

March 13, 2023

The Board of County Commissioners of Washington County, Idaho, does hereby meet this 13th day March 2023.

IN THE MATTER OF ROLL CALL)

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

Lyndon Haines opened the meeting and Gordon Wilkerson led the Pledge of Allegiance. Nate Marvin 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 he will attend the Rodent and Weed Board meetings this week.

Nate Marvin reported he had attended the Weiser Economic Development meeting last week.

Nate Marvin moved, seconded by Gordon Wilkerson, to appoint the following persons to the Washington County Fair Board: Ryan Barton to a two-year term, Kristen Nolte to a one-year term and to reappoint Jon Mills and Justin Mink for a two-year term. Motion carried.

Nate Marvin moved, seconded by Gordon Wilkerson to allow vacation carry over for Weed Superintendent, Bonnie Davis. Motion carried.

Treasurer, Sabrina Young, requested permission to open an additional LGIP (Local Government Investment Pool) account with the State Treasurer.

Nate Marvin moved, seconded by Gordon Wilkerson, to allow Young to open an additional LGIP (Local Government Investment Pool) account with the State Treasurer. Motion carried.

Nate Marvin moved, seconded by Gordon Wilkerson to approve the Engagement letter with Quest CPA's for the Annual County Audit for fiscal years 2023, 2024, and 2025. Motion carried.

Lyndon Haines moved, seconded by Gordon Wilkerson, to approve a demand warrant payable to Intermountain Gas in the amount of \$253.00. Motion carried.

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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 \$398,310.19 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 discussed the quote/piggyback contract with Power County for chip oil with the Board.

Nate Marvin moved, seconded by Gordon Wilkerson to allow Road and Bridge to piggyback with Power County with Ergon Asphalt and Emulsions, Inc. for chip seal oil. Motion carried.

Odoms discussed asphalt work and other maintenance projects with the Board. Odoms updated the Board on the purchase of a digital antenna for the repeater site. Odoms stated he will be meeting with the Weiser Valley Highway District regarding their project list to assist with chip seal in exchange for use of equipment. Odoms requested time off for April 19 through 23, 2023.

Odoms discussed setbacks/right-of-ways on County Roads with the Board. Odoms discussed the development standards and procedures from 2013. Setback waivers regarding plats were discussed. Odoms stated that collector roads have a minimum of 100-foot right-of-way, a local road would be 60 feet and a low volume road would be 56 feet. Odoms stated that Idaho Code 40-2312, Section 2 allows for the prescriptive right-of-way of 50 feet (25 feet from center). Odoms stated the County does have a 100-foot right-of-way on Farm to Market Road. Odoms stated the County does not officially have a setback but does have clearance as stated in the development standards and procedures.

IN THE MATTER OF EMERGENCY MANAGEMENT)

Sam Edwards, Emergency Manager, met with the Board. Edwards discussed the LAPC meeting scheduled for later this week. The National Weather Service and Red Cross will attend the meeting. Edwards stated river flow is up. Emergency shelters were discussed.

IN THE MATTER OF FENCING QUOTE)

Brady Johnston, Deputy Sheriff, met with the Board. Johnston discussed quotes for additional fencing at the waterways building. The Board will make a decision at a later date.

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IN THE MATTER OF PROSECUTING ATTORNEY)

Delton Walker, Prosecuting Attorney, met with the Board.

Haines discussed changes made to the Ag building exception application after the Public Hearing. Copies of the revision were presented to the Board for review. Haines requested input from the Board.

Walker informed the Board that he had researched the matter since March 6th hearing. Walker stated that many counties do have a provision for the ag *exception*. Walker discussed his role as the County Prosecuting Attorney. Walker informed the Board that he is not the Planning and Zoning attorney but has helped out as long as there is not a conflict of interest. Walker stated that Bert Osborn was hired as the Planning and Zoning attorney for many years which did incur additional expenses. Walker discussed the hire of Will Herrington as the Planning and Zoning attorney and consulting with Chris Meyer. Walker stated that at the hearing it was implied that funding of approximately \$80,000.00 was used to draft the Ag exception. Walker informed the Board that was a false statement.

