

May 1, 2023

The Board of County Commissioners of Washington County, Idaho, does hereby meet this 1st day of May 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 Donna Atwood 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 provided an update regarding the Southwest District Health Board budget. Haines stated that the Washington County Contribution is expected to decrease for the 2024 budget year.

Nate Marvin moved, seconded by Gordon Wilkerson, to approve a Certificate of Residency for Hailee Slate. Motion carried.

Gordon Wilkerson moved, seconded by Nate Marvin to approve a Liquor License for Kilee Saldivar doing business as The Market at 1595 East 6<sup>th</sup> Street, Weiser, Idaho. Motion carried.

IN THE MATTER OF MINUTES)

The minutes of the Board not heretofore approved of April 24, 2023, were approved as written.

The minutes of the Board not heretofore approved of April 18, 2023, Planning and Zoning/Commissioner joint meeting were approved as written.

IN THE MATTER OF ASSESSOR)

Debbie Moxley-Potter, Assessor, met with the Board. Moxley-Potter explained the process followed by the Assessor's Office to allow non-profit, benevolent, and religious organizations apply for tax exempt status.

The Board reviewed applications submitted by the American Legion, Boys and Girls Club, Cambridge Community Clinic, Cannon Ministries, Assembly of God Church, Baptist Church, Bible Missionary Church, Calvary Baptist Church, Cambridge Assembly Church, Cambridge Bible Church, Saint Agnes Catholic Church, Church of Christ,

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Community Church of Weiser, Lutheran Concordia Church, Congregational Church, First Baptist Church, Four Square Gospel Church, LDS Church, Liberty Church of Christ, Protestant Episcopal Church, Church of the Redeemer, Riverside Baptist Church, Seventh Day Adventist Church, Weiser Christian Church, Weiser Congregation of Jehovah's Witness, Shamrock Ladies Club, CO-Opportunities, Inc., Crane Creek Reservoir Administration Board, Followers of the Christ Church, Friends of the Weiser River Trail, Haas Ladies Recreation Club, Idaho Migrant Council Inc., Idaho Public Health District, Institute Canal Company, Intermountain Cultural Center, Little House, Inc., Little Willow Irrigation District, Elks Lodge, Salubria Lodge, Weiser #23 Lodge, Lower Payette Ditch Company, LTD., Mann Creek Busy Bee Club, Midvale Swimming Pool, Monroe Creek Irrigation Company, National Old Time Fiddlers, Inc., Weiser Valley Rodeo, Roman Catholic Diocese of Boise, Cambridge and Weiser Senior Citizens, Southwestern Idaho Cooperative, The Southern Idaho Conference of the Seventh Day Adventist, Upper Country Eldercare Coalition Inc., Weiser Architectural, Weiser Church of the Nazarene, Weiser Golf Association, Inc., Weiser Irrigation of Quasi Municipal Corporation, Weiser Irrigation District, Weiser Little Theater, Weiser Memorial Hospital District, Weiser Senior Center, Pacific Fibre Products, Inc., and AFC Finishing Systems, Inc.

Nate Marvin moved, seconded by Gordon Wilkerson to approve the applications for Assessor/Commissioner Exemptions as presented by Moxley-Potter. Motion carried.

IN THE MATTER OF ELECTED OFFICIALS AND DEPARTMENT HEADS)

Debbie Moxley-Potter, Assessor, provided an update for the Assessor's Office.

Sabrina Young, Treasurer, updated the Board regarding the Treasurer's Office. Young, discussed House Bill 292 regarding property taxes. Young encouraged Elected Officials to reach out to the Tax Commissioners regarding a temporary rule for House Bill 292.

Matt Thomas, Sheriff, informed the Board that Brady Johnston has resigned as Chief Deputy Sheriff and that Sam Edwards will be taking the position as Chief Deputy Sheriff. Thomas discussed hiring an Emergency Manager.

