

May 3, 2021

The Board of County Commissioners of Washington County, Idaho, does hereby meet this 3rd day of May 2021.

IN THE MATTER OF ROLL CALL)

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

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

IN THE MATTER OF CORRESPONDENCE/MEETINGS AND REPORTS)

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

Lyndon Haines stated that he does not have the Entertainment Ordinance changes made, and he plans to bring them next week.

Haines stated that Southwest District Health Board will meet again tomorrow at a special meeting to consider a proposed resolution.

Nate Marvin stated that he attended the Area III and WICAP meetings last week.

Dion Zimmerman met with the Board. Zimmerman stated that he had reached out to three surveyors for a civil survey. There was one proposal received from Stricker Surveying. Zimmerman has met with mechanical, plumbing, and electrical engineers and they are working on a proposal for a site survey.

Lyndon Haines moved, seconded by Nate Marvin to accept Stricker Surveying proposal in the amount of \$3,500.00. Motion carried unanimous.

Kirk Chandler moved, seconded by Lyndon Haines to allow the Chairman to sign the Floor Coverings International Contract. Nate Marvin signed the Floor Coverings International Contract for new carpeting in the Courthouse. The Board had previously agreed to accept the quote.

Deputy Clerk, Debbie Warren, presented the award letter for the 2021 Arbor Day Grant in the amount of \$300.00. Building and Grounds supervisor, Cesar Carbajal requested permission to replace the shrubs in front of the Courthouse with Japanese Maples. The Board agreed.

Kirk Chandler moved, seconded by Lyndon Haines to sign 2022 Indigent Defense Financial Assistance Compliance Proposal and Application. Motion carried.

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IN THE MATTER OF MINUTES)

The minutes of the Board not heretofore approved of April 26, 2021 were approved as amended.

IN THE MATTER OF ROSE ADVOCATES)

Delores Larson and Veronica Vazquez with Rose Advocates, met with the Board.

Veronica Vazquez presented the 2021 Projected Expenditures for the Rose Advocates from the funds received from Washington County.

Delores Larson reported on the effects of COVID on domestic abuse cases, and the numbers and categories of cases that have been processed by Rose Advocates.

Delores Larson stated that she would submit a budget request for fiscal year 2022.

IN THE MATTER OF TABULATOR TEST)

Election Deputy, Kellie Loos, and Deputy Auditor, Debbie Warren, met with the Board. Also present were Larry and Mary Lundin, Lisa Collini, Kevin Kerby, Mike Kaech, and Sean Alix.

Election Deputy, Kellie Loos, updated the Board on the election processes in Idaho and specifically in Washington County. Loos explained the process that the Clerk's office uses to make sure the ballots are set-up and printed correctly. Loos stated that the tabulator is not connected to the internet, and demonstrated the tabulator procedure. Loos had the Board use a test deck to test the DS200 tabulator. Loos stated that the encrypted thumb drive from the tabulator is taken to the dedicated election computer at the Clerk's office to generate the election results report, and then the results are sent to the Secretary of State. Loos stated that the elections office tests the tabulators for accuracy before each election.

Chandler stated that he watched a video called Kill Chain which indicated that all this equipment could be hacked.

Robert Peterson, Information Technology, stated that these tabulators are never connected to the internet. The computer that the thumb drives goes to is a "stand alone" computer and is not connected to the internet. Election Systems and Software (ES&S) has to physically come to the County and conduct updates. A computer transmits the results to the Secretary of State via a dedicated link.

Loos stated that there is always the possibility of a system being hacked, but there is a great deal of cybersecurity to keep elections secure.

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Chandler inquired if there is memory or a modem in the tabulator.

Peterson stated there is internal memory in the computer component of the tabulator that allows it to function, but there is no modem. The only place that the data goes into is on the encrypted thumb drive.

