a lengthy quiet title process that has to be completed and where they will file suit against 11 or 12 people to have them come forward in a court of law and say the lien needs to be paid, or say it will be forgiven, or agree to negotiate it down. The housing authority will have a considerable amount of legal fees and time involved. Discussion ensued about the process followed in other cases. Commissioner White made a motion to sign the resolution authorizing the transfer of County property by quitclaim deed to the Caldwell Housing Authority. The motion was seconded by Commissioner Smith who asked the Treasurer for comments. Treasurer Lloyd said when the MOU with the housing authorities (Nampa and Caldwell) first came forward she was not in favor of it, however, she has seen it do some good and she believes in what they do and she believes this could be a positive outcome for this property. In this case she does not see a problem with it, especially because her office has had so much communication with the family. Commissioner Van Beek likes the idea they can still redeem with the housing authority, but there is a lot to this process and she is not able to make that decision today. The motion carried by a two-to-one split vote with Commissioner Van Beek voting against the motion to transfer the property. (Resolution No. 21-223.) The Board signed the quitclaim deed for the property located at 2407 College Avenue in Caldwell. The meeting concluded at 10:31 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2021 TERM

CALDWELL, IDAHO    NOVEMBER 12, 2021

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

There were no meetings held this day.

NOVEMBER 2021 TERM

CALDWELL, IDAHO NOVEMBER 15, 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:

- Dell in the amount of \$6498.47 for Information Technology Department
- Dell in the amount of \$2581.89 for Information Technology Department
- Dell in the amount of \$8588.00 for Information Technology Department
- Dell in the amount of \$7233.00 for Information Technology Department

DETAILED MINUTES TO COME AT A LATER TIME

Action Items:

Action Item: Consider extending the COVID-19 Emergency Declaration

Action Item: Consider signing a resolution amending a process established by resolution 14-017 for including charges, other than property taxes, on tax notices, as authorized by Idaho Code § 63-902(11)

Action Item: Consider signing a resolution authorizing the inclusion of certain charges, other than property taxes, on tax notices, as authorized by Idaho Code § 63-902(11).

Action Item: Consider signing Historic Preservation Support Award agreements with: Warhawk Air Museum and American Legion Joseph H. Murray Post 18

Action Item: Consider signing resolution granting a new alcoholic beverage license to Vapor LLC dba Vape and Tita's LLC dba La Playita

Action Item: Consider signing resolution appointing Ron Amarel to the Canyon County P&Z Commission

DETAILED MINUTES TO COME AT A LATER TIME

Board discussion regarding legislative boundaries

DETAILED MINUTES TO COME AT A LATER TIME

Public hearing to consider a request by LTD Stro., LLC for a comprehensive plan map amendment and rezone; Case no. OR2021-0015 & RZ2021-0032. The Board approved the request for a comprehensive plan map amendment and rezone from agricultural to residential.

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with Canyon County and City of Caldwell regarding the Caldwell Urban Renewal Agency's proposal for a new revenue allocation area

NOVEMBER 2021 TERM

CALDWELL, IDAHO NOVEMBER 16, 2021

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

APPROVED TRANSFER OF SICK LEAVE TIME TO VACATION TIME

- The Board approved the transfer of sick leave time to vacation time for A. Anderson; E. Romo

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Uniforms 2 Gear in the amount of \$20,104.00 for Canyon County Sheriff
- 3C in the amount of \$14,102.00 for Information Technology Department
- SHI in the amount of \$2,659.38 for Information Technology Department

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with county attorneys for legal staff update and action items:

Action Item: Consider signing memorandum of understanding between U of I Canyon County Extension and Canyon County Fair for the 4-H youth development program \*Rescheduled to 3:00 pm 11/16/21

Action Item: Consider signing a resolution approving award of Officer's Badge and Duty Weapon to Sgt. Shawn Naccarato

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with Landfill Director to discuss beautification project

DETAILED MINUTES TO COME AT A LATER TIME

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

Action Item: Consider signing Juvenile Detention Housing agreement with Valley County

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

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

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with the HR Director to discuss general issues, set policy and give direction

Action Item: Consider signing resolution to approve the title and job description to (1) position in Maintenance

DETAILED MINUTES TO COME AT A LATER TIME

Action Item:

Action Item: Consider signing memorandum of understanding between U of I Canyon County Extension and Canyon County Fair for the 4-H youth development program

## DEMONSTRATION BY CGI DIGITAL FOR A COUNTY SHOWCASE VIDEO PROGRAM

The Board met today at 3:18 p.m. for a demonstration by CGI Digital regarding a County showcase video program. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, PIO Joe Decker, Amy Velez with CGI Digital (via conference call), and Deputy Clerk Monica Reeves. Joe Decker was contacted by CGI Digital and advised that Canyon County had been selected to participate in a showcase video program, which we are eligible for as a NACo member. CGI will produce a series of six (6) different videos for our website at no cost to the County. The content can be customized on a variety of topics including economic development, parks and recreation, agritourism, wine region, real estate, relocation, quality of life, etc. CGI receives no funds for the program and they offset their costs by creating public/private partnerships and working with businesses across the country. Video tour links will appear on the website, and around the perimeter of the link there will be logos for various businesses that provide marketing opportunities for local businesses. Each business logo will have a video as well. They also highlight nonprofit community organizations at no cost. The Board watched videos CGI has prepared for Barrow County, Georgia and Kootenai County, Idaho and were impressed with the content and quality displayed. The County's only commitment would be to provide Mr. Decker's time to assist with the project. Their script writers will write each 90-second video and send it to the County for edits and then filming will begin followed by post-production work and review/edits, and then CGI will provide a link to have all videos displayed on the website. They will come back every two years to update the content at no cost. The Board unanimously agreed to authorize Mr. Decker sign the letter of introduction and agreement in order to start the process. The meeting concluded at 3:46 p.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO COME AT A LATER TIME

## CONSIDER SIGNING DOCUMENTS RELATED TO THE URBAN RENEWAL AGENCY OF THE CITY OF CALDWELL

The Board met today at 4:05 p.m. to consider signing documents related to the Urban Renewal Agency of the City of Caldwell.

