

February 22, 2021

The Board of County Commissioners of Washington County, Idaho, does hereby meet this 22nd day of February 2021.

IN THE MATTER OF ROLL CALL)

Donna Atwood, Clerk, called roll call: Kirk Chandler, present; Lyndon Haines, present and Nate Marvin, present via Zoom Session. Also present was Diane Schoonhoven.

Nate Marvin opened the meeting and Lyndon Haines led the Pledge of Allegiance. Kirk Chandler gave the invocation.

IN THE MATTER OF CORRESPONDENCE/MEETINGS AND REPORTS)

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

Sheriff, Matt Thomas and Cesar Carbajal discussed the current elevator contract and the need to change to a different company for more reliable service at a significantly lower cost to the County. Northwest Elevator and Contracting, Inc. has agreed to provide the service. Carbajal discussed the requirements of State Inspections that are to be completed annually. Load testing is to be done every five years.

There was discussion of a flag on private property near Cambridge. It was stated that it is the constitutional right of the property owner to fly the flag.

Marvin discussed an email regarding Herd Districts. The matter will be discussed with Prosecutor Walker.

Haines discussed inquiries from citizens of adopting a Second Amendment Sanctuary. Haines stated that there are cities within the state who have declared as a Sanctuary City.

Chandler stated the State of Idaho is a Sanctuary State.

IN THE MATTER OF MINUTES)

The minutes of the Board not heretofore approved of February 16, 2021 were approved as written.

IN THE MATTER OF CLAIMS)

The claims, audited by the Auditor, were presented and reviewed by the Board. All credit card claims were reviewed.

The Auditor was authorized to issue warrants totaling \$75,092.76 for general expenses by a motion of Lyndon Haines, seconded by Kirk Chandler. Motion carried.

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IN THE MATTER OF ASSEMBLY ORDINANCE)

Matt Thomas, Sheriff, met with the Board. Also present was Zane Beams and Tyler Amano.

Haines discussed striking Section B of 8-1-9, Regulation of Noise which addresses decibel level. Haines reported he had reached out to ICRMP (Idaho Counties Risk Management Program) regarding the amount of Liability Insurance to require. Haines reported the suggested amount of liability insurance coverage per ICRMP was \$500,000.00 if the event is not to be held on County property. Haines is also waiting on hearing from Elmore County on suggestions to follow along with a draft permit.

Zane Beams inquired on clarification regarding the number of persons expected at an event.

Haines stated that if an event is to be planned for less than 400 people, that no permit would be required. A permit would be required if the estimated number of people to attend were over 400 persons.

Beams stated the goal for the Music Festival this year would be to shut down music at midnight.

Marvin stated there needs to be a requirement of meeting guidelines per Southwest District Health.

Diane Schoonhoven requested a copy of the draft of the ordinance.

Marvin stated he would provide a draft to Schoonhoven prior to the hearing to adopt the ordinance.

Haines stated the ordinance is still in the drafting process. There was discussion of providing a copy of the permit to Southwest District Health. The group discussed charging a flat fee for the permit.

Haines will discuss the matter with representatives from Southwest District Health regarding needed requirements and receipt of the permit.

IN THE MATTER OF ROAD & BRIDGE/SOLID WASTE)

Jerod Odoms, Road and Bridge/Solid Waste Supervisor, met with the Board. The group discussed complaints received over the weekend from a resident on Day Road. The complaint addressed concerns of not plowing roads before the school buses were out. Odoms stated he had made the decision to not plow due to the amount of snow. The

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department did plow in the northern part of the county. Odoms discussed roads that were missed during the snow route. Marvin suggested Odoms follow up with the School District personnel. Marvin stated maybe the Road Department should consider plowing ahead of the beginning of a bus route.

Chandler stated there will always be concerns and complaints.

Marvin suggested having on call drivers.

Odoms stated currently he has one more employee than available equipment.

Odoms stated the drive time of a plow route is approximately 10 hours.

Odoms discussed the Capital for a Day event he had attended. The group discussed State/Federal funds to be made available for infrastructure improvements. Odoms informed the Board he will teach a flagger class on Wednesday this week at the Weed Department.

Nate Marvin moved, seconded by Kirk Chandler to go into executive session at 9:48 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 10:01 a.m.

