

Twin Falls, Idaho
REGULAR APRIL MEETING
April 28, 2025, 8:00 a.m.

Chairman Hall called the Board of County Commissioners to order at 8:00 a.m. in regular session, pursuant to the recess of April 25, 2025.

PRESENT: Commissioner Rocky Matthews, Commissioner Brent Reinke,
and Commissioner Don Hall.

ABSENT: None.

STAFF: Deputy Clerk Shannon Carter.

The following proceedings were held to wit:

In the Matter of MEETINGS

Commissioners met with office staff for a weekly department meeting.

Commissioners met with Legal for a weekly department meeting.

Commissioners met with Jon Laux, Community Development Director for a quarterly department meeting.

Logan Hudson, Director of South Central Public Health District presented the Health District's FY2026 budget.

Commissioner Reinke attended a NACo Agriculture & Rural Affairs Steering Committee monthly meeting via Teams.

In the Matter of CONSENT AGENDA

Commissioners considered the Consent Agenda; items may include status sheets, employee requisitions, alcohol licenses, tax cancellations, Sheriff's Office Security Agreements, and Commissioner minutes.

Commissioner Matthews made a MOTION to approve the Consent Agenda as presented. Commissioner Reinke SECONDED. Discussion Commissioner Matthews reviewed the items in the Consent Agenda to include a status sheet for Juvenile Probation; an employee requisition for Juvenile Probation; and Commissioner minutes for April 14 – April 18, 2025. Motion Passed Unanimously.

In the Matter of BUDGET

Kristina Glascock, Clerk presented the 2nd quarter quarterly statement.

In the Matter of TAX EXEMPTIONS

Commissioners considered the annual property tax exemption short forms.

Commissioner Matthews reviewed the short forms as listed with the Board. Commissioner Matthews noted that all of the forms have been reviewed by the Board and they had no concerns.

Commissioner Matthews made a MOTION to approve the annual property tax exemption short forms as listed. Commissioner Reinke SECONDED. Motion Passed Unanimously.

	Entity Name	Parcel Number
1.	Acorn Learning Center, Inc.	PP000233395072A
2.	Bible Missionary Church Inc	RPT33010000030A
3.	Bible Missionary Church Inc	RPT3301000004AA
4.	Buhl Rodeo Association	RPB72460368510A
5.	Calvary Missionary Baptist Church	RPH9321027008AA
6.	Church of Christ of Buhl, Idaho Inc	RPB75210170060A
7.	Church of Christ of Buhl, Idaho Inc	RPB75210170070A
8.	Church of Christ of Buhl, Idaho Inc	RPB75210170080A
9.	Eastside Southern Baptist Church of Twin Falls	RPT00107116000A
10.	Family Health Services Corporation	RPB72510063020A
11.	Family Health Services Corporation	RPK8661012011AA
12.	Family Health Services Corporation	RPT1588001001AA
13.	Family Health Services Corporation	RPT15890010030A
14.	Family Health Services Corporation	RPT15890010050A
15.	Family Health Services Corporation	RPT4021000001BA
16.	Family Health Services Corporation	RPT4021000002GA
17.	Hollister Community Presbyterian Church	RPE9441047011AA
18.	Hollister Community Presbyterian Church c/o Todd Lanting	RPE9441047009AA
19.	Kimberly Christian Church	RPK8661031005AA
20.	Kimberly Christian Church	RPK8661031008AA
21.	Kimberly Church of Christ Inc.	RPK9041001002CA
22.	La Posada	RPT00011420020A
23.	La Posada	RPT00011420030A
24.	Magic Valley Arts Council	RPT4267000006BA
25.	Mountain West Council of the Boy Scouts of America	RP10S17E110001A
26.	Mustard Seed Ministries Inc.	RPT00010800110A
27.	Mustard Seed Ministries Inc.	RPT00010800120A
28.	Mustard Seed Ministries Inc.	RPT0001080013AA
29.	Mustard Seed Ministries Inc.	RPT0001080015AA
30.	Pentecostal Church of God Oregon Southern Idaho District, Inc.	RPF84010170230A
31.	Pentecostal Church of God Oregon Southern Idaho District, Inc.	RPF84010170240A
32.	Pinecrest Academy of Idaho, Inc.	RPT05060070020A
33.	Protestant Episcopal Church	RPB7241082001AA
34.	Rogerson Community Center, Inc.	RPR9481025008B
35.	Rogerson Community Center, Inc.	RPR9481025009B

36.	Southern Idaho Association of Seventh Day Adventists	RP10S17E173020A
37.	Southern Idaho Association of Seventh Day Adventists	RP10S17E173040A
38.	Southern Idaho Association of Seventh Day Adventists	RPB74710000040A
39.	Southern Idaho Association of Seventh Day Adventists	SC14S18E360000A
40.	St. Luke's Magic Valley Reg. Med Center	RPT51370010020A
41.	St. Luke's Magic Valley Regional Medical Center, LTD	RPB72460369045
42.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT0001133001AA
43.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT00107042270A
44.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT1401000018EA
45.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT18870010010A
46.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT18870010020A
47.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT2641000010CA
48.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT2641000010FA
49.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT2641000010GA
50.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT2641000013GA
51.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT38680010020A
52.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT38680010030A
53.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT38680010040A
54.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT38680010050A
55.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT3881012005AA
56.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT44710010010A
57.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT44710010050A
58.	St. Luke's Magic Valley Regional Medical Center, LTD	RPT51370010010A
59.	Valley Housing Coalition Inc	RPT2901000009BA

60.	Valley Housing Coalition Inc	RPT4461000001AA
61.	Valley View Mennonite Church LTD	RP10S15E109010A
62.	Volunteers Against Violence, Inc.	RPT0001120001AA
63.	Corp of the Presiding Bishop	RPT16980020070A

In the Matter of CONTRACTS

Commissioners considered two Food Service Agreements with ICBVI.

