

January 3, 2022

The Board of County Commissioners of Washington County, Idaho, does hereby meet this 3rd day of January 2022.

IN THE MATTER OF ROLL CALL)

Donna Atwood, Clerk, called roll call: Kirk Chandler, present via zoom; Lyndon Haines, present; and Nate Marvin, present.

Nate Marvin opened the meeting and Donna Atwood led the Pledge of Allegiance. Robert Peterson gave the invocation.

IN THE MATTER OF CORRESPONDENCE/MEETINGS AND REPORTS)

Correspondence received by the Board was reviewed and disseminated as required.

IN THE MATTER OF MINUTES)

The minutes of the Board not heretofore approved of December 27, 2021 were approved as written.

IN THE MATTER OF ROAD & BRIDGE/SOLID WASTE)

Jerod Odoms, Road and Bridge/Solid Waste Supervisor, met with the Board. Odoms discussed snowplow routes with the Board. Odoms reported the estimated cost of snow removal for the month of December is approximately \$70,000.00. Odoms discussed current staffing with the Board. Odoms informed the Board that there are still open positions with Road and Bridge.

IN THE MATTER OF INFORMATION TECHNOLOGY)

Robert Peterson, Information Technology Director, met with the Board. Peterson discussed that he would like to be notified when there is a change in employment so email accounts can be created or disabled and County property be turned in. Peterson reviewed a draft termination policy with the Board.

Sheriff Thomas discussed the procedure followed by the Sheriff's Department.

IN THE MATTER OF ELECTED OFFICIALS)

Those present were Juvenile Probation Supervisor, Dahlia Stender; Washington County Sheriff, Matt Thomas; Assessor, Debbie Moxley-Potter; Emergency Manager, Tony Buthman; Road and Bridge/Solid Waste Supervisor, Jerod Odoms; Information Technology Director, Robert Peterson; Treasurer, Sabrina Young; and Clerk, Donna Atwood.

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Treasurer, Young, discussed tax collections in the Treasurer's Office. Young informed the Board that the Treasurer's Office had received record property tax collections for the month of December. Young stated she would continue to work on the County Credit Card policy. Young informed the Board that Demand Letters had been mailed out last week to those who missed the payment deadline of December 20th for property tax payments. Young reported there are currently 15 pending issue parcels. Young discussed a letter to the Editor in last week's Weiser Signal American. Young stated that irrigation districts are allowed to request assessments to be added to their tax bills.

Sheriff, Thomas, reported that there are open positions within the Sheriff's department.

Road and Bridge/Solid Waste Supervisor, Jerod Odoms, reported that Road & Bridge is still short three employees.

Bushman informed the Board that increased moisture is anticipated. Bushman stated that snow pack is currently at 117%. There was discussion of the availability of sand bags.

Assessor, Debbie Moxley-Potter, stated her office is preparing to mail out property tax reduction paperwork to homeowners. Moxley-Potter informed the Board that one employee transferred to another department. Moxley-Potter stated she does not plan to hire at this time. Moxley-Potter stated she is finishing the 5-year plan that will be forwarded to the State

Atwood stated she and two employees would be attending the Election Conference in Boise this week. Atwood shared the December 2021 HR Specialist Employment Law flyer that was received by the Clerk's Office regarding OSHA's vaccine mandate. Atwood informed the group she had reached out to ICRMP regarding the flyer. At this time, it does not apply to county offices. Pending the outcome of court cases, the County may need to implement a policy.

Peterson discussed the proposed Termination Policy with the group.

Marvin inquired of those in attendance to review the proposed policy for future discussion.

IN THE MATTER OF PROSECUTING ATTORNEY)

Delton Walker, Prosecuting Attorney, met with the Board.

Nate Marvin moved, seconded by Kirk Chandler to go into executive session at 10:06 a.m. in accordance with I.C. 74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this require-

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ment. Motion carried unanimous. Kirk Chandler, Aye; Lyndon Haines, Aye; Nate Marvin, Aye.

Nate Marvin stated they were out of executive session at 10:39 a.m.

IN THE MATTER OF PLANNING AND ZONING)

Bonnie Brent, Planning and Zoning Administrator, met with the Board. Brent discussed the Holoboff Development Agreement with the Board. Brent stated the hearing is scheduled for January 18, 2022. Brent informed the Board that there are five hearings scheduled for the month of January.

