

January 12, 2026

The Board of County Commissioners of Washington County, Idaho, does hereby meet this 12th day of January 2026.

IN THE MATTER OF ROLL CALL)

Donna White, Clerk, called roll call: Gordon Wilkerson, present; Jim Harberd, absent; and Nate Marvin, present.

Nate Marvin moved, seconded by Gordon Wilkerson, to have Gordon Wilkerson be the Chairman for today's meeting, January 12th. Motion carried.

Gordon Wilkerson opened the meeting, and Nate Marvin led the Pledge of Allegiance. Gordon Wilkerson gave the invocation.

IN THE MATTER OF CORRESPONDENCE/MEETINGS AND REPORTS)

Correspondence received by the Board was reviewed and disseminated as required. Gordon Wilkerson reported that he attended the SREDA (Snake River Economic Development Alliance) meeting last week. Wilkerson stated he also attended the Payette Forest Coalition meeting in New Meadows last week.

The Board discussed the agenda for January 20, 2026.

IN THE MATTER OF MINUTES)

The minutes of the Board not heretofore approved of January 5, 2026, were approved as corrected.

IN THE MATTER OF CLAIMS)

The Auditor was authorized to issue warrants totaling \$252,298.42 for general expenses by a motion of Nate Marvin, seconded by Gordon Wilkerson. Motion carried unanimous.

IN THE MATTER OF ROAD & BRIDGE/SOLID WASTE)

Jerod Odoms, Road and Bridge/Solid Waste Supervisor, met with the Board. Odoms provided an update on the Beaver Creek Bridge Project. Odoms also provided an update on the Cove Road Bridge Project. Odoms reported that high water has caused delays on both bridge projects. Odoms provided a department update to the Board.

Resolution No. 26-02 was presented for approval.

Nate Marvin moved, seconded by Gordon Wilkerson, to approve Resolution No. 26-02 as follows: A Resolution of the Board of County Commissioners, Washington County

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Idaho, establishing a fee schedule and charges for the Road and Bridge and Solid Waste Departments.

WHEREAS the departments incur administrative costs in processing applications, administering regulations, maintaining facilities, handling of waste, monitoring project development, engaging the public, reviewing proposals, providing support, and conducting required inspections; and

WHEREAS the Board of County Commissioners has authority to adopt provisions to regulate the conduct of persons within the boundaries of the county pursuant to Idaho law, including, but not limited to Idaho Code Section 31-802, 31-805, and 31-870(1); and

WHEREAS Washington County Code authorizes the establishment and adoption of fees to cover the costs of operations of Solid Waste in Washington County Code 2-1-2-F and 2-1-2-G; and

WHEREAS the departments of Road and Bridge and Solid Waste have quantified the costs of processing and administering each application specific to that department; and

WHEREAS the changes herein shall take effect immediately from and after its adoption and approval as required by law.

Now therefore, be it resolved by the Board of County Commissioners Washington County, Idaho that:

The Board of County Commissioners hereby establishes a comprehensive fee schedule for fees in the sections provided below in this resolution for Road and Bridge and Solid Waste.

Motion carried.

Marvin stated he and Odoms had been working with a company in New Plymouth for a plaque to be placed on Cove Road Bridge upon completion. Marvin stated the names of the Commissioners, Engineers and those involved in the project will be listed on the plaque. Marvin stated the cost would be paid from the Special Bridge fund.

Wilkerson stated Robert Bias, Ranch Manager, has interest in validating Seid Creek Road. Wilkerson asked where they were in the process of validating roads.

Odoms stated a written request/petition will need to be received by the County regarding the validation. Odoms stated the matter has not been pursued due to currently pending litigation. Odoms stated a member of the public may petition for validation or the Commissioners could request validation.

Robert Bias addressed the Board and expressed concerns regarding the validation.

The Board will address the issue with legal counsel.