The Board signed a resolution declaring that certain property within the county is deteriorated and deteriorating, declaring a need for urban renewal and declaring a need for the urban renewal agency of the City of Caldwell, Idaho to extend its area of operation beyond the boundaries of the City of Caldwell, Idaho and into unincorporated Canyon County, Idaho.

The Board signed an ordinance providing for the transfer of powers necessary for creation of an urban renewal plan and revenue allocation area located partially within and partially outside the City of Caldwell, Idaho and approving execution of the intergovernmental agreement for roles responsibilities under Idaho Code Section §50-2906.

The Board signed the intergovernmental agreement for roles and responsibilities under Idaho Code §50-2906

NOVEMBER 2021 TERM

CALDWELL, IDAHO NOVEMBER 17, 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. 2204

- The Board of Commissioners approved payment of County claims in the amount of \$1,902,016.82 for a County payroll.

APPROVED CLAIMS

- The Board has approved claims 579270 to 304 in the amount of \$27,631.09
- The Board has approved claims 579392 to 579424 in the amount of \$40,659.85
- The Board has approved claims 579694 to 579778 in the amount of \$143,325.95
- The Board has approved claims 579326 to 579362 in the amount of \$81,103.67

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Platt in the amount of \$2,289.28 for Facilities Department
- Staats in the amount of \$3,368.67 for County Fair Department
- Tarp-Omatic Inc. in the amount of \$1,096.00 for Solid Waste Department
- Dell in the amount of \$2,095.35 for Information Technology Department
- Dell in the amount of \$1,233.50 for Information Technology Department

CONSIDER SIGNING RESOLUTIONS GRANTING REFUNDS TO TODD SIMONSEN, MIKE BELL AND DEANNA RHINEHART FOR INCORRECTLY COLLECTED NAMPA FIRE DISTRICT FEE

The Board met today at 1:35 p.m. to consider signing resolutions granting refunds to Todd Simonsen, Mike Bell and Deann Rhinehart for incorrectly collected Nampa Fire District fees. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Director Steve Fultz, DSD Planning Official Dan Lister, Deputy PA Zach Wesley, and Deputy Clerk Monica Reeves. Director Fultz reported the department erroneously assessed fees for Mr. Simonsen for impact fees for the Nampa Fire District when the site is actually located in the Marsing Fire District which has a different level of impact fees and so they want to refund the Nampa Fire District charge of \$560 and do a reassessment of impact fees for the Marsing Fire District at \$1,238. Mr. Bell's and Ms. Rhinehart's properties are in the Upper Deer Flat Fire District but they were assessed fees for the Nampa Fire District which was incorrect, there is no charge for the Upper Deer Flat Fire District. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to approve the resolutions for refunds in the amount of \$560 to Mike Bell, Todd Simonsen, and Deanna Rhinehart for an incorrectly assessed Nampa Fire District fee as explained by Director Fultz. (Resolution Nos. 21-231, 21-232, and 21-233.) The meeting concluded at 1:37 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - APPEAL BY MARK STEVENS OF A DIRECTOR'S DECISION REGARDING THE INTERPRETATION OF A VARIANCE IN REGARDS TO MODIFYING AN AGRICULTURAL BUFFER SETBACK WITHIN DIAMOND RIDGE SUBDIVISION, CASE NO. PI2021-0425-APL

The Board met today at 1:38 p.m. to conduct a public hearing in the matter of an appeal by Mark Stevens of a director's decision regarding the interpretation of a variance in regards to modifying an agricultural buffer setback within Diamond Ridge Subdivision, Case No. PI2021-0425-APL. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Director Steve Fultz, DSD Planning Official Dan Lister, Deputy PA Zach Wesley, Mark and Terri Stevens, another interested person, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report and said Mark Stevens' appeal is regarding an interpretation made by the DSD Director regarding a variance to an agriculture buffer within the Diamond Ridge Subdivision. The property is 3.55 acres, identified as lot 14, block 1 within the Diamond Ridge Subdivision. It is zoned agriculture and the comprehensive plan designates it as agriculture. On August 26, Mr. Stevens with the Director and staff and discussed his request for a variance for an accessory structure within the 100-foot setback within the subdivision. In 2020 the DSD Director and the Board of Commissioners provided correspondence saying the variance process was not available and that the platting process is required. Mr. Stevens provided an interpretation of the variance process. On September 20, 2021, staff provided a letter stating it concurs with the Director and the Board's decision in 2020 that the variance process is not available to a setback created by a plat. The appeal was filed on October 4, 2021 for the following reasons:

- The plat process is costly and unreasonable when the variance process provides the same goal
- The 100-foot setback was meant to apply to houses, not accessory structures

- Mr. Stevens believes the current ordinance supports the variance for this modification