Robert Peterson, Information Technology Director, informed the Board that he is updating documentation on the Emergency Response Plan for cyber security. Peterson requested an increase limit on his county credit card to \$2,000.00 to cover travel expenses to the National Association of Counties Conference to be held in Texas.

Bonnie Davis, Weed Superintendent, stated that projects will begin Thursday, weather permitting. Davis informed the Board that roadsides are being addressed. Davis further stated that the GPS units purchased in 2010 with stimulus funding from the BLM need to be replaced. Davis informed the Board she will be meeting with the Noxious Weed coordinator with the Idaho State Department of Agriculture for a recommendation for

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replacement units. Davis reminded the Board that the Rodent Board will be meeting next week.

Dahlia Stender, Juvenile Probation Supervisor, informed the Board she will be attending a conference in Boise on Thursday and Friday this week. Stender stated she will be requesting funding for Midvale and Cambridge School Districts next week for their senior parties.

Tyler O'Donnell, Extension Educator, addressed the Board. O'Donnell provided an update on weigh-ins for the fair.

Jessi Moser introduced herself to the Board as the new 4-H Coordinator.

Donna Atwood, Clerk, provided the 2024 budget paperwork to Elected Officials and Department Heads.

#### IN THE MATTER OF PROSECUTING ATTORNEY)

Delton Walker, Prosecuting Attorney, met with the Board. Walker discussed accessory dwellings per new legislation with the Board. Walker reported that the home on Cox Road that was destroyed by fire is owned by an out of state landowner from Seattle. Walker will check with Planning and Zoning to see if complaints have been filed. Walker confirmed that the issue of setbacks had been passed on to the Planning and Zoning Commission.

Marvin inquired if there had been any progress on the county owned property north of Cambridge, Idaho.

Wilkerson inquired on the county owned gravel pit property that are leased for grazing purposes. There was discussion of committing to a future Board.

Walker stated that committing to a future Board only applies to contract services and the contract should include a non-appropriations clause allowing the ability to cancel a contract.

Wilkerson stated it would be more desirable to a landowner if the lease were for a five-year term.

Walker stated the Board cannot bind the county to a payment for a different fiscal year.

Lyndon Haines moved, seconded by Gordon Wilkerson, to go into executive session at 10:22 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,

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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; Lyndon Haines, Aye; Nate Marvin, Aye.

Lyndon Haines stated they were out of executive session at 10:38 a.m.

IN THE MATTER OF PLANNING AND ZONING)

Bonnie Brent, Planning and Zoning Administrator, met with the Board. Brent discussed the Jon and Sandy Bethke Special Use Request with the Board. Brent stated that the Planning and Zoning Commission had recommended denial of the Request.

Jeri Soulier addressed the Board. Soulier stated that this was the first time the Planning and Zoning Commission had received negative feedback from the surrounding neighbors. Soulier requested that the Board consider allowing an additional 30 days to allow the family member to move to Idaho. If that is not possible then the mobile home would be removed from the property.

Brent discussed the general standards to allow for a temporary dwelling. Brent stated that it is within 1,000 feet of a CAFO (Confined Animal Feeding Operation).

Gordon Wilkerson moved, seconded by Nate Marvin, to deny the Jon and Sandy Bethke Special Use Request. Motion carried.

Brent discussed the Conger Group, Marcel Lopez on behalf of Jim Guches Special Use Request with the Board. Brent informed the Board that the Planning and Zoning Commission had recommended approval of the request.

Nate Marvin moved, seconded by Gordon Wilkerson, to approve based on the application and the Planning and Zoning recommendation of approval. Motion carried.

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. 23-28 for general expenses in the amount of \$6,527.22 was presented to the Board for review.

Smith reported the Ambulance District had twenty-four calls for service last week which included eight transfers and ten public assists/refusals for care.

Smith discussed the possibility of legislation abolishing the ability to have on-call staff for EMS (Emergency Medical Services). Smith reported he is working on the 2024 Ambulance District budget request.

Nate Marvin Moved, seconded by Lyndon to approve Order No. 23-28 for general expenses in the amount of \$6,527,22. Motion carried.