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Gordon Wilkerson moved, seconded by Nate Marvin, to go into executive session at 9:25 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. Gordon Wilkerson, Aye; Jim Harberd, Absent; Nate Marvin, Aye.

Gordon Wilkerson stated they were out of executive session at 9:32 a.m. “No decisions were made. We will go back to our regular scheduled meeting.”

IN THE MATTER OF TAX CANCELLATIONS)

Sabrina Young, Treasurer, met with the Board. Young presented tax cancellations on thirty-one parcels to the Board for approval.

Gordon Wilkerson moved, seconded by Nate Marvin, to approve tax cancellations as follows: MH 010091 in the amount of \$604.19; RP10N05W366150 in the amount of \$716.82; RP10N05W87720 in the amount of \$563.28; RP11N05W299120 in the amount of \$839.57; RP11N06W103755 in the amount of \$614.29; RP11N06W221912 in the amount of \$226.91; RP11N06W243460 in the amount of \$787.90; RP13N03W047200 in the amount of \$381.76; RP14N02W291800 in the amount of \$178.58; RPC7640064013A in the amount of \$770.66; RPW0400007005A in the amount of \$1,439.63; RPW0850024000B in the amount of \$622.36; RPW10600300201 in the amount of \$176.10; RPW10600300301 in the amount of \$194.14; RPW10600300307 in the amount of \$232.97; RPW106300308 in the amount of \$232.95; RPW10600300309 in the amount of \$65.83; RPW11500050070 in the amount of \$1,418.61; RPW13500030202 in the amount of \$24.71; RPW14500080020 in the amount of \$984.72; RPW1550003001A in the amount of \$1,325.15; RPW2300001011B in the amount of \$261.35; RPW255001109AA in the amount of \$848.76; RPW2650041016A in the amount of \$814.99; RPW30003208320 in the amount of \$905.46; RPW30003400010 in the amount of \$1,444.23; RP10N04W061300 in the amount of \$546.83; RPW1850005011A in the amount of \$1,439.63; LR000231 in the amount of \$2,473.71; RP11N04W301500 in the amount of \$173.55 and RP15N03W840030 in the amount of \$102.00 for a total of \$21,411.64 in tax cancellations. Nate Marvin seconded the motion with all in favor.

IN THE MATTER OF ROSE ADVOCATES)

Veronica Vasquez met with the Board. Vasquez thanked the Board for the annual contribution the organization has received. Vasquez discussed the types of cases Rose Advocates has addressed over the past year. Vasquez told the Board that Rose Advocates had two hundred thirty-three (233) cases in 2025 down from the two hundred forty-eight (248) reported in 2024. Vasquez stated that case count is down but cases have tended to become more violent. Vasquez reviewed the projected expenditures for 2026 with the Board. Vasquez stated Rose Advocates works closely with the Prosecutors Office.

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Vasquez informed the Board that the Rose Bowl Benefit Luncheon will be held February 12, 2026, at the Community Church in Weiser.

IN THE MATTER OF PROSECUTING ATTORNEY)

True Pearce, Prosecuting Attorney, met with the Board. Also present was Deputy Prosecutor Sean Jorgensen and Road and Bridge Supervisor Jerod Odoms. Pearce requested executive session with the Board.

Nate Marvin moved, seconded by Gordon Wilkerson, to go into executive session at 10:30 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; (c) to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency and (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. Gordon Wilkerson, Aye; Jim Harberd, Absent; Nate Marvin, Aye.

Gordon Wilkerson stated they were out of executive session at 11:06 a.m. "No decisions were made. We will go on with the regular business of the day."

Pearce, "So, gentlemen, we have on the agenda today an action item regarding, um, settlement and land acquisition, so let's just, uh, let's discuss that. So, as most of the county knows we've been in a lawsuit with the Moyes over a county road that got built through their driveway, uh, to access some houses and other property. Um, and it ended up, it's, this has been done, I don't even know how long ago, what was it, 2023?"

Marvin, "I believe so."