Marvin inquired if there has been time to work on a tiny home Ordinance. Brent stated she would discuss the matter with the Building Inspector.

Brent discussed persons living in RV's within the County. Brent informed the Board there is currently no way to monitor the time period a person is living in an RV. Brent inquired if the Board would be in favor of issuing a permit.

Chandler stated if it is a habitable structure, a person should apply for a building permit. Chandler stated that would cover the requirement of septic and electrical hookups.

Brent stated she would share the draft permit with the Board.

IN THE MATTER OF AMBULANCE)

Nate Marvin moved, seconded by Lyndon Haines to recess as the Board of Washington County Commissioners and convene as the Board of the Weiser Ambulance District. Motion carried unanimous.

Donna Atwood, Clerk, called roll call: Kirk Chandler, present via zoom; Lyndon Haines, present; and Nate Marvin, present.

Luke Smith, Ambulance District Director, met with the Board. Order No. 22-14 for general expenses in the amount of \$6,135.57 and order No. 22-0007 for payroll expenses in the amount of \$23,938.84 was presented to the Board for review.

Smith reported the Ambulance District had twenty-two calls for service last week, which included seven transfers and four public assists/refusals for care.

Smith discussed Standards of Care with the Board as recommended by the State and funding issues that have arisen. Smith discussed a possible public hearing or a public comment setting to discuss on the direction of EMS in the County in the future.

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Haines suggested holding a Town Hall meeting.

Chandler stated that time was allowed on the agenda in the past to allow public comment on similar issues. It was handled as an open discussion.

Smith will follow up with scheduling an open meeting in the future.

Smith provided an update on staffing for the District to the Board. Smith presented Salary/Hire Request for Tawny Eckhart as a PRN Driver at \$11.50 per hour and Haylee Marvin as a full-time EMT at \$13.50 per hour. The Board signed the requests.

Lyndon Haines moved, seconded by Kirk Chandler to approve Order No. 22-14 for general expenses in the amount of \$ 6,135.57. Motion carried unanimous.

Lyndon Haines moved, seconded by Kirk Chandler to approve Order No. 22-0007 for payroll expenses in the amount of \$23,938.84. Motion carried unanimous.

Nate Marvin moved, seconded by Kirk Chandler to go into executive session at 11:16 a.m. in accordance with I.C. 74-206(1) (a & b) to consider hiring a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office, (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. Motion carried unanimous. Kirk Chandler, Aye; Lyndon Haines, Aye; Nate Marvin, Aye.

Nate Marvin stated they were out of executive session at 11:24 a.m.

Smith discussed the percentage of payment the District may receive based on what is allowed under Medicare or Medicaid. Smith discussed outstanding collections that are difficult or may be impossible to collect.

Nate Marvin moved, seconded by Lyndon Haines to recess as the Board of the Weiser Ambulance District and reconvene as Board of Washington County Commissioners. Motion carried unanimous.

Donna Atwood, Clerk, called roll call: Kirk Chandler, present via zoom; Lyndon Haines, present; and Nate Marvin, present.

IN THE MATTER OF PUBLIC HEARING)

Nate Marvin opened the hearing and read the Public Notice on the record.

The purpose of the hearing is to receive public comment on the possible validation of Heinrich Road.

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Those present were Michael Feyereisen, 6638 Lola Lane, Nampa, Idaho; Howard Iverson, 25792 Iverson Road, Caldwell, Idaho; Darin Iverson, 25792 Iverson Road, Caldwell, Idaho; Andrew Hart, 1797 North Willow Glen Place, Star, Idaho; Devin Hart, 533 West Willow Trace Drive, Eagle, Idaho; Joe Kulp, 1925 Heinrich Road, Midvale, Idaho; Jesse Whitener, 2205 Keithly Creek Road, Midvale, Idaho; Donna Iverson, 25792 Iverson Road, Caldwell, Idaho; and Gerald McLay, 1670 Loney Road, Midvale, Idaho.

Jerod Odoms explained the validation process to the group. Odoms stated that landowners were notified and the purpose of the validation is to change the road from a right-of-way to an actual road. A right-of-way limits maintenance and enforcement ability. The validation provides protection to the road right-of-way to all users.

Devin Hart inquired if the validation would pertain to the road as it has historically been.

Odoms confirmed that was correct. Odoms clarified that the road to be validated is the one that has been historically maintained as indicated on the maps.

