

January 18, 2022

The Board of County Commissioners of Washington County, Idaho, does hereby meet this 18th 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. Also present was Kevin Kirby and Tyler Reynolds.

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

IN THE MATTER OF CORRESPONDENCE/MEETINGS AND REPORTS)

Correspondence received by the Board was reviewed and disseminated as required. The Board reviewed a letter from Southwest Idaho Resource Conservation and Development Council, Inc. Haines provided an update on the District III meeting held last week.

Marvin informed the group that Lisa McKnight is in the process of completing a calendar regarding meetings in the county and has requested information.

Kirk Chandler moved, seconded by Lyndon Haines to allow the Chairman to sign the contract (Standard Form of Agreement Between Owner and Construction Manager as Constructor) with Beniton Construction. Motion carried unanimous.

IN THE MATTER OF MINUTES)

The minutes of the Board not heretofore approved of January 10, 2022 were approved as written.

IN THE MATTER OF ROAD & BRIDGE/SOLID WASTE)

Jerod Odoms, Road and Bridge/Solid Waste Supervisor, met with the Board. Also present was Lisa Collini.

Odoms updated the Board on maintenance projects in the department. Odoms stated the FLAP Grant application has been submitted. Odoms informed the Board that he would be interviewing an applicant for the mechanics position later today. There was discussion of a new scale for the Midvale Solid Waste site.

The group discussed leased equipment versus purchasing equipment.

January 18, 2022

IN THE MATTER OF LIVING IN THE NEWS)

Alex Chavarria, met with the Board. Chavarria discussed the “reach” of Living in the News with the Board. Chavarria stated the online paper has come to the point that it will need to start paying for itself. Chavarria discussed information that needs to be delivered to the community. Chavarria offered to post items for all departments in the county at a flat rate of \$3,000.00 per year.

Marvin inquired if Chavarria had an agreement for review.

Chandler suggested the matter be tabled and discussed at the next Elected Officials and Department Head meeting on February 7, 2022.

IN THE MATTER OF INFORMATION TECHNOLOGY)

Robert Peterson, Information Technology Director, met with the Board. Peterson discussed a meeting with the Idaho National Guard he attended last week. Peterson discussed issues with the exchange server that were experienced last week. Peterson reported that he had updated the exchange server and the firewall over the weekend.

IN THE MATTER OF PROSECUTING ATTORNEY)

Information Technology Director Robert Peterson met with the Board.

Lyndon Haines moved, seconded by Nate Marvin to go into executive session at 10:04 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 requirement. Motion carried unanimous. Kirk Chandler, Aye; Lyndon Haines, Aye; Nate Marvin, Aye.

Nate Marvin stated they were out of executive session at 10:18 a.m.

IN THE MATTER OF PLANNING AND ZONING)

Bonnie Brent, Planning and Zoning Administrator, met with the Board. Also present was Road and Bridge Supervisor, Jerod Odoms, Kevin Kerby, Tyler Reynolds, Lisa Collis and Angie Cuellar with Mason and Associates.

Bonnie Brent, Planning and Zoning Administrator, read the Public Notice on the record. The purpose of the Hearing is to receive public comment on the Mary Lou Holoboff Rezone Request with a Development Agreement for property located north of Cambridge within the Cambridge City Area Impact.

January 18, 2022

Brent stated that Mary Lou Holoboff had submitted a Development Agreement with an addition regarding the right-of-way.

Angie Cuellar, 924 3rd Street South, Nampa, Idaho, addressed the Board. Cuellar discussed the denial of the original rezone request with the Board. Cuellar presented a map of the subject area to the Board for review. Cuellar discussed the issue regarding the requested 80-foot right-of-way. Cuellar stated that would make lot #3 unbuildable. Cuellar requested consideration of leniency to move the lot lines as the 80-foot right of way will take away from the potential for development. Cuellar stated Holoboff is aware that the City of Cambridge does not want massive growth. Cuellar inquired what the county would do with the 80-foot right-of-way, as they would be responsible for spraying and maintaining the right-of-way. The easement currently belongs to Holoboff who is responsible for the maintenance. Cuellar questioned who would maintain the right-of-way. Cuellar indicated on the map the area of right of way.

Marvin stated that the County had previously adopted the Idaho Standards for Public Works Construction, which requires a 60-foot right of way for a local street. Marvin stated a collector's street might require an 80-foot right-of-way. Marvin stated that he was okay with the 60-foot right-of-way.

Chandler inquire if the county requires a 60-foot right of way, would the county be required to maintain the roadway. If Cambridge does not have a 5, 10, or 20-year plan for expansion does the county want to maintain the road?

Marvin stated the county would not maintain a road not brought up to County Standards.

Haines stated he believed the Holoboff has had planned for the 60 foot right-of-way.

Cuellar stated that Holoboff currently has a 60-foot easement. The concern was if there would be an 80-foot right-of-way requirement.