Pearce, "So this stems back then, so it's quite a ways back, is where this problem started, and... and just for simply the record and those that might be listening that don't know, just in a short, sort of summary is that the Moyes owned property and it has a driveway that goes through it, and in the past, they have sold property, and when they've sold property, they've given people that they've sold property to easements through their property. And, uh, in 2023, a development of 6 houses, new houses went in, and, uh, there were some issues with that driveway, and questions about whether there was an easement, and that's not really an issue here today, that's not even what we want to get into, but there were some problems because they had gates at both ends of their driveway, and their water and septic and livestock getting out. Yeah, livestock runnin' around on both sides of the road, and it created a lot of issues for law enforcement, um, it's created a lot of issues for the Moyes, whose property it's on. Um, anyway, through a series of

events that we're not going to get into here today, the county made the decision to declare that driveway a county road. Uh, which created another bunch of problems. Um, there was gates on it, and it's not wide enough for the county to do any sort of maintenance on."

Marvin, "We went in and we validated that road. We went through the process and the hearings and etc. to do that."

Pearce, "So, it's been a big problem ever since with just issues and problems, and it sort of culminated in a lawsuit that was filed against the county. Uh, and so... I guess I would just, I would simply say that the commissioners, all three the commissioners, and it's unfortunate that the chair, Mr. Harberd, the chair, is not here today because all three commissioners have worked really, really hard on figuring out the absolute best way for the entire county to deal with this issue and find a solution that worked the best for the county, as well as the Moyes and the other people involved as well as not have the cost be exorbitant for the county, or deal with the cost of a huge lawsuit, um, where the county could have been exposed to a lot of legal liability. So, um, anyway, so what you've got before you today to discuss is a settlement agreement and release of claims with the Moyes. And, um, essentially what it does, and I've got extra copies here for anybody that's in here that would like to see one, but essentially what it does is it uh, it's a settlement agreement that we have with the Moyes, that if you sign in it, if you vote and sign it today would essentially require the county to move the road out of their driveway, and to purchase property, small, very small increments of property, like, like half an acre or smaller, uh, to move this road around for the access for all of the people that live up Gentry Lane. So, that is essentially what is before you, is the settlement agreement, um, and once that's done, um, then this lawsuit against the county would, uh, be dismissed, uh, against us. So, any questions or thoughts? Anything else you guys want to discuss about this?"

Marvin, "Um, not at this point. So, we wanna, we wanna do a couple of different motions, I think. So, the first motion would be to..."

Pearce, "Well, so, so look, I'd like you guys to make a little bit more record."

Wilkerson, "We need to make a better record."

Pearce, "So, I've been talking, I'd like you guys to discuss this and discuss, you know, what you, and look, this lawsuit is still active, it's not gone, so you're not just free to say anything you want to, uh, for reliability reasons. Eventually, uh, hopefully when this lawsuit is gone, you'll be able to say more. But, I mean, I'd like you guys to discuss a little bit, you know, the fact, I mean, this shouldn't just be me, you guys are the ones that did much of the work here. Um..."

Marvin, "Well, I was here when we validated the road, and we thought we were doing the right thing at that time. Um, we thought that was a cure. Turns out it wasn't. We got some bad advice. We got some information that we thought was correct, um, and it turns out

we probably didn't follow the county code as we should have. Um, so we've been working, trying to find a solution to get the road out of the Moyes property. Uh, we've looked at several different options, um, and this is the best one we've come up with. Um... Yes, there's going to be some cost to the county taxpayers, but we think it's probably going to be the least costly way to resolve this problem. We're working with several landowners up there to purchase small parcels of property to relocate the fence around the Moyes property, and this will be based on \$20,000.00 per acre, and like True and I've said, most of these will be small parcels, less than an acre."

Pearce, "Well, some of we have less than half an acre, actually."