IN THE MATTER OF ELECTED OFFICIALS)

County Assessor, Debbie Moxley-Potter, met with the Board. Moxley-Potter informed the Board that her office is preparing to do a follow-up ratio study for last year and that values will be going up. Moxley-Potter stated that Ag values went up a little. Commercial stayed about the same and industrial fluctuated a little. Moxley-Potter stated that residential values are the most affected because of sales.

Moxley-Potter informed the Board that Michelle Tate has joined her staff.

County Treasurer, Sabrina Young, met with the Board. Young stated her office will be sending out June reminder notices. Young stated that she is sending fewer pre-pending issue reminders. Young informed the Board that her office is having success at getting people to make regular payments to avoid the pending issue for tax deed process.

Prosecuting Attorney, Delton Walker, met with the Board. Walker expressed concerns about the values of homes being driven up by outside buyers. Walker believes that the values are artificially inflated.

Deputy Clerk, Debbie Warren, met with the Board. Warren stated that the Clerk's office is busy with elections. Poll worker training was conducted last week for the Weiser Highway District election to be held on May 18, 2021. Clerk, Donna Atwood, is busy with the beginning of the budget process.

Sheriff, Matt Thomas, is attending the Idaho Sheriff's Association meetings this week.

IN THE MATTER OF PROSECUTING ATTORNEY)

Prosecuting Attorney, Delton Walker, met with the Board. Walker stated that he will be working with the current public defenders regarding taking on retiring Tim Felton's cases. Walker believes that the County may not have to hire another public defender at this time.

Walker informed the Board that he had a good conversation with Chris Myers at the firm Givens Pursley. The firm Givens Pursley published the handbook on road law and local land use planning. Givens Pursley had represented David and Mikal Smith in the past. The Smiths also sought a legal opinion from Givens Pursley recently. Walker had Givens Pursley look at their records and that Givens Pursley has represented the County

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in the past and will represent the County again. The Smiths will be seeking another attorney if they proceed.

Walker had spoken with the firm Givens Pursley about several questions that are being considered in possible code revisions including splits, rezone requirements, removal of the original parcel language, development on agricultural lands, developing pivot corners, sale of building permits, splits on agricultural land, managing growth, and CAFOs (Confined Animal Feeding Operations). Walker did speak with an attorney at the firm Givens Pursley about the costs of legal advice. Walker informed the Commissioners that they can write up their proposed changes to present to the attorney. Any changes will need to go to public hearing.

Walker discussed that zoning is a “blanket” A1, unless it is designated as residential, commercial, etc. Walker stated that there is the possibility to have some flexibility within the A1 designation if an area can be shown to be less than prime.

Nate Marvin moved, seconded by Kirk Chandler to go into executive session at 10:20 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 10:40 a.m.

IN THE MATTER OF PLANNING AND ZONING)

Planning and Zoning Administrator, Bonnie Brent, met with the Board. Also present was Jeri Soulier and Karen Wright.

Nate Marvin moved, seconded Kirk Chandler to go into executive session at 10:45 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 11:09 a.m.

Bonnie Brent presented the Darren Lee Special Use application to utilize the aggregate source on South Crane.

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Kirk Chandler moved, seconded by Lyndon Haines to approve the Darren Lee Special Use Permit with the listed conditions. Motion carried unanimous.

Bonnie Brent presented the Alex Walker Special Use Application for temporary living quarters within an agricultural building. A building permit will be required.

Lyndon Haines moved, seconded by Kirk Chandler to approve the Alex Walker Special Use Permit. Motion carried unanimous.

The Commissioners reviewed the NACO Leadership class that Bonnie Brent participated. Brent stated she found the class to be very helpful. The class and the course work took about eight hours a week and focused on positive leadership.

Brent inquired if the Commissioners would like to look into a development agreement with rezones. Our proposed areas of growth are in the impact areas.

Marvin stated that he would like to begin work on the development agreement.

Haines inquired of Brent if they need to get the cities involved in the process.

Brent stated that she would try to get the cities to come to meetings involving the impact areas.

