

November 7, 2022

The Board of County Commissioners of Washington County, Idaho, does hereby meet this 7th day November 2022.

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. 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 reported that he attended the EMS Task Force meeting last week. Haines inquired if Commissioner Marvin would be able to attend a meeting hosted by Idaho Power November 15th in Caldwell. Haines also suggested Planning and Zoning Administrator Bonnie Brent attend.

Lyndon Haines discussed an email received regarding Marcy's Law and the possibility of endorsing a ballot initiative to improve crime victims' rights. The matter will be addressed next week.

Lyndon Haines moved, seconded by Kirk Chandler to approve the issuance of a Duplicate Warrant payable to Hayden Baker in the amount of \$25.00. Motion carried unanimous.

Kirk Chandler moved, seconded by Lyndon Haines to approve Retail Alcoholic Beverage License No. 31 for Campo & Poole Distributing, LLC doing business as Fast & East Weiser at 711 E. Court Street. Motion carried unanimous.

Kirk Chandler moved, seconded by Lyndon Haines to approve demand warrant payable to Carrot-Top Industries for flags for the Courthouse in the amount of \$493.63. Motion carried unanimous.

Nate Marvin moved, seconded by Lyndon Haines to approve the purchase of two speed trailers in the amount of \$22,786.00 to be purchased with ARPA (American Rescue Plan Act) funds. Motion carried unanimous.

Lyndon Haines moved, seconded by Kirk Chandler to approve the purchase of two hygiene pantry cabinets and hygiene products for the school districts in the amount of \$2,200.00 to be purchased with ARPA (American Rescue Plan Act) funds. Motion carried unanimous.

November 7, 2022

Nate Marvin moved, seconded by Lyndon Haines to approve the purchase of bullet restraint security laminate for the Justice Building windows in the amount of \$69,796.39 to be purchased with ARPA (American Rescue Plan Act) funds. Motion carried unanimous.

Kirk Chandler moved, seconded by Nate Marvin to approve the purchase of extrication equipment for the Weiser Area Rural Fire District not to exceed \$36,377.00 to be purchased with ARPA (American Rescue Plan Act) funds. Motion carried unanimous.

Gordon Wilkerson entered the meeting.

IN THE MATTER OF MINUTES)

The minutes of the Board not heretofore approved of October 24, 2022 were approved as written.

IN THE MATTER OF COUNTY ASSESSOR)

Debbie Moxley-Potter, Assessor, met with the Board. Also present was Deputy Assessor Nikki Houser.

Moxley-Potter discussed the fees charged for maps produced by the Washington County Assessor's Office. Moxley-Potter informed the Board that she felt it appropriate to reduce the fee currently charged by the Assessor's Office. Resolution 22-07 reducing the fee was presented to the Board for approval.

Lyndon Haines moved to approve and read Resolution 22-07 reducing the fee charged for maps produced by the Washington County Assessor's Office on the record. Kirk Chandler seconded the motion with all in favor.

IN THE MATTER OF EXTENSION OFFICE)

Tyler O'Donnell, Extension Educator, met with the Board. O'Donnell reported 4-H enrollment is ongoing and that the After School program is in progress. O'Donnell informed the Board Calving School is scheduled to begin in January. O'Donnell reminded the Board of the University of Idaho Extension Listening Sessions to be held November 10, 2022 from 7:00 p.m. to 8:30 p.m. at the University of Idaho Caldwell Research and Extension Center. O'Donnell discussed plans for the yard at the Extension Building and possibly adding raised beds for the 4-H to assist with.

November 7, 2022

IN THE MATTER OF ELECTED OFFICIALS)

Those present were Juvenile Probation Supervisor, Dahlia Stender; Weed Superintendent, Bonnie Davis; Sheriff, Matt Thomas; Treasurer, Sabrina Young; Assessor, Debbie Moxley-Potter; Prosecuting Attorney, Delton Walker; Clerk, Donna Atwood; Chief Deputy, Brady Johnston; Road & Bridge/Solid Waste Supervisor, Jerod Odoms.

Treasurer, Sabrina Young, reported that the tax bills are printed and will go out in the mail later this week. Young, presented tax cancellations on three mobile homes for 2021 taxes to the Board for approval.

Kirk Chandler moved, seconded by Lyndon Haines to approve the tax cancellation on Parcel # MH009402 in the amount of \$167.74 for the 2021 tax year. Motion carried unanimous.

Lyndon Haines moved, seconded by Kirk Chandler to approve the tax cancellation on Parcel # MH010049 in the amount of \$200.00 for the 2021 tax year. Motion carried unanimous.

Lyndon Haines moved, seconded by Kirk Chandler to approve the tax cancellation on Parcel # MH010048 in the amount of \$117.82 for the 2021 tax year. Motion carried unanimous.

Kevin Kirby entered the meeting.

Clerk, Donna Atwood, reported that the office is preparing for year-end closing. The General Election will be held November 8, 2022. Polling locations will be open from 8:00 a.m. to 8:00 p.m.