Marvin requested comments for those in favor of the validation of the road.

Kirk Chandler stated that Howard Sutton expressed being in favor of the validation and wants the road to remain open. Chandler stated that Tom Sutton had indicated that he was in favor of the validation as well. Chandler stated Sutton's use the road as access to their properties.

Nate Marvin stated he was contacted by Sharon Widner. Widner is in favor of the validation.

Haines read an email submitted by Jesse Willard, 1791 Heinrich Road, Midvale, Idaho supporting the validation.

Darin Iverson 25792 Iverson Road, Caldwell, Idaho. Iverson stated he owns the property where the switchback occurs on Heinrich Road. Iverson informed the Board that it does not matter if it is validated, but would like it to be straightened. Iverson indicated to the Board that the switchback cuts off 1.38 acres from his property. Iverson stated the value of the property would be great if it did not have a wasted piece of ground. Iverson stated it would be nice to be "modernized" and straighten the road and have his property continuous. Iverson stated he would be willing to "give the county" the hillside in order to make the roadway straight.

Devin Hart, 533 West Willow Trace Drive, Eagle, Idaho addressed the Board. Hart stated his property entrance is off of the switchback of Heinrich Road. Hart submitted photos to the Board for review. Hart indicated the entrance to the property to the Board.

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Jerod Odoms stated the road to the west is an easement used by the Suttons for access to their property.

Hart stated two entrances could access his property. Hart stated he would like to see the road validated as it is now.

Joe Kulp, 1925 Heinrich Road, Midvale, Idaho addressed the Board. Kulp stated the curve has been in the road for over 100 years. The original residence used the switchback to access the property because the steepness of the road makes it inaccessible. Kulp informed the Board that he had thought the road was already validated. Kulp stated that the road is graded twice per year. Kulp stated he is in favor of the validation of the road as it is now with the switchbacks.

Gerald McLay, 1670 Loney Road, Midvale, Idaho addressed the Board. McLay stated the section of the road where the curve is going west, used to be part of Loney Road. The section in question was abandoned several years ago. McLay inquired what the intent is. McLay stated he is in favor of taking the "Y" out, and stated it needs to be a maintained road. McLay is in favor of validating the road as it is now.

Jesse Whitener, 2205 Keithley Creek Road, Midvale, Idaho. Whitener stated he works for Midvale Telephone (MTE). Widner stated that MTE has facilities run from Farm to Market Road up to the first home on the left of the road. Whitener stated that services would need to be extended in the future. Whitener expressed concerns of the improvements that need to be made such as buried utilities ending up on private property.

Howard Iverson, 25792 Iverson Road, Caldwell, Idaho informed the Board that he is interested in getting the road straightened because it takes away 1.3 acres of his property as it is. Iverson stated to the Board that the County would not give him a building permit for that property if the curve remains in the road. Iverson indicated it is not a usable road year round. Iverson stated he is in favor of straightening the road, but against the validation.

Marvin clarified the issue today is to consider validating the road as it currently exists.

Donna Iverson, 25792 Iverson Road, Caldwell, Idaho stated they own 130 acres. Iverson stated that she did not have a problem with the road being validated, but wanted it validated as a straight road for the purpose of their property value.

Michael Feyereisen, 6638 Lola Lane, Nampa, Idaho inquired what validation of the road means.

Odoms stated the county has roads that are not validated so those roads are considered a right-of-way. The County does not own the property and even if the County were to

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validate a road, the County can then protect the right-of-way for the public. Validation protects public travel and allows the county to do the maintenance of the road. Odoms stated the County does maintain the road, but Odoms stated that if the road were validated, it would not upgrade the service to the road for winter maintenance.

Haines inquired what the current slope of the road is.

Odoms stated it is 13%.

Marvin discussed weed and road maintenance records.

Odoms stated he has maintenance records.

Hearing closed at 1:30 p.m.

Chandler stated he believed most of the testimony received was in favor of validating the road.

Chandler moved, seconded by Haines to validate Heinrich Road as a County road as it is now. Motion carried unanimous.

Motion by Nate Marvin, seconded by Lyndon Haines and unanimously carried to recess at 1:34 p.m. until January 10, 2022 at 8:45 a.m.

Chairman, Board of County Commissioners

ATTEST:

Clerk

A full audio recording of the Commissioner Meeting is available at the Clerk's Office upon request.