Haines reviewed the amended version to 3-1-4. Haines stated he believed that there were still changes needed to the second paragraph regarding an Ag Declaration and Idaho Code 63-604. The Board discussed additional proposed changes. It was suggested to change the wording from “plan” to “site sketch”. There was discussion of the income requirement.

Sheriff Thomas inquired if the Sheriff’s Office would be responsible for enforcement.

Walker stated that they would not.

Walker discussed the violation section of the Code. Walker stated that the language in County Code is the standard language. Walker stated enforcement is through the Magistrate Court, not the Board.

Jeff Nauman, Deputy Assessor, clarified that the income limits referenced in Idaho Code 63-604 are specific to parcels of 5 acres or less. On parcels over 5 acres there is no income requirement whatsoever.

There was additional discussion regarding definitions in the Code. The Ag Declaration was also discussed.

Wilkerson inquired where the original proposal came from. Wilkerson questioned why it was proposed.

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Walker stated he assumed it had been implemented based on other counties and State Code.

Haines stated he did not believe the original version was not good but, he believed we are closer to where it needs to be.

Marvin stated it was the first attempt to make a change, but need to make it better for the County as a whole.

Wilkerson stated he believed it was an over-reach.

Walker stated he had revoked offers for the purchase of property. Walker informed the Board he has not heard back from the hospital regarding the Ambulance Hall.

Walker discussed Idaho County Code. Walker stated to the Board that in 1976 Idaho County had instituted a Planning and Zoning Department. In 1986 Idaho County repealed the Planning and Zoning through Ordinance #18. Members of Idaho County Planning and Zoning had stated that “nothing could be accomplished by the planning and zoning due to deep philosophical divisions, harassment, and disruption of meetings.” Walker informed the Board that Idaho County did implement a subdivision ordinance in 2020. Walker stated that the subdivision ordinance is required per Idaho Code and should have been adopted years ago. Walker further stated that Idaho County does have a similar original parcel rule that was adopted in 1983. Walker stated that the Idaho County original parcel rule is very similar to Washington County. Idaho County does charge \$25.00 for a parcel search which is written in their subdivision ordinance. Agricultural split versus a building permit. Idaho County does have penalties in place including criminal, civil, and fines per lot.

Lyndon Haines moved, seconded by Gordon Wilkerson to go into executive session at 10:54 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; Lyndon Haines, Aye; Nate Marvin, Aye.

Lyndon Haines stated they were out of executive session at 11:21 a.m.

IN THE MATTER OF AMBULANCE)

Lyndon Haines moved, seconded by Gordon Wilkerson, to recess as the Board of Washington County Commissioners and convene as the Board of the Weiser Ambulance District. Motion carried unanimous.

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

Luke Smith, Ambulance District Director, met with the Board. Order No. 23-21 for general expenses in the amount of \$4,429.34 and Order No. 23-0012 for payroll expenses in the amount of \$23,798.99 was presented to the Board for review.

Smith reported the Ambulance District had sixteen calls for service last week which included five transfers and four public assists/refusals for care.

Smith discussed the acquisition of Columbia Bank by Umpqua. Smith discussed the upcoming audit to be conducted by Medicare. Smith reported that employment interviews are being conducted.

Nate Marvin moved, seconded by Gordon Wilkerson, to approve Order No. 23-21 for general expenses in the amount of \$4,429.34. Motion carried.

Nate Marvin moved, seconded by Gordon Wilkerson, to approve Order No. 23-0012 for payroll expenses in the amount of \$23,798.99. Motion carried.

Lyndon Haines moved, seconded by Gordon Wilkerson, to go into executive session at 11:33 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; Lyndon Haines, Aye; Nate Marvin, Aye.

Lyndon Haines stated they were out of executive session at 11:52 a.m.

Lyndon Haines moved, seconded by Gordon Wilkerson 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: Gordon Wilkerson, present; Lyndon Haines, present; and Nate Marvin, present.

IN THE MATTER OF TIMING FOR PUBLIC HEARINGS)

Mike Kaech, met with the Board. Kaech discussed the time of Public Hearing; Kaech requested that hearings be held at 6:00 or 7:00 p.m. in the future.

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Motion by Lyndon Haines, seconded by Gordon Wilkerson and unanimously carried to recess at 12:01 p.m. until March 20, 2023 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.