The property is surrounded to the east and south by agricultural properties. It was built upon in 1995 by the original owner and the Stevenses purchased it in 2018 with the existing house and plat stipulations. It has a 100-foot setback on the east and south side of the subdivision, and with plat note #9 it states lots 2,3,8,9 and 14 through 19 of block 1 shall maintain a 100-foot setback to provide separation from adjacent agricultural uses. It comes from a decision in 1994 through a CUP where a condition of approval stated the final plat must note a plan for enveloping on the south and east lots for the placing of homes so that the interests of the farmers are protected. Mr. Lister reviewed sections of the ordinance and the state law pertaining to a variance. A variance cannot vary something that was created through a CUP; the only way to fix that is to amend that CUP and/or amend the plat by removing or modifying that setback of that plat note. Even if this came through a variance process staff would recommend denial because they do not see a hardship. It's a 3.55-acre property and there are plenty of places to put the structure. Staff believes the replat of the Stevens lot is a substantial modification and it needs to be re-noticed through the short plat process. Another option would be to do a plat vacation to remove the plat note and the 100-foot setback. This would require a modification to the CUP to modify or remove that condition. Or, find a different location for the structure that meets the plat and county setbacks. Staff recommends denial of the appeal. Following his report, Mr. Lister responded to questions from the Board. Zach Wesley said this setback is not one the County's ordinance can correct. Board discussion ensued regarding the interpretation process the ordinance outlines. Mark Stevens testified that today's hearing was supposed to be about interpretation, but it has now spilled over into a denial of a variance request, but no variance request has been applied for because the application would not be accepted. He said there was no process for the letter to be generated except that it was put together by planning and zoning, and one of the things that has been left out is the definition of a setback. County Code, Section 07-02-03 defines the setback as the space on a lot required to be left open and unoccupied by buildings or structures, either by the front side or rear yard requirements of this chapter, or by delineation on a recorded subdivision map or record of survey. There is no differentiation made in the law between the two and as such two separate processes that have been put together as a result of procedure and policy have nothing to do with the law. They are one in the same. The CUP conditions state the setback is for homes, but he wants to build a shop and he believes he is being overly regulated as a result of a mistake that was not caught by the County in the review process prior to the plat being recorded. According to Mr. Stevens the farmland has not been farmed in a decade and the lower right corner is where he wants to place the shop which is the best place for it. He spoke of the unusable portion of his land which represents a good size of his property. He believes he has an undue hardship. He expressed due process concerns and said he has made several attempts to obtain the code section that states that you cannot use a variance for this process, but no section has been provided. The costs involved will total \$10,000 to do a replat and he said it's not fair he has to pay that cost to accomplish the same means that could be done with a variance. The setback is one and the same whether it's on the plat or in the code doesn't make any difference. He said staff informed him his options are to: pay \$6,000 to \$12,000 for a plat vacancy or replat, or build the shop where it will not only devalue his property, but other properties in the neighborhood because of desirability. Mr. Stevens said where he wants to put the shop is the

most desirable spot because it's a flat area and out of the way. He doesn't want it to block the views of the neighbors. He said no legal reason has been given to support the Director's decision. The envelope was supposed to be there for homes, not other buildings that would otherwise be found on ag property. Mr. Stevens believes a variance is allowed in this case. The existing ordinance indicates a variance can be used to modify the setback; there is nothing that expressly states that a setback delineated on a map or plat cannot be modified with a variance. Requiring the property owner to file more paperwork and pay more fees and pay hard costs associated with paying an engineer to draw a new plat is burdensome and expensive and likely violates the law. County staff should have known and they should have made corrections prior to the plat being recorded. Following his testimony, Mr. Stevens responded to questions from the Board. Discussion regarding the definition of a variance. Commissioner Smith questioned the cost estimate of \$6,000 to \$12,000 seems excessive because she knows people who will do a simple change to the plat for \$1,000. Dan Lister said a minor replat does require a final plat to be signed so it does require a mylar. A simple change to a recorded plat is for very minor changes, and substantial changes are done through a short plat process. He talked to Mr. Stevens about the different processes that are available. There was extensive discussion whether a variance would result in a change to the plat, and there was a review of the ordinance including sections 07-17-19 and 07-17-21, as well as Idaho Code, Section 67-6516A which states: *"A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest."* Commissioner Van Beek said it looks like Mr. Stevens has some options other than the southern portion of his property for locating his shop and while she is sympathetic to his argument, the intent of the law is to protect the farmer. She agrees that the process seems cumbersome but in purposes of clarification for changing a plat note and applying for a variance she hopes the process has become clearer. Commissioner Smith said a variance can be done but Mr. Stevens still has to apply for the subdivision replat. Section 07-17-03 lists the exceptions, and the only way the Board can help is if it can find this is a simple change to a recorded plat and then he would be able to have a surveyor provide a record of survey with the change. An engineer should not have to be involved with a simple change. Mr. Lister summarized the options again. Mr. Stevens said he doesn't disagree with the 100-foot setback, but it should not include outbuildings. Commissioner White said Mr. Stevens has the space with 3.5 acres to place the shop in some other location on his property. The Board took a break from 3:03 p.m. to 3:06 p.m. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to close public testimony. Commissioner Smith said the first item to consider is staff's interpretation of a definition of a variance. Mr. Wesley gave comments on the ordinance section and further discussion ensued. Mr. Lister, the purpose of today's hearing is an interpretation of the variance and if it can apply to a plat setback. If we give Mr. Stevens the processes again we could probably tell him which ones are possible and what would need to happen and staff could come back to the Board and talk about that interpretation. Discussion ensued. Commissioner Smith said we should just be looking at our interpretation of the definition. If he can show this is an ordinance provision that affected his setback then yes, he could apply for a variance, but it's not an ordinance provision. There is already a process identified in the ordinance to amend conditions of approval so we cannot skirt a set process with another process. Mr. Stevens could amend the CUP condition, but he would still have the plat note. Staff told him to vacate the plat

note. Commissioner White understands the applicant's frustration, but she does not believe the shop should be placed in the agricultural setback. Commissioner Van Beek made a motion to deny the appeal by Mark Stevens of a Director's decision regarding an interpretation of a variance in regards to modifying an agricultural buffer setback because there are: a) either other options for placement of the structure, or b) the applicant could apply to modify the CUP and follow up with a request to vacate that plat note recommended by staff. Commissioner Smith agrees with denying it but she doesn't like the prepared findings of fact which mention the replat because all we should be looking at is the variance. The Board should be look at the standards for a variance based on the definition and why this request does not meet the variance. It doesn't have anything do with replatting. She agrees with the interpretation that's on the record of what a variance is and what it applies to. Staff will bring back revised FCO's to reflect the discussion so it talks about the definition and remove everything about the characteristics of the site because that's not what we are talking about today. We are only talking about the definition of a variance. Commissioner Smith restated the motion to support the Director's decision regarding the interpretation of a definition of a variance and to modify the denial to include the discussion and breakdown of variance, per the Board's interpretation. Commissioner Van Beek amended her motion to deny the appeal and uphold the Director's decision for the interpretation of a variance and that staff includes discussion on that interpretation of the variance and why the applicant was not successful in approval for the appeal. The motion was seconded by Commissioner White and carried unanimously. Staff will bring back the FCO's for consideration. The hearing concluded at 3:32 p.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with the HR Director to discuss general issues, set policy and give direction  
Meeting continued from November 16, 2021