Maren Ericson addressed the Board. Ericson stated she is the attorney for Holoboff with Burton Lakey Law, 141 East Carlton Avenue, Meridian, Idaho. Ericson agreed the document is not written correctly in terms of how the relationship should work between the county and the City of Cambridge. Ericson discussed the language in Provision #6 which states the "developers shall dedicate" the 80 feet. The agreement also stated the road should be constructed in accordance with the International Fire Code. Ericson stated the International Fire Code only requires enough space for Emergency Vehicles to get in and out. Ericson stated that a minimum requirement is 20 and 26 feet as long as there is room for an Emergency Vehicle to turn around and come back out. Ericson agreed that it might be more accurate to use the Idaho Standards for Public Works Construction. Ericson stated that the 60 foot as it stands now, is a private easement to be used for ingress and egress to the property. Ericson stated that the 60 foot should be acceptable

January 18, 2022

and be able to manage all of the uses planned for the area. Ericson stated Provision #6 would be added to the Development Agreement, Holoboff is okay with the 60 foot requirement since that is the width of the existing right of way. Ericson suggested changing the wording in the agreement on Provision #6 to state that the 60 foot easement remains and the developer agrees that in the future the 60 foot easement would be dedicated for the purpose of some sort of local street as required if annexed into the City. Ericson stated she would draft the language for the Agreement.

Haines questioned the wording of paragraph 6 and read proposed wording as follows: “Developer shall dedicate a 60 foot wide easement to the lots created by this agreement. If these lots are ever annexed in to the City of Cambridge, the road shall be constructed in accordance with the requirements with the Idaho Standards for Public Works and the easement shall become a dedicated right-of-way.”

Ericson stated she would add that the “road will be improved to standards required by City code.” Ericson stated she would prepare the revised agreement.

Marvin inquired if item #6 under public utilities, sewer and water “cap fees” should be changed to “tap fees”.

Hearing closed at 11:07 a.m.

Lyndon Haines moved to accept the Development Agreement with the added language that the developer shall dedicate a 60-foot wide easement to the lots created by this agreement. If the property in question is ever annexed in to the City of Cambridge, the road will meet the Idaho Standards for Public Works Construction and/or the City of Cambridge code.

Marvin discussed approval of the rezone.

Lyndon Haines moved to amend the motion to approve the rezone of the 19 acres from A1 to A2 with a Development Agreement to include that the road will have a dedicated 60 foot wide easement to the lots created by this agreement and if these lots are ever brought in to the City of Cambridge that the road will meet the Standards of the Idaho Standards of Public Works Construction and the City of Cambridge code. The motion was seconded by Kirk Chandler.

Roll call vote: Kirk Chandler, yes; Lyndon Haines, yes; Nate Marvin, yes.

IN THE MATTER OF ROAD NAME DISCUSSION)

Karen Kniffen and Kendall Stone met with the Board. Karen Kniffen, 2701 North Alder #70, Fruitland, Idaho, addressed the Board. Kniffen stated she was here to speak to either

January 18, 2022

recognition or designation of a county road in an approved development area. Kniffen informed the Board that she understood that because the road is within the property lines of each property owner, the maintenance is the responsibility of the property owner. Kniffen informed the Board that she is proposing to rename approximately .5 mile of a road south off Gentry Lane to lot #6 to Kiowa Trail.

Marvin stated the county does not maintain that portion of the roadway as it is a private road. Marvin stated this would be an issue for emergency services and mail services.

Chandler stated the county does not have a say as to what the private road is called. The mailboxes are located on Gentry Lane with a Gentry Lane address.

The Board stated the landowner could name the private road/drive with a blue sign. The Board informed Kniffen that signs could be added to indicate the house numbers.

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. 22-16 for general expenses in the amount of \$30,038.21 and Order No. 22-0008 for payroll expenses in the amount of \$33,437.24 was presented to the Board for review.

Smith reported the Ambulance District had nineteen calls for service last week that included seven transfers and one public assist. Smith discussed purchasing a refurbished Zoll monitor and a backboard for the District for purchases with grant funding. Smith informed the Board that there would be an EMT training with Dr. Donahue at the Ambulance Hall on February 19, 2022 from 8:00 am until noon. The training is open to EMT's and Paramedics.

Smith discussed meetings that have been held with Midvale and Cambridge regarding Ambulance services in the future.

Lyndon Haines moved, seconded by Kirk Chandler to approve Order No. 22-16 for general expenses in the amount of \$30,038.21. Motion carried.

Lyndon Haines moved, seconded by Kirk Chandler to approve Order No. 22-0008 for payroll expenses in the amount of \$33,437.24. Motion carried.

January 18, 2022

Nate Marvin moved, seconded by Kirk Chandler 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.

Motion by Nate Marvin, seconded by Lyndon Haines and unanimously carried to recess at 11:42 a.m. until January 24, 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.