

June 28, 2021

The Board of County Commissioners of Washington County, Idaho, does hereby meet this 28th day of June 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 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.

Haines reported he had received a call from a citizen requesting to meet with Southwest District Health and the new inspector for septic systems. Haines informed members of the Board he would request a time for the new inspector to meet with the interested persons.

IN THE MATTER OF MINUTES)

The minutes of the Board not heretofore approved of June 21, 2021 were approved as amended.

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 \$238,260.55 for general expenses by a motion of Lyndon Haines, seconded by Nate Marvin. Motion carried unanimous.

IN THE MATTER OF ROAD & BRIDGE/SOLID WASTE)

Jerod Odoms, Road and Bridge/Solid Waste Supervisor, met with the Board. Also present was Assessor, Debbie Moxley-Potter, and Kevin Kirby.

Odoms discussed the possibility of holding a public hearing to increase the Solid Waste fees. Odoms informed the Board that the Solid Waste levy rate has steadily increased annually. Odoms stated he believed it would be best to increase the Special Assessment fee. Odoms informed the Board that an increase of \$6.00 to \$12.00 per unit per year would meet the requested funding. Odoms informed the Board that the Special Assessment fee had not been increased since 2000. Odoms requested a public hearing be scheduled for July 26, 2021.

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Lyndon Haines moved, seconded by Kirk Chandler to hold a public hearing on July 26, 2021 to consider increasing the Solid Waste Assessment fee to \$68.00. Motion carried unanimous.

Odoms discussed work on Goodrich Road and stated progress is going well. Odoms reported that the department was blasting rock last week. Odoms informed the Board that the crusher is being set up. The card reader for solid waste has been delivered and Odoms hopes to have it installed this week. Training of staff will be scheduled. Odoms informed the Board the scale at the Solid Waste site was checked last week and had to be cleaned.

There was discussion of purchasing a scale for the Midvale Solid Waste site.

The group discussed work on Couper Road. Odoms informed the Board that the Irrigation District would need to complete repairs to the road. Odoms stated he would contact the District.

Marvin questioned a pothole on Couper and Highway 95. Odoms stated he has contacted Idaho Transportation Department regarding the needed repair to Highway 95.

IN THE MATTER OF PROSECUTING ATTORNEY)

Delton Walker, Prosecuting Attorney, met with the Board.

Marvin discussed the issue with Intrinsic Organic and the odor from the business. There was also discussion regarding communications with Lance Hoch. The Board requested that Walker contact Hoch.

Walker informed the Board there may be some push back on the Lancaster decision. Walker stated the opinion from the firm Givins Pursley is a tentative opinion. Walker informed the Board that a final decision might be different from the tentative opinion.

Haines inquired if the Planning and Zoning Office would be allowed to contact Chris Meyer with the firm Givins Pursley directly regarding interpretations of County Code.

Walker stated he would address the matter with Meyer.

Haines inquired on the time allowed before the Board had to make a decision following a public hearing. Haines confirmed the period is 45 days. If after 45 days no decision had been made, it would be considered a denial.

Walker stated the time frame would begin upon completion of the public hearings.

Chandler stated Planning and Zoning needs to meet with each of the cities in the County and resolve the issues of growth in the impact areas.

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Haines agreed and stated it would be good to clean up the language and streamline the process so it works better for all concerned.

Walker discussed jurisdiction in the city impact area. Walker referenced the Blaha Decision of 2000. Walker stated he believed there had been changes to County Code based on the Blaha decision.

Chandler stated it was addressed in the proposed code changes. Chandler stated the proposed change was a subdivision that might be allowed in A2 zone.

Haines stated the definition of a subdivision needs to be addressed. Possibly having a rural and urban subdivision definition added to the code. The Board discussed the need of developers covering the cost to connect to city services when the development is in the impact area. Road improvements were also discussed.

Walker stated there are very few if any small lot/traditional subdivisions outside the city limits in the county so the issue has not been addressed. Walker informed the Board that the County Code gave the City of Cambridge jurisdiction in the impact area was put in place in 1988. Walker stated that in 2000 the Supreme Court ruled that that was no longer allowed. The Blaha decision gave counties jurisdiction in the city impact areas.

Lisa Collini entered the meeting.

Haines confirmed that the Board would be required to make the final decision.

Walker stated that the City Planning and Zoning is an advisory board to the County Commissioners regarding decisions in the impact areas based on case law, not County Code. The final decision is made by the County Commissioners.

IN THE MATTER OF PLANNING AND ZONING)

Bonnie Brent, Planning and Zoning Administrator, met with the Board. Also present was Bryon and Nancy Dale.

Brent presented the Dale Special Use Application. Brent stated that Dale would like to place a second temporary residence on the property.

Kirk Chandler moved, seconded by Lyndon Haines to approve the Special Use Application submitted by Bryon and Nancy Dale. Kirk Chandler, Aye; Lyndon Haines, Aye; Nate Marvin, Aye. Motion carried unanimous.

Brent discussed the Calfee rezone request. Brent stated that the Weiser City Council had denied the request. Brent informed the Board that the Planning and Zoning Commission had also denied the request.

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Haines discussed access to Upper Road.

Chandler stated the property is in the impact area and does fit the Comprehensive Plan, but there should be road requirements and farm land should be preserved.

Marvin stated the property is currently zoned A1 with 13 shares of irrigation water and should not be rezoned to A2 because it is prime farm ground.

Lyndon Haines moved, second by Kirk Chandler to deny the Calfee Rezone request. Kirk Chandler, Aye; Lyndon Haines, Aye; Nate Marvin, Aye. Motion carried unanimous.

Brent clarified the reasons for denial being not high-density growth in the impact area with no plan to provide services, no development of a road; that the property is A1 with irrigation available.

The Board discussed meeting with the City of Weiser regarding growth in the impact area.

Brent informed the Board that Planning and Zoning is planning to meet with the Cambridge City Council in August. There was discussion of a time to conduct training with the Planning and Zoning Commission. Brent stated the City of Cambridge had expressed interest in attending the training. Brent will contact the City of Weiser and Midvale regarding the training.

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 calls for service last week, which included seven transfers and five public assists/refusal for care.

Smith reported that he and Nate LaFollette are continuing work on the Personnel Policy. Smith stated he soon hopes to have a draft for the Board's review.

Smith discussed the 2022 budget requests to the Board for review. Smith discussed the possible use of ARPA (America Recovery Plan Act) funds. Smith informed the Board an updated computer system would cost \$50,000.00 to \$100,000.00. Smith reviewed payroll

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at a projected 3.75% increase. Smith reviewed the line items within the budget request.

Smith reported the district has received donations from the public and plans to use the funds to provide stand-by support at community events.

Smith reported that the Kids' Fair during Fiddle Week was a successful event for community outreach.

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 BOARD OF EQUALIZATION)

There were no matters brought before the Board.

Motion by Nate Marvin, seconded by Lyndon Haines and unanimously carried to recess at 11:32 a.m. until July 6, 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.