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 WICAP)

Kari Palmer and Jonathan Gonzalez with WICAP met with the Board. Palmer informed the Board that Steve Morningstar would not be attending as he retired as of April 28, 2023. Palmer stated that funding received from the county is typically used as emergency funding and homemaker services. Palmer informed the Board that reimbursement funding from the Area III Agency on Aging is currently frozen. Palmer requested \$17,500.00 in funding for the 2024 budget year.

Marvin requested that WICAP consider meeting with the Board on a more regular basis.

#### IN THE MATTER OF ROAD & BRIDGE/SOLID WASTE)

Jerod Odoms, Road and Bridge/Solid Waste Supervisor, met with the Board. Also present was Tony Edmondson with the Historical Preservation Society. Odoms provided a department update to the Board.

Odoms discussed the installation and cost of cattleguards. If purchased by the county, the cost of the cattle guard would be paid from the Road Supplies line of the budget.

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Marvin inquired on the status of the Salubria Pit sale. Odoms stated the property is subject to offers submitted by interested parties to the county.

Odoms requested that if the Board were to make changes to the grazing leases, he requested to be kept informed of any changes.

There was a discussion of the Dixie Creek Bridge. Wilkerson discussed the Middle Valley Irrigation District and the diversion dam. Wilkerson stated that the bridge will not support construction traffic. Wilkerson informed the group that the landowners are willing to build a temporary road for access to the diversion dam. Wilkerson stated he plans to request that funding come from the Historical Preservation Committee.

Marvin stated the bridge has been a low priority bridge. It was previously proposed to add a culvert. Marvin suggested that a temporary easement for construction be obtained from the landowners.

Odom stated that the State does plan to replace the bridge.

Edmondson stated that the construction of the Dixie Creek Bridge would be similar funding for the Cove Road Bridge. Edmondson stated that he did not understand how funding the Dixie Creek Bridge should come from the Historical Preservation's budget.

Marvin stated he did not believe it was the local Historical Commission's responsibility, it would fall to the State Historical Commission.

Edmondson discussed Section 106 of the Federal Code regarding historic properties. If government funding is involved in removing, replacing, or otherwise compromising a structure that has historic value, whether it is on the national register or eligible, loss has to be mitigated. Edmondson stated there is no control at the local level. Funding comes from the Federal Government funneled through the State Historic Preservation Office. If it is a transportation related project ITD (Idaho Transportation Department) and LHTAC (Local Highway Technical Assistance Council) are also involved. Edmondson stated that those entities would discuss what the mitigation process would look like. Edmondson informed the Board that four years ago the local Historical Preservation Commission had made a recommendation to restore the Dixie Creek Bridge. ITD conducted a study on the bridge at that time and the cost of repair far exceeded what would have been provided in the mitigation settlement.

Odoms stated LHTAC has postponed the work on the Dixie Creek Bridge until 2024. Odoms stated the county does not have the money to fix the bridge. Odoms further stated that the State does have funding, but the county has "to jump through hoops" to receive the funding. Odoms stated it is frustrating to him as well, but the State has the final say as to which bridges are replaced or repaired. Odoms stated it is the lowest rated bridge in the county. Odoms will gather additional information and report back to the Board.

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Marvin inquired if it were feasible to build a temporary access to allow for the needed repairs.

Wilkerson stated it was.

Marvin requested that a time be scheduled with LHTAC to discuss the matter.

Lyndon Haines moved, seconded by Gordon Wilkerson, to go into executive session at 12:25 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. Gordon Wilkerson, Aye; Lyndon Haines, Aye; Nate Marvin, Aye.

Lyndon Haines stated they were out of executive session at 12:42 p.m.

Motion by Lyndon Haines, seconded by Gordon Wilkerson and unanimously carried to recess at 12:43 p.m. until May 8, 2023, at 8:45 a.m.

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Chairman, Board of County Commissioners

ATTEST:

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Clerk

A full audio recording of the Commissioner Meeting is available at the Clerk's Office upon request.