IN THE MATTER OF PROSECUTING ATTORNEY)

Delton Walker, Prosecuting Attorney, met with the Board. Also present via Zoom was Weed Superintendent, Bonnie Davis. Davis discussed No Spray Agreements on County roads right-of-ways.

Walker discussed an agreement that was signed by a landowner six years ago. Attempts to contact the landowner have gone unanswered. The agreements state that if the landowner does not comply, the county will take care of spraying the right-of-way. This process is a courtesy to the landowner. Signs are to be in place and if the landowner defaults, the agreement states the County Weed Department would maintain the right-of-way. The county roadside is not to be considered a buffer. Davis requested that the Board make a decision before spraying resumes. Davis inquired if a public hearing is needed in order to do away with the No Spray Zones within the County.

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Walker stated that the agreement does not have an expiration date, but does have provisions stating if the landowner does not follow the agreement, the county is to spray the weeds. Walker stated that he had not found a statutory requirement to hold a hearing to discontinue the agreement. Walker stated that the County must provide notice when spraying is to begin. There is already a statute and code in place that addresses the process. The County would need to provide proper notice by sending certified letters to the landowner. Walker noted that in future agreements wording should be added that the agreement expires after one year.

Chandler stated that if the County finds that the right-of-way is not being maintained, the county needs to spray the right-of-way.

Walker stated that written notice should be provided to those not abiding by the agreement. Walker instructed Davis to add a statement indicating it is an annual agreement with an expiration date and has to be renewed. Walker stated there is no need to have agreements, but is ok to have one. Davis clarified the landowner would come before the Board in order to obtain an agreement.

Walker will review the revised agreement.

Walker informed the Board that per the Idaho Constitution, counties cannot incur debt beyond the fiscal year unless certain provisions are made in a contract. That is the purpose for a non-appropriation clause needed in agreements and contracts.

Kirk Chandler moved, seconded by Lyndon Haines to approve the contract between Northwest Elevator Inc, and Washington County for the period of one year. Motion carried.

Marvin discussed an email received on Herd Districts in the County. There will be further discussion on March 1, 2021.

Walker stated Herd District requirements are not to be confused with Open Range Districts.

The group discussed Herd District boundaries within Washington County.

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.

Debbie Warren, Deputy Clerk, called roll call: Lyndon Haines, present; Kirk Chandler, present; and Nate Marvin, present via Zoom Session.

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Luke Smith, Ambulance District Director, met with the Board. Also present was Ambulance District Administrative Advisor, Tim Atwood.

Order No. 21-15 for general expenses in the amount of \$8,614.92 was presented to the Board for review.

Smith informed the Board that two runs were billed that should not have been billed. Luke Smith presented a letter to the Board for the approval to void billing on run numbers 20-1136 and 21-0147.

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

Smith stated he is continuing to work with Dodd Snodgrass on the grant schedule for the new ambulance. Smith hopes to schedule a Public Hearing for March 15, 2021. A notice will be published in the newspaper.

Smith informed the Board of a roof leak in the bay of the station. Smith reported that ICRMP (Idaho Counties Risk Management Program) has been notified of the leak.

Lyndon Haines moved, seconded by Kirk Chandler to approve Order No. 21-15 for general expenses in the amount of \$8,614.92. Motion carried.

Kirk Chandler moved, seconded by Lyndon Haines to void billings on run numbers 20-1136 and 21-0147. Motion carried.

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.

Debbie Warren, Deputy Clerk, called roll call: Kirk Chandler, present; Lyndon Haines, present; and Nate Marvin, present via Zoom Session.

IN THE MATTER OF WEISER MEMORIAL HOSPITAL/PROPERTY ACQUISITION)

David Belford with the Weiser Memorial Hospital met with the Board. Also present was Ambulance District Director, Luke Smith and Ambulance District Administrative Advisor, Tim Atwood.

Belford presented a copy of the proposed escrow paperwork to the Board for review. Belford stated he would like to close the process by March 15, 2021.

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Prosecuting Attorney, Delton Walker, will review the proposed paperwork.

Motion by Nate Marvin, seconded by Lyndon Haines and unanimously carried to recess at 11:07 a.m. until March 1, 2021 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.