

May 17, 2021

The Board of County Commissioners of Washington County, Idaho, does hereby meet this 17th day of May 2021.

IN THE MATTER OF ROLL CALL)

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

Nate Marvin opened the meeting and 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.

Haines reported he and Marvin had attended the Association of Counties training last week. Haines also discussed work performed by Calvin Hickey for the Flood District.

Marvin discussed an email regarding interviews for the District III Trial Court Administrator position. Marvin inquired if one of the other Commissioners would be able to participate in the interview process.

IN THE MATTER OF MINUTES)

The minutes of the Board not heretofore approved of May 10, 2021 were approved as written.

IN THE MATTER OF OPERATION IN FUNDS/STATEMENT OF TREASURER'S CASH)

Lyndon Haines moved, seconded by Kirk Chandler to approve the Operation in Funds/Statement of Treasurer's Cash for the month of April 2021 in the amount of \$12,634,019.61. Motion carried.

IN THE MATTER OF BUREAU OF LAND MANAGEMENT)

Brent Ralston, Christian Ramirez, Tanya Thrift, Tess O'Sullivan, Russ Babiak, and Alan Sands met with the Board.

Ralston presented maps of the Mann Creek Recreation Area to the Board. Ralston discussed properties that have been approved for acquisition by the (Bureau of Land Management) BLM in the Hixon Columbia Sharp-Tailed Grouse Habitat Area from the Nature Conservancy. Ralston stated a funding request has been submitted to the Land and

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Conservation Fund. Ralston stated the funding request has been approved. Ralston stated that Alan Sands is interested in selling a Conservation Easement to the BLM as well.

Tess O'Sullivan addressed the Board. O'Sullivan stated the Nature Conservancy purchased the property in 1987. O'Sullivan stated they are interested in selling property to the BLM. O'Sullivan stated the sale would encourage best management of the property and maintain public access to the subject property as well as adjacent public lands. The funds will be invested in other projects.

Alan Sands stated the family had purchased approximately 80 acres adjacent to the Hixon Columbia Sharp-Tailed Grouse Habitat Area five or six years ago. Sands informed the Board that there is a Conservation Easement to protect the property from development. Sands stated he hopes to work with BLM and enter into a Conservation Agreement on the properties.

Ralston discussed development near BLM properties. A portion of the subject property is open to grazing.

Chandler discussed the Constitution and the authority of the BLM to purchase lands within the County. Chandler stated that the sale of property to a federal agency removes the property from the tax roll of the County.

O'Sullivan stated the Nature Conservancy is currently paying \$250.00 annually in taxes. O'Sullivan discussed PILT (Payment in Lieu of Taxes) funding and the amount that is paid to the County through property taxes. O'Sullivan informed the Board that there should not be a loss of revenue to the County.

Chandler stated it is unknown if PILT funding will continue to be disbursed to the Counties. Chandler discussed grazing fees on allotments that are supposed to be paid to counties, but are not.

Ralston discussed funding that is disbursed to the Counties for grazing.

Russ Babiak and Christian Ramirez discussed the Rangeland Fire Protection Association. Babiak discussed agreements that are in place with the agencies to provide fire protection. Idaho Department of Lands is to provide radios and other equipment for the Association.

Ramirez stated the Forest Service wants to work with the Districts and Rangeland Fire Protection Association. Ramirez discussed the areas involved in the Association.

Ralston re-addressed the Board. Ralston discussed access to Steck Park and the ability of BLM to manage the campground through an easement in 1965. Most of the area is

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owned/managed by Idaho Fish and Game. There has been discussion of Idaho Power assisting with maintaining the campground. The discussion is on-going.

Marvin discussed the condition of the road to Steck Park and complaints that have been received.

Ralston discussed maintenance/improvements and the increased level of use of roads.

IN THE MATTER OF INFORMATION TECHNOLOGY)

Robert Peterson, Information Technology Director, and Elections Deputy Clerk, Kellie Loos, met with the Board. Also present was Jay Langer, Cathy Kaech, Mike Kaech, Larry and Mary Lundin, and Jeri Soulier.