Marvin, "Yeah, probably less than half an acre. Um, we were hoping to get this done and in place by last fall, it didn't happen. We're still working with a couple of mortgage companies that are specific on the documents that they need to have signed and back to them so they can proceed with their, uh, processes, Um, I hope this can bring some closure to this whole Gentry Lane process. Uh, it's been, been going on for a long time and..."

Pearce, "It's been a really tough situation for all the citizens that have been up there and involved, and..."

Marvin, "Well, yeah, you're right, because we've had, we've had calls from concerned citizens that can't get their delivery of their medicines and, and prescriptions, things like that, that they depend on, and the delivery people never knew when there was going to be closed gates, and things like that, you know, uh... issues with dogs, and yeah, on and on and on, So, um, I don't know, Gordon, you got anything you want to add to that?"

Wilkerson, "Um, it's on record that the Moyes sold easement through their barnyard to people. But the added traffic that's gone through there has created a uh, a problem with the infrastructure for the Moyes and their water systems and their sewer systems. And you touched on the fact that the, the easement through their barnyard is sixteen feet, and there's no way to make that any wider. Uh, we did look at many different options. This one being the best. This route takes the road on a border fence. It doesn't cut through the middle of a piece of private property, cutting property in half, devaluing that making it difficult. Roads through private property, uh, cutting through a middle private property is, is, is not a good choice. Um, I would like to say that the people that we've dealt with up there on this issue have been really good to deal with. The Moyes have been really good to deal with. They, they don't want a problem, they want it resolved. Um, for the record, uh, it's been mentioned, it's unfortunate Jim is not here, but, uh, he's been working hard on this with us. And he's in favor of this direction that we're going. Um, I just want it behind us."

Marvin, "Me too."

Wilkerson, "It's gonna cost a little money, but the fact it wasn't handled correctly in the beginning, is where we're at now, and let's move forward."

Pearce, "And, you know, I think along those lines, um, the sheriff has had a lot of calls up there. I mean, he really wants this to be resolved as well. He's been involved in this, uh, discussion and is in favor of this, and obviously he doesn't have a vote, and neither do I, but um, it's, this wasn't done without his, uh, I mean, this has been a problem for his enforcement as well. Um, yeah, so I think that this, I think you guys have done a good job looking at every which way we could possibly deal with this, and if we leave it the same way that it is right now, we are going to have a pretty big expenses coming up on repairing infrastructure problems and really struggling with maintaining that road. And luckily this year, we didn't have a lot of snow, but that road is very narrow, especially through their property, and their spring water runs underneath it, and now it's leaking, and I mean, we, it's just gonna continue to create problems. There's been animals that have been killed, and, and, you know, there's, there's people that are in pretty hot disagreements up there that have could have ended in violence, and, and it's time that we probably just fix this."

Wilkerson, "You're correct. Because of the increased traffic, it's not, it's become a very unsafe environment."

Pearce, "Yep. For multiple reasons."

Marvin, "Yeah, yeah, and I'd like to say, I also want to thank everybody that we've worked with, the landowners, the Moyes, um, True's Office, the Sheriff's Office, the Commissioners, Jerod."

Pearce, "Jerod's done a lot of work on this."

Marvin, "Everybody's put in a lot of time and effort on this, trying to resolve it um, at that the least amount to the county. And, but, unfortunately, there wasn't a cheap way to do it, but I think we've, we've minimized the cost to the county taxpayers as much as we can. And.."

Pearce, "Okay, so, um, I, there's 3 things that we probably should do separate motions on. The first one is, uh, authorize the three of you to sign the Settlement Agreement with the Moyes. What you have in front of you, and then we'll, uh, I have, actually, I have it in front of me, so I'll hand that to you guys. Um, so, we need a motion authorizing uh, you guys to sign and authorize the Settlement Agreement."

Wilkerson, "And Release of Claims?"

Pearce, "Yes, that document."

Wilkerson, "I will make a motion to sign the Settlement Agreement and the Release of Claims to the Moye lawsuit."

Pearce, "Okay."