NOVEMBER 2021 TERM

CALDWELL, IDAHO    NOVEMBER 18, 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:

- Cascade Fence Co Inc in the amount of \$4800.00 for Parks Department

## MEDICAL INDIGENCY DECISIONS

The Board met today at 8:48 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 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: 2022-22; 2021-1059; 2022-4 and 2022-13.

The Following case does 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 a final denial with written decision within 30 day on the following case: 2021-766

Liens and lien releases were presented for Board signatures.

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

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

The Board met today at 9:06 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Steve Fultz, Assistant Plan Examiner Stephanie Hailey, Code Enforcement Officer Eric Arthur, Ryan Morgan with Keller and Associates, Director of Juvenile Probation Elda Catalano and Deputy Clerk Jenen Ross. The action item was considered as follows:

***Consider signing Juvenile Justice Annual Financial Report 10/1/2020-9/30/2021:*** Director Catalano explained that due to funding received from the Idaho Department of Juvenile Probation this report is completed annually. Highlights of the report were reviewed including supervised diversion, supervised probation, petitions filed during reporting period, recidivism, restitution and community service. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the Juvenile Justice Annual Financial Report for 10/1/2020-9/30/2021. A copy of the report is on file with this day's minutes. Director Catalano will collect remaining signatures and return a fully executed copy to the Board.

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

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

Commissioner White made a motion to go into Executive Session at 9:21 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion by Deputy Clerk Jenen Ross with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, DSD Director Steve Fultz, Assistant Plan Examiner Stephanie Hailey, Code Enforcement Officer Eric Arthur and Ryan Morgan with Keller and Associates. DSD staff and Mr. Morgan left the meeting at 9:56 a.m. The Executive Session concluded at 10:01 a.m. with no decision being called for in open session.

The meeting concluded at 10:01 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

DISCUSSION OF UPCOMING CITY OF CALDWELL PROJECT TO REPLACE SEWER LINE ALONG ALBANY STREET IN CALDWELL

The Board met today at 1:33 p.m. for a discussion regarding the upcoming City of Caldwell project to replace the sewer line along Albany Street in Caldwell. Present were: Commissioners Leslie Van Beek and Pam White, City of Caldwell Officials: Brent Orton, Project Manager TJ Franz, and Robb MacDonald, Jerry Taylor with Milestone Construction, Interim Facilities Director Rick Britton, DSD Director Steve Fultz, Assessor Brian Stender, Treasurer Tracie Lloyd, Juvenile Detention Director Sean Brown, Director of Misdemeanor Probation Jeff Breach, Chief Public Defender Aaron Bazzoli, Chief Deputy Sheriff Marv Dashiell, PIO Joe Decker, IT Director Greg Rast, and Deputy Clerk Monica Reeves. Jerry Taylor explained that they will be performing significant excavation work on Albany that will go past the administration building and the courthouse and there will be a significant barrier between the courthouse and normal parking areas. They will install orange fencing and chain link fencing to keep people on sidewalks and prevent jaywalking through the work zone. It's deep work to dig up a street and it will be messy, noisy, and it will take a while. Albany Street will be closed from 9<sup>th</sup> Avenue to 11<sup>th</sup> Avenue but access to the parking lot and pedestrian traffic will be left alone. Interim Director Britton talked about plans for access to the parking lots and said there will be a pathway on the backside of the rock shop to give an easement/temporary roadway so employees can utilize the parking lot. The City of Caldwell will inform the public, and PIO Joe Decker will notify employees on how the closure will affect them. Treasurer Lloyd, Assessor Stender, and Chief Public Defender Bazzoli want to make sure patrons can access the administration building during the construction work. Chief Dashiell had questions about how many north/south movements will be restricted at the same time during construction. According to Mr. Taylor, no more than two. The first part of their work will be at the 10<sup>th</sup> Avenue overpass with bore work that will start the first week in December and there will be pedestrian signage as part of traffic control plan, and local traffic will be allowed. There are two phases to

the project: the first includes the bore work at the overpass and when that work is done they will do the bore pits at 21<sup>st</sup> Avenue (near the fairgrounds); and with the second phase they will come back to Darigold and start working through towards the overpass and then cross in front of the administration building and the courthouse and down Albany Street towards 15<sup>th</sup> Avenue and that is where there will be a lot more significant impact. The target completion date is the Fall of 2022. Interim Director Britton said he and IT Director Rast are working on a project to install fire optic conduits, one for the City of Caldwell and one for Canyon County, from Darigold through the fair expo building as the sewer line work is in progress. Brent Orton expressed his appreciation for the cooperation in letting the city put in the sewer line because it will be a big improvement and will eliminate the 21<sup>st</sup> Avenue lift station which has been problematic. No Board action was required or taken as the meeting was held for informational purposes only. The meeting concluded at 1:57 p.m. An audio recording is on file in the Commissioners' Office.