The Board requested that Brent gather some initial information, and the Board will review what is already in code. They will plan to discuss the development agreement more next week.

IN THE MATTER OF AMBULANCE)

Nate Marvin moved, seconded by Kirk Chandler 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: Kirk Chandler, present; Lyndon Haines, present; and Nate Marvin, present.

Ambulance District Director, Luke Smith, met with the Board. Smith reported the Ambulance District had twenty-seven calls for service, which included nine transfers, and seven refusals for care/public assists last week.

Order No. 21-24 for general expenses in the amount of \$2,730.96 was presented to the Board for review.

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Smith informed the Board that the District received a \$300,000.00 grant for the purchase of a new ambulance. Smith will look into donating the older ambulance.

Nate Marvin signed a letter of support regarding a grant for a paramedic response unit.

Lyndon Haines moved, seconded by Nate Marvin to allow the former chairman of the Board to sign the CEDA (Clearwater Economic Development Association) Grant Administration Contract. Motion carried.

Lyndon Haines moved, seconded by Kirk Chandler to approve Order No. 21-24 for general expenses in the amount of \$2,730.96. 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.

IN THE MATTER OF PROPERTY ON KEITHLY CREEK)

John Coburn and Bill Sorenson met with the Board. Also present was Elsie Coburn and Beth Bramble.

Bill Sorenson discussed problems with a neighbor on Waite Road. Sorenson informed the Board of persons living in a travel trailer that burned last winter and has remained on the property. Debris from the burned trailer blows onto their property.

Jack Coburn spoke about the problem with another neighbor Bill Biggs. Coburn stated they have tried several ways to solve the problem, including court proceedings. Coburn informed the Board that junk cars have been parked on his fence line, trucks, trailers, boats, old buildings that are full of junk. The neighbors do sell some items, but bring in more items than they sell.

Nate Marvin stated they will consult with the Prosecuting Attorney and see what can be done.

IN THE MATTER OF ROAD & BRIDGE/SOLID WASTE)

Jerod Odoms, Road and Bridge/Solid Waste Supervisor, met with the Board. Chris and Harvey Braun were also in attendance.

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Odoms informed the Board modifications will be made to the gate at the Weiser Solid Waste Site and Waterways building.

Odoms stated he had denied an ITD permit for Stagecoach River due to the load being too heavy. Odoms also discussed dust abatement from the Lacey Pit.

Odoms told the Board the monthly safety meeting was held earlier today. The County cell phone usage policy was reviewed as well as State Regulations.

Odoms will be teaching a flagger class in Valley County on Wednesday.

Odoms stated he would like to review the definition for subdivision in the Road Standards book with the Board at a later date.

Odoms discussed issues on Krause Road where an access was put in without approval. The Sheriff's Department is aware of the issue.

Odoms reported the Road and Bridge Department is working on the Goodrich Road project.

There was discussion of the speed limit on Larsen Road, which is currently 25 miles per hour. There has been a request to increase the speed limit to 35 miles per hour. The Commissioners agreed to increase the speed limit to 35 miles per hour.

Chris Braun presented a proposal for paving the parking lot at the exhibit hall. Braun requested a one-time increase of \$15,000.00 to the 2022 budget to help cover the cost of the asphalt. Braun informed the Board that the expense would be split between the 2021 and 2022 budgets. Braun stated she estimated \$20,000.00 from the 2021 budget to apply to the expense.

Odoms stated the cost of the asphalt is estimated at \$55,000.00.

IN THE MATTER OF WEISER SIGNAL AMERICAN)

Phillip Janquart, Weiser Signal American Editor, met with the Board.

Phillip Janquart introduced himself as the new editor at the Weiser Signal American. Janquart informed the Board that he wants to report the news accurately and fairly.

Motion by Nate Marvin, seconded by Kirk Chandler and unanimously carried to recess at 2:04 p.m. until May 10, 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.