Road and Bridge/Solid Waste Supervisor, Jerod Odoms, discussed training exercises to be held at Solid Waste. Odoms informed the Board that the Departments will be closed November 11th and Thanksgiving Day.

Sheriff, Matt Thomas, expressed a need for an additional credit card to cover the cost of the Century Link billings to avoid late fees. Thomas requested a limit of \$750.00 on the credit card. The Board approved the request. Thomas reported the roof top heaters are currently out of order at the Justice Building. Thomas informed the Board that a billboard was purchased to advertise for employment in the Sheriff's Department. The cost of the billboard will be shared with Payette County

Weed Superintendent, Bonnie Davis, informed the Board that the Department is continuing to spray as weather allows. Davis stated the chipper truck is on-site to dispose of containers. Davis presented a quote from M2 Automation for Department keypads and

November 7, 2022

burglar sensors in the amount of \$4,684.37. Davis informed the Board that training is included in the quote.

Kirk Chandler moved, seconded by Lyndon Haines to approve the quote from M2 Automation in the amount of \$4,684.37. Motion carried unanimous.

IN THE MATTER OF TOWING ORDINANCE DISCUSSION)

Matt Thomas, Sheriff, and Chief Deputy, Brady Johnston, met with the Board. Mike Tyree and Don Houser were also present.

Marvin stated that currently towing companies can only sign up once a year to participate in the towing rotation per the County ordinance.

Thomas stated most counties have an open enrollment period. Thomas reminded those present that the ordinance is not related to a private tow but is specific to being requested by the Sheriff's office to pick up a vehicle. Safety measures and requirements are listed on the ordinance.

Johnston explained the process of approving a towing company and the rotation process. Three companies are currently on the rotation.

Marvin suggested having an addition period for signing up to be on the rotation.

Thomas stated that if the Department were to open it up for twice a year the Department would need to implement an application fee.

Johnston stated to make changes it would have to go through the public hearing process.

Thomas stated if that was the case, there are other items in the ordinance that he would like to update. Thomas informed the group that the cost of the tow should be increased.

Johnston stated the City of Weiser has their own rotation schedule in place.

IN THE MATTER OF PROSECUTING ATTORNEY)

Delton Walker, Prosecuting Attorney, met with the Board.

Nate Marvin moved seconded by Lyndon Haines to amend the agenda pursuant to Idaho Code 74-206 and convene in executive session at 10:03 a.m. in accordance with I.C. 74-206(1)(c) to deliberate regarding labor negotiation or acquisition of an interest in real property. Motion carried unanimous. Kirk Chandler, Aye; Lyndon Haines, Aye; Nate Marvin, Aye.

November 7, 2022

Nate Marvin stated they were out of executive session at 10:29 a.m.

IN THE MATTER OF PLANNING AND ZONING)

Bonnie Brent, Planning and Zoning Administrator, met with the Board. Also present was Prosecuting Attorney, Delton Walker, Joe Kulp, Eric Dryden, and Attila Csikos.

Brent discussed the Eric Dryden Rezone Application with the Board. Marvin stated the Planning and Zoning Commission recommended denial of the application.

Kirk Chandler discussed the Subdivision County Code 6-3-3 and the preliminary plat which states not more than ten lots and no new street dedications and new County road for school bus access. Chandler stated that in the Findings of Fact it was noted there was a need for the Fire Department to address fire code in the area. Chandler indicated that State Code states that on five acres or more in the County, the Fire code does not apply for access or water. Chandler further discussed his concerns regarding the Findings of Fact and County Code. Chandler also discussed availability of water on the subject property. Chandler stated he believed the applicant needs to meet the rezone requirements.

Haines stated water quality and availability should be addressed.

Chandler stated the County could require County standard road to each parcel.

Brent stated to combine the preliminary and final plat the development cannot exceed ten lots per County Code 6-3-3. The applicant would have to go through a two-hearing process if over ten lots.

Haines discussed his concerns regarding the requirement by Idaho Transportation Department and access to the property. Haines stated he believe the County should require the roads be paved. Haines expressed his concerns of water. Haines stated the applicant may need to consider a common water supply. Irrigation was also discussed.

Chandler stated a barrier fence could be required to keep cattle or other livestock out of the subdivision.

Delton Walker reminded the Board that per Idaho Code 67-6509 they are to either affirm what Planning and Zoning had presented with a Development Agreement or have a separate hearing to address the Boards concerns or work on a separate Development Agreement. Walker informed the Board the decision could be continued to a later date.

Chandler stated that all requirements need to be met before the applicant sells any lots. Guidelines need to be followed Chandler stated he was not opposed to the division but believed that there needs to be guidelines in place, so it is properly done.

November 7, 2022

Haines stated that the two Development Agreements that were submitted seem to be quite far apart.

Brent stated the Planning and Zoning Commission did not feel the proposed development met the requirements and that the five potential building rights available be used first.