#### NOVEMBER 2021 TERM

CALDWELL, IDAHO    NOVEMBER 19, 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 579732 to 579777 in the amount of \$85,618.72
- The Board has approved claim 379325 in the amount of \$258.75
- The Board has approved claims 579465 to 579499 in the amount of \$88,931.66
- The Board has approved claims 579425 to 579464 in the amount of \$14,262.07
- The Board has approved claims 579617 to 579657 in the amount of \$66,045.67
- The Board has approved claims 579500 to 579544 in the amount of \$23,012.76
- The Board has approved claims 579454 to 579567 in the amount of \$11,807.00
- The Board has approved claims 579568 to 579616 in the amount of \$56,060.56
- The Board has approved claims 579658 to 579693 in the amount of \$113,402.60

#### APPROVED EMPLOYEE STATUS CHANGE FORM

- The Board approved an employee status change form for Samantha Ball, Agricultural Programs Coordinator; Brenden Azevedo, Misdemeanor Probation Officer

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Mattson Distributing in the amount of \$13,366.90 for Solid Waste
- Gunarama Wholesale in the amount of \$9,084.00 for Canyon County Sheriff

DETAILED MINUTES TO COME AT A LATER TIME

Action Item: Consider signing Treasurer's tax charge adjustments by PIN for October 2021

NOVEMBER 2021 TERM

CALDWELL, IDAHO    NOVEMBER 22, 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:

- Neurilink, LLC in the amount of \$10,049.85 for Information Technology Department
- Neurilink, LLC in the amount of \$32,217.77 for Information Technology Department
- Carbon Networks in the amount of \$6400.00 for Information Technology Department

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Raising Our Bar LLC to be used 12/03/21, 12/05/21, 12/08/21, 12/09/21, 12/10/21, 12/12/21, 12/15/21, 12/21/21, 12/30/21; Moad LLC to be used 12/09/21, 12/10/21, 12/18/21

MEETING WITH THE CITY OF STAR/CANYON COUNTY AREA OF IMPACT COMMITTEE REGARDING IMPACT AREA NEGOTIATIONS

The Board met today at 9:01 a.m. for a meeting with the City of Star/Canyon County area of impact committee regarding impact area negotiations. Present were: Commissioners Keri Smith and Leslie Van Beek, Deputy PA Zach Wesley, DSD Director Steve Fultz, Spencer Kofoed, Richard Edgar, Kevin Wheelock, Mayor Trevor Chadwick, Councilman Michael Keyes, Councilman Kevin Nielsen, Attorney Chris Yorgason, Star City Planner Shawn Nickels, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Pam White arrived at 9:13 a.m. (*Copies of the two (2) maps and ordinance that were discussed today are on file with this day's minute entry.*) The committee reviewed the latest map that was agreed upon at the last meeting in October, 2021. Mayor Chadwick reviewed the changes on the map that included one small corner on the bottom to address the two properties that were not included at the last meeting. (This change was noted in an October 22, 2021 email from Councilman Keyes to the committee of nine members and it stated, in part, there are 2 parcels that are not part of Leighton Lakes that should be included in the area of impact.) The properties belong to Earl Hafer, and Idaho Private Lands; the only properties they left out were the Leighton properties to the west. The map is based solely on the motion and approval at the last committee meeting. The committee also reviewed the latest draft of the ordinance dated November 17, 2021. Mayor Chadwick said they originally proposed the same ordinance the County is using for other Canyon County cities, and the only difference they added was that the City of Star's comprehensive plan would apply in the area of impact, and through discussion it came back to list Canyon County's comprehensive plan instead. Chris Yorgason said the ordinance defines the maps, the other purpose is to identify which plans and ordinance apply in the impact area. Commissioner Smith said if we are evaluating leaving the P&Z Commission or the Board and they've made application to us, we would only apply the County's comprehensive plan and our documents would be binding. The Mayor and the City would be able to provide testimony if they wanted an applicant to follow Star's documents, they could consider if they choose, but they don't have to. Unless it's a request for annexation. They added a piece to talk about Star's economic corridor access management plan (roadway map) and they want the County to consider and utilize the map for continuity for roads. Commissioner Smith asked if it lines up with Canyon Highway District's proposed impact fees. Mayor Chadwick said it does, and it lines up with the City of Middleton's for back-age and frontage roads. The bypass is another issue with the state of Idaho and Hwy 44's improvements. Chris Yorgason said in Section 9 it's written that the Canyon County Zoning Ordinance will also apply in the impact area. They used the Caldwell ordinance as a template, but they included the specific Star Subdivision Ordinance that would apply. They have identified landscaping and trees so that as subdivisions are built they will look like Star's subdivisions on the zoning and comprehensive plan even though they are in Canyon County. Discussion ensued regarding waivers, deferrals, and variances. Regarding applicable transportation plans, Commissioner Smith said we have not seen that in an ordinance that the County would comply, especially from the Board level. Zach Wesley said we could include some language to indicate we would consider the transportation plan in the impact area during our processes and not have it state *shall apply*, but *shall consider*. Mayor Chadwick said the City has put a lot of effort into this to make sure they have continuity through that side of the valley and not solely relying on Canyon Highway District. Commissioner Smith said the County follows Canyon Highway District's recommendations, and they are a signatory on the plat. Councilman Nielsen said the City and County are in the exact same position and they rely on the highway district just as the County does. It should say neither agency will try to change the plan that the