Peterson stated he had contacted Bret Brandon with the Secretary of State Office regarding the security of the election. Peterson stated the DS200 tabulators that are used by Washington County and the State of Idaho do not have a modem installed. They do have USB ports, headphone jacks, an accessible device ports that do not connect to the internet. Peterson informed the Board that Election Systems and Software had been contacted and it was indicated that the DS200 tabulators used in Washington County do not have a modem. Peterson informed the Board attack surface had been decreased by not installing a modem. Validation of the ballots is conducted. Inscription is nearly impossible to break. The files are monitored, results are audited throughout the process to ensure the files are validated and the counting of ballots is accurate.

Peterson stated he had researched and found there is no state that does complete hand count ballots. Peterson informed the Board that Idaho uses hand marked paper ballots, BMD (Ballot Marking Devices) and DRE (Direct Recording Electronics) with VVPAT (Voter Verified Paper Audit Trail). Peterson stated that Idaho does use one of the more secure type voter systems and is one of the top states in the Nation for ease of voting. Peterson discussed ballot marking devices used to comply with the ADA requirements. Peterson informed the group it comes down to trust of those who administer the election and the systems that are in place. Peterson stated all of the county systems produce a paper audit.

Loos stated some states do use a ballots that are scanned and are not human readable. In Idaho, all ballots are human readable. Loos stated she did watch the HBO movie Kill Chain and it was stated at the end of the movie that all ballots are human readable. Idaho has a very secure process. Idaho has the ability to audit elections and must have human readable ballots. Loos stated the County is doing their due diligence. New processes are continuing to be developed in Washington County. Technology is not going away. Loos informed the Board that Peterson does a great job for the County. Loos stated she hopes that voters understand that the County office is working hard to provide people with the

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opportunity to vote and maintain integrity in the election process. Loos discussed election audits that will be conducted by the State per legislation.

Peterson discussed the storage and the requirements of storing voter equipment and voted ballots. Peterson suggested the equipment, although stored in a locked building at this time, be moved to a location within the Courthouse with security cameras. Peterson will request a quote for additional security cameras and a locking door on the proposed room.

There was discussion of the process on how a voter casts their ballot, the transporting of ballots from the polling place to the clerk's office. There is a process in place to be followed. Loos stated there are always two people working with ballots.

IN THE MATTER OF PROSECUTING ATTORNEY)

Delton Walker, Prosecuting Attorney, met with the Board. Walker stated he had reviewed an Agreement from Road and Bridge Supervisor, Jerod Odoms regarding Bruce Lane. Walker discussed Tim Felton's retirement and his desire to finish his contract with the County through September 30, 2021.

Walker informed the Board he was assisting the Planning and Zoning Office with progress reports.

Walker inquired if the Board had any additional comments on the Entertainment Assemblies Ordinance.

Marvin stated upon completion of Walker's review of the ordinance, a public hearing will be scheduled.

Walker informed the Board that Chris Meyer of the firm Givens Pursley is reviewing County Code.

Marvin discussed a complaint received from Eric Pahkala on North Crane Road.

Walker stated he would address the matter.

Haines discussed the City Impact Areas and the Comprehensive Plan. Haines requested direction on the process to follow moving forward.

Walker encouraged the Board to work with the Cities regarding the impact areas. Haines discussed costs of development and how those expenses should be paid.

Nate Marvin moved, seconded by Kirk Chandler to go into executive session at 10:19 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

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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 10:32 a.m.

IN THE MATTER OF PLANNING AND ZONING)

Bonnie Brent, Planning and Zoning Administrator, met with the Board. Brent informed the Board there are no new building permits this week. Brent stated Gary Frederick has submitted his resignation for the Planning and Zoning Commission. Brent informed the Board she had received Letters of Interest from two people. The Board requested Brent schedule interviews for June 1, 2021.

Brent stated the second hearing on the Lancaster rezone will be held by the Planning and Zoning Commission on Tuesday, May 18, 2021.