Marvin, "With the, all three Commissioners signing it."

Wilkerson, "With all three Commissioners signing it."

Marvin, "Okay. I'll second that motion."

Wilkerson, "There a motion and a second to sign the Settlement Agreement and Release of Claims with all three Commissioners signing. All in favor?"

Marvin, "Aye."

Wilkerson, "Aye."

Marvin, "Oh, let's see what, and then we need, uh..."

Pearce, "So we also, so we also need a motion, um, to essentially allow you guys to go down and sign documents at Title for purchasing these pieces of property as they become, uh, available to purchase. So, essentially, essentially, we need a motion that okays the.."

Wilkerson, "All three Commissioners."

Pearce, "All three Commissioners going down and signing to purchase these small parcels of property for placing this road on them. And certainly, as you guys go do that, we can make those records public. Uh, right now, I mean, you haven't spent any money, you haven't, you know, it's going to be based on the value amount that you put out of \$20,000 an acre times the actual amount of land that you purchase. So, as was mentioned, it's a couple small pieces is what you're going to have to purchase. But before you can actually have something to sign, we have to authorize that going forward, so that it can be prepared by Title, and that you guys can go down and sign it, and so those landowners can as well. So, I'm just trying to think of the cleanest way for you to make that motion. Um, maybe it should just simply be something along the lines of, you're gonna authorize the county, each of the county commissioners, to go sign the necessary documents to purchase the, the small parcels of property that are needed to implement putting this road in. That wasn't very simple, was it?"

Marvin, "I'll make, I'll try to make that motion that, that we allow the Commissioners to go down to the title company and sign the necessary documents for the purchase of the land for the easement and moving of the Gentry Lane, um..."

Pearce, "So let's not have it say easement, because you're actually purchasing this land so that it is owned by the county to put this road on. So, everything else was great, but let's not use the word easement."

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Marvin, "Okay, alright, so I'll, I'll retract that and just say we're purchasing land for an easement to relocate the road."

Wilkerson, "We're purchasing the land."

Pearce, "Yeah, no easement. We're purchasing land. Purchase..."

Marvin, "Yeah, okay, strike that, Donna. We're purchasing the land to relocate the road."

Wilkerson, "I second that. There's been a motion and a second to approve the signatures of documents to purchase land to move Gentry Lane Road. All in favor?"

Marvin, "Aye."

Wilkerson, "Aye."

Marvin, "What else? We had, we had 3 things."

Wilkerson, "We had mortgage companies."

Pearce, "I think that actually will cover that. So, I mean, just so that we're clear, there are, there's at least one piece, maybe two, that are encumbered with a mortgage that may end up requiring you guys to sign some sort of a purchase agreement prior to them being able to do that, but I think what you, your last motion actually probably covers that, too."

Marvin, "Okay. That'll be handled by the title office?"

Pearce, "Yeah, so I think you guys can sign that Settlement Agreement today, um, and we can have Jim sign it when he gets back, if he wishes to."

Marvin, "Alright. And you, Gordon has the original?"

Pearce, "I just handed it to him."

Marvin, "Okay."

Wilkerson, "Do we need to identify the 2025?"

Pearce, "Yeah, so this was, this was actually signed by the Moyes in 2025. And so, if you would just simply notate that and put your initials next to it when you change the 2025 to 2026 for your signatures."

Wilkerson, "I don't need, don't need a motion for that, just do it?"

Pearce, "I think you're fine to just do it."

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Pearce informed the Board he will not be available on January 20, 2025, for the Commissioner meeting. Pearce stated Deputy Prosecutor Jorgenson will be available if needed.

Wilkerson requested advice regarding validating Seid Creek Road.

Pearce stated he was not familiar with the issue, but as long as the Board followed the rules, did not feel it mattered if the validation was brought forward by the landowner or the Board.

Motion by Gordon Wilkerson, seconded by Nate Marvin and unanimously carried to recess at 11:31 a.m. until January 20, 2026 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.