highway district is already a part of or try to apply anything different than what the highway district is planning to do there. Commissioner Smith said that's fair. This map would replace the functional classification map; it's a preservation of the corridors. Zach Wesley said perhaps we could reframe that language so it fits within the bounds of what we have for everything else that way if there is a need for a waiver we wouldn't be bound by the map. Both Commissioner Smith and Mayor Chadwick like that idea. Councilman Keyes said although it's referred to as a plan, there are no other words beyond the map. Star is in the process of working on a full-blown transportation plan and they have a lot of those ingredients, but for this process they are looking to adopt this map. It's important to maintain these open corridors and they have worked to make sure they align with Middleton's corridors because getting east/west traffic off Highway 44 is going to be critical for years to come. There was discussion regarding the coordinated efforts with all agencies working together on the transportation plan. Michael Keyes said the City of Star recently met with Canyon Highway District, the City of Middleton and the County to implement impact fees within the highway district and this map is the basis upon which those impact fees and the planning around it was based upon for the Star section of that project. Commissioner Smith referred to language in the ordinance regarding the conflicting language pertaining to the functional classification map. Discussion ensued. Zach Wesley said the ordinance leaves Star's map in the impact area as the controlling map subject to a waiver. He asked if we want to build in a process to resolve conflicts with the highway district's map. Commissioner Smith said if we put it in the ordinance that this is the map we will follow with the waiver possibility, but the highway district should respond. Mayor Chadwick said the highway district can be the ruling authority. Zach Wesley and Chris Yorgason will come up with suggested language on this issue. Mr. Yorgason asked if the highway district is required to follow the 2016 map, or are they allowed to make their comments based on the work that's been done? Commissioner Smith said the highway district is following whatever plans they have adopted up to that point, not anything the County has referenced. Mr. Yorgason said if the highway district adopts a similar map and when an application comes before the Board, the comments will reference the map not the 5-year-old functional class map. Commissioner Smith said we need to make sure our GIS person has the current map so that in that area we are only pulling in the correct map, not the old map and she thinks moving the language to that other section would accomplish that. She has seen times where the highway district and fire district have included things in their letters that were not required that the County has not enforced. Mayor Chadwick said it would be a form of "F". Commissioner Van Beek said the criticism she's heard is that with four highway districts in Canyon County some are operating with different standards when they are supposed to be commensurate with that and so this is an opportunity to clean that up and make sure everyone is on the same page and not overreaching on the enforcement or inclusion of things that are not outlined in the ordinance. Committee members Wheelock, Edgar, and Kofoed said today is the first time they have seen the ordinance. Commissioner Smith talked about having more time review the documents, but the committee's recommendation deadline is Sunday, November 28, 2021. Mayor Chadwick said we can approve the ordinance with the changes the council comes up with for the transportation portion of it. Commissioner Smith asked how we enforce the two impact areas (Star and Middleton) that overlap. Zach Wesley said the conclusion of the committee is to have a recommendation on the map and ordinance and then the County and Star each have time to adopt the recommended changes. State law requires the cities to have a conversation and try to work it out and if they

can't work it out there is a process that can be followed. Commissioner Smith asked which ordinance applies when there is a conflict? If the committee passes the ordinance and map and then we have to adopt it within a certain time period, it will instantly conflict with the City of Middleton's map. Mr. Wesley said hopefully they can work through that other process before there is an actual application. Chris Yorgason said the comprehensive plan and the zoning ordinance won't change; the subdivision ordinance is the piece that will be the conflict. He doesn't know how the County would figure that out, but if we don't adopt it there isn't a way to get to the next stage. If nothing is adopted there is no overlap. He agrees with Zach Wesley. Mr. Wesley said that's the way the state law envisions the process working. It puts the County into a position where if the cities haven't worked it out and not gone through that process and they are coming to us from a tie-breaker the Board would be able to make that call. Discussion ensued about the issue of overlap and the review process. Councilman Michael Keyes made a motion that the Committee of Nine recommend the Board adopt the ordinance as amended today. The motion was seconded by Commissioner Van Beek for discussion. She asked Mr. Wesley if he is comfortable this protects the County and is the right step to move forward with the amended language on the ordinance. Mr. Wesley said this is very close to what the County has agreed to with the City of Caldwell and the City of Nampa; it's not a question of protection but a question of the County and the City agreeing on what processes are applicable through the land use processes. With the change to the comprehensive plan this will be a similar arrangement to what we have with Caldwell and Nampa. Commissioner Van Beek said it keeps it consistent in protection only in that the County is not giving up its ability to make decisions in what happens on County ground. Councilman Keyes amended his motion include moving the economic corridor access and roadway connection map, as proposed, to Section 09-01-09. Commissioner Van Beek seconded the amended motion. Commissioner Smith said when looking at Section 09-01-09 from the planning perspective, it's difficult when they fill in the blanks with a date because they are constantly looking at old ordinances and the city has replaced ordinances, and so the words "*or as may be amended*" are helpful because it keeps things current. A roll call vote was taken with Commissioners Smith, White and Van Beek; Committee Members Edgar, Wheelock, and Kofoed; Councilmen Keyes and Nielsen; and Mayor Chadwick voting in favor of the amended motion which carried unanimously. The record shows that the committee accepted the correction to the map from the previous approval. The timeline is now set for adoption by the City of Star and Canyon County 60 days from today. The meeting concluded at 9:52 a.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO COME AT A LATER TIME

Board vote for 2021 Catastrophic Health Care cost program District 3 board members

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

DETAILED MINUTES TO COME AT A LATER TIME

Meeting to discuss office spacing and leasing needs for Canyon County

DETAILED MINUTES TO COME AT A LATER TIME

Meeting to consider a hardship application on behalf of Jean Kinda Trust

DETAILED MINUTES TO COME AT A LATER TIME

Action Items:

Action Item: Consider new alcoholic beverage license for The STIL LLC dba The STIL

Action Item: Consider transfer alcoholic beverage license for County Line Wine Company LLC dba County Line Wine Company

EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTER PURSUANT TO IDAHO CODE 74-206(1)(A) AND (D) - INTERVIEW AND CANDIDATE EVALUATION FOR DIRECTOR OF FACILITIES

The Board met today at 1:03 p.m. for an Executive Session to interview and evaluate candidates for the position of Director of Facilities. Commissioner Van Beek made a motion to go into Executive Session pursuant to Idaho Code, Section 74-206(1) (a) and (d). 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, HR Director Kim Foster, IT Director Greg Rast, Fair Director Diana Sinner, Controller Zach Wagoner, Captain Harold Patchett, and Deputy Clerk Monica Reeves. Tommy Heard participated via Webex from 1:06 p.m. to 1:57 p.m. Rick Britton arrived at 2:07 p.m. and left at 2:59 p.m. Doug Pigman participated via Webex from 3:25 p.m. to 4:25 p.m. The Executive Session concluded at 4:34 p.m. While in open session Commissioner Smith noted that candidate interviews and evaluations will continue tomorrow. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