The group discussed work being done on property located on Couper Road. If work is being done in the Floodway, it would fall under the jurisdiction of the Idaho Department of Water Resources and the Army Corp of Engineers.

Brent informed the Board the City of Cambridge would like to meet with the Board regarding the Cambridge impact area.

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

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

Nate Marvin signed the Determination of Exemption for the Ambulance Grant.

Smith reminded the Board that there would be joint training and an appreciation BBQ this Saturday. Smith informed the Board that Gilmore Meats donated the meat for the BBQ and Herb and Kellie Haun have donated the use of their BBQ equipment.

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Order No. 21-25 for general expenses in the amount of \$1,438.06 was presented to the Board for review.

Lyndon Haines moved, seconded by Nate Marvin to approve Order No. 21-25 for general expenses in the amount of \$1,438.06. Motion carried.

Nate Marvin moved, seconded by Kirk Chandler to go into executive session at 11:11 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 11:23 a.m.

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 SOCIAL SERVICES)

Social Services Deputy Clerk Lorri Nakamura-Mock met with the Board.

Nate Marvin moved, seconded by Kirk Chandler to go into executive session at 11:29 a.m. in accordance with I.C. 74-206(1) (d) to consider records that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code. Motion carried unanimous. Kirk Chandler, Aye; Lyndon Haines, Aye; Nate Marvin, Aye.

Nate Marvin stated they were out of executive session at 11:35 a.m.

Kirk Chandler moved, seconded by Lyndon Haines to deny Case No. 2021-08 as the County is not the last resource and the applicant is not medically indigent. Motion carried.

Kirk Chandler moved, seconded by Lyndon Haines to deny Case No. 2021-09 as the County is not the last resource, the applicant did not cooperate with Health and Welfare. Motion carried.

Kirk Chandler moved, seconded by Lyndon Haines to accept the Social Services Deputy Clerk's Reason for Approval or Denial. Motion carried.

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IN THE MATTER OF SPEEDING ON MANN CREEK ROAD)

Paula Mitchell met with the Board. Also present was Washington County Sheriff, Matt Thomas, and Road and Bridge/Solid Waste Supervisor, Jerod Odoms.

Mitchell addressed the Board and stated she lives at 1133 Mann Creek Road. Mitchell informed the Board that traffic is picking up and her dog was hit on the Road. Mitchell stated that semi-trucks, gravel trucks, and pickups with trailers travel Mann Creek Road. Mitchell stated the traffic needs to slow down.

Marvin discussed speed limits in other areas within the County. There was discussion of the placement of signs on Mann Creek Road. There was also discussion of adding "Children at Play" signs.

Sheriff Thomas will place the radar trailer on Mann Creek Road. Road and Bridge Supervisor, Jerod Odoms, will evaluate the placement of speed limit signs on the road.

IN THE MATTER OF ROAD & BRIDGE/SOLID WASTE)

Jerod Odoms, Road and Bridge/Solid Waste Supervisor, met with the Board.

Odoms presented an Application for the Placement of Culverts/Approaches for Dale Connor.

Kirk Chandler moved, seconded by Lyndon Haines to approve an Application for the Placement of Culverts/Approaches for Dale Connor to place a culvert on Rush Creek Road. Motion carried.

Odoms discussed growth in Idaho and the need for additional Solid Waste sites Statewide. Odoms also discussed a possible tire disposal center coming to Gem County. Odoms gave an update on the scoring process for Unity Bridge.

The Board reviewed the changes to the Highway Standards and Development Procedures for the Weiser Valley Highway District and Washington County presented by Odoms. Odoms informed the Board the definition of subdivision has been changed to match Planning and Zoning definition of a subdivision.

Lyndon Haines moved, seconded by Kirk Chandler to approve the changes as presented to the Highway Standards and Development Procedures for the Weiser Valley Highway District and Washington County. Motion carried.

There was discussion of adding bicycle lanes to some County Roads.

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Motion by Nate Marvin, seconded by Kirk Chandler and unanimously carried to recess at 12:16 p.m. until May 24, 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.