Walker reminded the Board that they have 45 days to decide on the matter.

Chandler stated he would like to review the Development Agreement further.

Haines agreed that the infrastructure needs to be in place before development begins. Haines confirmed that a decision would not need to be made until there is an agreement in place. Haines stated that he did not want to vote on the matter until the agreement is in place.

Walker stated that the Board would still have to decide on the rezone application, but the Board does have 45 days to do so.

Haines suggested that a Development Agreement be drafted before deciding. Chandler agreed.

Marvin stated that he would like the issue of a turn lane off Highway 95 be addressed in the agreement.

Haines stated that there needs to be two means of ingress and egress.

Marvin stated a school bus turn-around should be in the Development Agreement as well. Marvin stated the discussion would be continued next week.

The Board directed Brent to work with the developer on a Development Agreement to present next week.

The Heller Development Agreement was discussed. Brent stated Heller had made changes and that she had reviewed the proposed changes. Brent requested clarification of the additions to the Agreement.

The Board instructed Brent to schedule a hearing on the Heller Development Agreement.

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.

November 7, 2022

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

Luke Smith, Ambulance District Director, met with the Board. Order No. 23-05 for general expenses in the amount of \$4,340.21 and Order No. 23-003 for payroll expenses in the amount of \$24,415.13 was presented to the Board for review.

Smith reported the Ambulance District had forty calls for service last week which included eleven transfers and nine public assists/refusals for care.

Smith discussed operations of the district. Smith discussed transfers and the availability of Advanced Life Support versus Basic Life Support. Smith informed the Board that he had reached out to neighboring districts to see if there was a possibility of mutual aid. Smith stated he did not find interest in providing mutual aid. Smith stated he would draft a directive per the Board's suggestions.

Lyndon Haines moved, seconded by Nate Marvin to approve Order No. 23-05 for general expenses in the amount of \$4,340.21. Motion carried.

Kirk Chandler moved, seconded by Lyndon Haines to approve Order No. 23-003 for payroll expenses in the amount of \$24,415.13. Motion carried.

Nate Marvin moved, seconded by Lyndon Haines to go into executive session at 11:48 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 11:56 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.

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

IN THE MATTER OF ROAD & BRIDGE/SOLID WASTE)

Jerod Odoms, Road and Bridge/Solid Waste Supervisor, met with the Board. Odoms informed the Board he would like to replace the forklift at the Midvale Solid Waste site.

November 7, 2022

Odoms stated he was able to purchase a forklift in the amount of \$4,750.00 from Idaho Surplus.

Odoms presented an Application for Placement of Culverts/Approaches for driveway construction on Heinrick Road on the unimproved section of roadway submitted by Craig Ellenbolt. Odoms stated he had informed the property owner that it is on an unimproved section of road.

Lyndon Haines moved, seconded by Kirk Chandler to approve the Application for the Placement of Culverts/Approaches to be placed on Heinrich Road and property owned by Craig Ellenbolt for driveway construction. Motion carried.

Odoms reviewed the quotes received from M2 Automation for security cameras, burglar sensors in the amount of \$54,713.15 for the Solid Waste sites. Odoms stated he would use Capital Construction and the other Capital lines in the Solid Waste budget. There was discussion of covering the cost with American Rescue Plan Act (ARPA) funding. Quotes were also presented for security cameras and burglar sensors at the Road and Bridge sites in the amount of \$21,379.68. The matter will be discussed further at a later date.

Odoms discussed winter maintenance that has begun. Snowplow routes were discussed. Odoms reported he will be attending a meeting this afternoon with the Soil Conservation District regarding grant funding available for maintenance in the Monroe Creek area. Odoms informed the Board of repairs needed on Hill Road, Ross Road, and Goodrich Road.

Odoms discussed the engineer selection process for the Transportation Plan. Odoms informed the Board that he would like to select Keller Associates for the Transportation Plan Engineer. The Board agreement to request Keller Associates as the Engineer.

Odoms discussed the LHTAC (Local Highway Technical Assistance Council) Bridge Agreement with the Board. Odoms stated the bridge on Old Highway was selected for repair. The agreement would give LHTAC permission to proceed with repairs to the bridge on Old Highway.

Lyndon Haines moved, seconded by Kirk Chandler to allow the Chairman to sign the LHTAC Bridge Agreement. Motion carried unanimous.

Odoms provided an update to the Board regarding the right-of-way purchase for the Cove Road Bridge Project. Construction is expected to begin in 2024.

Odoms informed the Board that the 320C Excavator at the crusher site has a blown head gasket. Odoms stated the engine will need to be rebuilt or replaced.

November 7, 2022

The Board instructed Odoms to research a possible lease on a new Excavator and report back to the Board.

Nate Marvin moved, seconded by Kirk Chandler to go into executive session at 12:37 p.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 12:59 p.m.

Motion by Nate Marvin, seconded by Lyndon Haines and unanimously carried to recess at 12:59 p.m. until November 14, 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.