NOVEMBER 2021 TERM  
CALDWELL, IDAHO    NOVEMBER 23, 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 579363 to 579391 in the amount of \$30,891.53
- The Board has approved claims 579305 to 579324 in the amount of \$27,427.75
- The Board has approved claims 579779 to 579808 in the amount of \$115,062.17

#### APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Air Science in the amount of \$1,387.88 for Canyon County Sheriff
- Boise Valley Economic Partnership in the amount of \$2500.00 for Development Services Department
- Full House Junk Removal in the amount of \$2250.00 for Development Services Department

#### APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Hutching Enterprises LLC to be used 12/02/21

#### MEDICAL INDIGENCY DECISIONS

The Board met today at 8:48 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, 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: 2022-141; 2022-63 and 2022-64.

Liens and lien releases were presented for Board signatures.

The meeting concluded at 8:49 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 items:

- Action Item: Consider signing declaration and notice of sole source procurement of a Trane Chiller Model CGAM for the Southwest Idaho Juvenile Detention Center
- Action Item: Consider signing extension notice of temporary Detention Facility Equipment Lease Agreement
- Action Item: Consider signing declaration and notice of sole source procurement of Stertil-Koni Heavy Duty Lifts

DETAILED MINUTES TO COME AT A LATER TIME

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

DETAILED MINUTES TO COME AT A LATER TIME

Meeting to discuss transfer station

DETAILED MINUTES TO COME AT A LATER TIME

Monthly meeting with Public Information Officer to discuss general issues, set policy and give direction

DETAILED MINUTES TO COME AT A LATER TIME

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

DETAILED MINUTES TO COME AT A LATER TIME

Executive session to consider personnel matter pursuant to Idaho Code 74-206(1)(a) and (d)  
Interview and candidate evaluations for Director of Facilities

CALDWELL, IDAHO    NOVEMBER 24, 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 meetings held this day.

NOVEMBER 2021 TERM  
CALDWELL, IDAHO    NOVEMBER 26, 2021

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

Commissioners' Office closed for the Thanksgiving holiday

NOVEMBER 2021 TERM  
CALDWELL, IDAHO    NOVEMBER 29, 2021

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$2,413.76 for Information Technology Department
- Motorola Solutions in the amount of \$11,880.48 for Trial Court Administration/District Court

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with county attorneys for legal staff update and action items:

Action Item: Consider signing legal notice inviting bids for Canyon County Fair pedestrian bridges project

Action Item: Consider signing invitation for bids Canyon County Fair pedestrian bridges project

Action Item: Consider signing addendum no. 1 to request for proposals for Thermal Imaging Kiosk for Dale Haile Detention Center

Action Item: Consider signing an agreement with Post Falls Police Department for maintenance and data sharing of license plate recognition database

Action Item: Consider signing summary of ordinance no. 21-038 an ordinance of Canyon County providing for the transfer of powers necessary for creation of an urban renewal plan and revenue allocation area located partially within and partially outside the City of Caldwell, Idaho and approving execution of the intergovernmental agreement for roles and responsibilities under Idaho Code Section 50-2906; and providing for an effective date

Action Item: Consider signing Historic Preservation Support Award agreement with GFWC Women's Century Clubs

Action Item: Consider signing Historic Preservation Support Award agreement with Friends of Deer Flat Wildlife Refuge

NOVEMBER 2021 TERM  
CALDWELL, IDAHO      NOVEMBER 30, 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. 2205

- The Board of Commissioners approved payment of County claims in the amount of \$1,767,028.01 for a County payroll

APPROVED CLAIM

- The Board of Commissioners approved payment of County claims in the amount of \$1,051.97 for a County Jury

#### APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- MtnHome Auto Ranch in the amount of \$26,863.00 for Fleet Department

#### APPROVED AUGUST AND SEPTEMBER 2021 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of August and September 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.

#### CONSIDER FINAL PLAT FOR C-3 SUBDIVISION, AND CONSIDER RESOLUTIONS GRANTING REFUNDS TO DARREL BAERWALDT AND EMMANUEL LAGUNA FOR WITHDRAWN REZONE APPLICATIONS

The Board met today at 9:00 a.m. to consider the final plat for C-3 Subdivision, Case No. SD2021-0004, and to consider resolutions granting refunds for withdrawn rezone applications for Darrel Baerwaldt and Emmanuel Laguna. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Director Steve Fultz, DSD Planning Official Dan Lister, Alec Eggurolo, interested citizens, and Deputy Clerk Monica Reeves. Mr. Eggurolo presented the final plat and offered comments. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to approve the final plat for C-3 Subdivision. Director Fultz presented the Board with refund resolutions noting the applications were withdrawn and he recommended a refund to both parties in the amount of \$850. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to approve the resolutions granting the refunds. (Resolutions No. 21-236 and 21-237.) The meeting concluded at 9:04 a.m. An audio recording is on file in the Commissioners' Office.

#### PUBLIC HEARING TO CONSIDER A REQUEST BY SUBDIVISION MAKER LLC REPRESENTING ROCKETCHUN HOLDEN FOR A PRELIMINARY PLAT, CASE NO. SD2018-0025

The Board met today at 9:05 a.m. to conduct a public hearing in the matter of a request by Subdivision Maker, LLC, representing Rocketchun Holden, for approval of a preliminary plat and irrigation and drainage plan for Shady Rock Subdivision on Parcel R29542011F. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Planning Official Dan Lister, Darin Taylor, Rocky Holden, Lori Steele, Peter Juris, interested citizens, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The property is zoned "R-R" (Rural Residential), and the plat consists of four residential lots and one road lot. The 9.96-acre property is located at 9825 S. Shadyrock Lane in Nampa. It is within the Nampa impact area. Drainage will be maintained on

site and all lots served by individual wells and septic systems. Mr. Lister reviewed agency comments, and noted some corrections that need to be made to the FCO's. The application was originally submitted as a short plat, however, because there will be improvements required by the City of Nampa we can only consider the preliminary plat today. The applicant will bring the final plat back later at a later date. He will also add language regarding waivers to be considered as part of the preliminary plat approval. On October 21, 2021, the County Hearing Examiner recommended approval of the plat. Following his staff report, Mr. Lister responded to questions from the Board. Darin Taylor testified in support of the plat and stated he concurs with the staff report. He reviewed agency comments and said they will coordinate with agencies during the construction of the project. A right-of-way dedication has been included. The Nampa Planning Department opposed the request stating the project should have more lots; however, Mr. Taylor said it's a little late to do that now. He suggested the addition of a condition which states: Lot 2 shall only have access to Shady Rock Lane to the western boundary, there shall be no access on the north boundary. Following his report, Mr. Taylor responded to questions from the Board. There was also a review of minor changes that need to be made to the FCO's. Rocky Holden testified he has been planning this plat for a long time due to encroachment. Peter Juris, a representative of the Nampa School District, offered neutral testimony and said the district is advocating for sidewalks and access to create safe routes to school. Lori Steele testified in opposition to the request. She and her wife raise animals on their property, and although she understands development will occur she hopes the impacts will be mitigated. Her concerns include: water availability, and the inconsistencies in the application paperwork regarding irrigation, surface water, and easements. Her well went dry in 1992 and she is worried additional wells will cause more wells going dry. Darin Taylor offered rebuttal testimony and said they agree with safe access to schools, but said if they put in a sidewalk now it will be torn out once Lewis Lane is improved. Timing is a factor. The project is a quarter mile away from a school. With regard to proximity to city services, he said it is not close when considering extending sewer or water. He addressed the irrigation and easement issues which were raised by Ms. Steele and said landowners have used the pressurized irrigation system as part of watering their properties since the 1970s. In the 1990s, the landowners referred to easements and how to share expenses. In response to a question by Commissioner Smith, Mr. Taylor stated he would be agreeable to a condition that all lots shall be irrigated by the pressurized irrigation system and only one-half acre shall be irrigated by a domestic well. Commissioner White said she does not like the word *waiver* because that means it's not happening, and she asked Mr. Taylor if he would consider the word *deferral* instead. Mr. Taylor said the word *waiver* is a long-used term in law and it's why you see it in codes, it's the "right here and now." The word *deferral* is used in development agreements or local improvement districts, or impact fees. Although he likes the word *deferral*, we use *waiver* because it's in the codes. Mr. Lister said we are considering the word *waiver* because that's what is used in the agreement with the City of Nampa. Commissioner Smith had questions regarding irrigation. She wants a condition requiring construction drawings to be submitted, and a condition stating no more than one-half acre will be irrigated by domestic well. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Van Beek made a motion to approve the preliminary plat for Case No. SD2018-0025, as presented with a couple of changes to the conditions of approval: delete the last sentence of Condition #4; add Condition #11 which states Lot 2 access to Shady Rock shall be

limited to the western boundary with no direct access on the northern boundary; and add Condition #12 that states in accordance with Idaho Code, only one-half acre may be irrigated by domestic well. The Board shall approve the waivers for curb, gutter, and streetlights as recommend by the City of Nampa. All other requirements of the Nampa impact area agreement shall be met. Construction plans are required to be submitted with the final plat. The motion was seconded by Commissioner White and carried unanimously. The hearing concluded at 10:04 a.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO COME AT A LATER TIME

Public hearing to consider a request by Jay Walker representing Todd Campbell for a development agreement modification to agreement #20-168; Case no. DA2021-0002  
Following public testimony, the Board denied the request.

DETAILED MINUTES TO COME AT A LATER TIME

CONSIDER SIGNING FINDINGS OF FACT, CONCLUSIONS OF LAW & ORDER FOR MARK STEVENS APPEAL, CASE NO. PI2021-0425APL

The Board met today to consider the findings of fact, conclusions of law and order (FCO's) for the Mark Stevens appeal, Case No. PI2021-0425APL. The case was heard on November 17, 2021, and the Board denied the appeal and upheld the Director's decision for the interpretation of a variance. Staff was directed to include in the FCO's the discussion on the interpretation of the variance and why the applicant was not successful in approval for the appeal. Today the Board signed the order denying the appeal.

DETAILED MINUTES TO COME AT A LATER TIME

Meeting regarding National Opioid Litigation Settlement Process

Action Items:

Execute as a Board the Idaho Settlement Resolution

Authorize as a Board that the Chair execute the Idaho Allocation Agreement Sign-On

Authorize as a Board that the Chair execute the Janssen Settlement Participation Agreement

Authorize as a Board that the Chair execute the Big 3 Settlement Participation Agreement

DETAILED MINUTES TO COME AT A LATER TIME

Executive session to consider personnel matter pursuant to Idaho Code 74-206(1)(a) and (d)

DETAILED MINUTES TO COME AT A LATER TIME

MEETING TO FINALIZE UPON DEATH FLOWCHART AND CONSIDER SIGNING A RESOLUTION ADOPTING POLICIES AND PROCEDURES FOR THE CREMATION OR BURIAL OF THE INDIGENT DECEASED IN CANYON COUNTY

This item was tabled to Friday, December 3<sup>rd</sup>.

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with the HR Director to discuss general issues, set policy and give direction

THE MINUTES OF THE FISCAL TERM OF NOVEMBER 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

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Commissioner Leslie Van Beek

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Commissioner Keri K. Smith

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Commissioner Pam White

ATTEST: CHRIS YAMAMOTO, CLERK

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

DRAFT