Commissioner Reinke reviewed the agreements with the Board. Commissioner Reinke noted that as per state code, the ICBVI has first right of refusal for any food service within government buildings. Commissioner Reinke noted that the ICBVI will put in vending machines at the Courthouse and Wright Ave.

Commissioner Reinke made a MOTION to approve the Food Service Agreements with ICBVI and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Matthews SECONDED. Motion Passed Unanimously.

In the Matter of RESOLUTIONS

Commissioners considered proposed Resolution #2025-029 to transfer funds to the Twin Falls County Fair.

Commissioner Matthews reviewed the proposed resolution with the Board. Commissioner Matthews noted that the funds are proceeds from the sale of property that was sent to auction in February. The items were purchased with fair funds so it is appropriate to return the funds.

RESOLUTION NO. 2025-029

WHEREAS, the Twin Falls County Fair Board authorized the purchase of the attached list of equipment for use at the Twin Falls County Fairgrounds; and

WHEREAS, the property was sold at auction on February 20, 2025; and

WHEREAS, the Rock Creek Auction Co. provided funds in the amount of \$6,877.49 to Twin Falls County for the sale of the listed equipment on March 10, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Twin Falls County Board of Commissioners that the funds in the amount of \$6,877.49 from the sale of the listed equipment in the attached "Exhibit A" shall be transferred to the Twin Falls County Fair.

DATED this 28th day of April, 2025.

TWIN FALLS COUNTY BOARD OF
COMMISSIONERS

/s/ Don Hall
Don Hall, Chairman

/s/ Rocky Matthews
Rocky Matthews, Commissioner

/s/ Brent Reinke
Brent Reinke, Commissioner

ATTEST:

/s/ Kristina Glascock
Kristina Glascock, Clerk

Commissioners considered proposed Surplus Property Resolution #2025-030.

Commissioner Reinke reviewed the proposed resolution with the Board.

Commissioner Reinke made a MOTION to approve Resolution #2025-030 to dispose of surplus property. Commissioner Matthews SECONDED. Motion Passed Unanimously.

RESOLUTION NO. 2025-030

WHEREAS, Twin Falls County has certain property which is no longer necessary for County use; and

WHEREAS, pursuant to Idaho Code §31-808, the Commissioners shall have the power and authority to sell or offer for sale at public auction any real or personal property belonging to the county not necessary for its use; and

WHEREAS, Twin Falls County has determined that the following vehicle and equipment are surplus property and no longer necessary for County use; and

WHEREAS, the sale of said vehicle and equipment, pursuant to Idaho Code §31-808 and §60-106, would be in the public interest

NOW, THEREFORE BE IT RESOLVED by the Twin Falls County Board of Commissioners that the following vehicles are hereby declared surplus and ordered sold at auction after the date of May 9, 2025:

1994 Chevrolet Pickup C25 Vin #1GBGK24K6RE305846
Kohler Generator Model #30RZ82, Ser#336974

DATED this 28th day of April, 2025.

TWIN FALLS COUNTY COMMISSIONERS

/s/ Don Hall
Don Hall, Chairman

/s/ Rocky Matthews
Rocky Matthews, Commissioner

/s/ Brent Reinke
Brent Reinke, Commissioner

ATTEST:

/s/ Kristina Glascock
Kristina Glascock, Clerk

There being no further business, the Board recessed until 8:00 a.m., April 29, 2025, at the Commissioners Chambers, second floor of the Twin Falls County West Facility, 630 Addison Ave West, Twin Falls, Idaho, for the transaction of further business of the Board.

Twin Falls, Idaho
REGULAR APRIL MEETING
April 29, 2025, 8:00 a.m.

Chairman Hall called the Board of County Commissioners to order at 8:00 a.m. in regular session, pursuant to the recess of April 28, 2025.

PRESENT: Commissioner Rocky Matthews, Commissioner Brent Reinke,
and Commissioner Don Hall.

ABSENT: None.

STAFF: Deputy Clerk Shannon Carter.

The following proceedings were held to wit:

In the Matter of MEETINGS

Commissioners attended an Elected Officials and Department Heads budget meeting for FY2026.

In the Matter of CONSENT AGENDA

Commissioners considered the Consent Agenda; items may include status sheets, employee requisitions, alcohol licenses, tax cancellations, Sheriff's Office Security Agreements, and Commissioner minutes.

Commissioner Reinke made a MOTION to approve the Consent Agenda as presented. Commissioner Matthews SECONDED. Discussion Commissioner Reinke reviewed the items in

the Consent Agenda to include status sheets for Juvenile Detention, the Commissioner's Office, and TARC. Motion Passed Unanimously.

In the Matter of PROCLAMATIONS

Commissioners considered a Police Week and Peace Officers Memorial Day Proclamation.

Commissioner Hall read the Proclamation for the record.

Commissioner Reinke made a MOTION to approve the Police Week and Peace Officers Memorial Day Proclamation and authorize the Chairman to sign the Joint Proclamation on behalf of the Board with the full Board signing the County Proclamation. Commissioner Matthews SECONDED. Discussion Twin Falls City Mayor Ruth Pierce spoke in support of the Joint Proclamation. Sheriff Jack Johnson spoke in support of the Proclamation. Commissioner Reinke thanked Law Enforcement for their work to keep our community safe. Commissioner Matthews noted he would like to have a parade for Law Enforcement but the proclamation would have to do. Commissioner Hall also thanked Law Enforcement for standing in the gap and helping to keep the community safe. Motion Passed Unanimously.

*Office of
Twin Falls County*

Proclamation

A PROCLAMATION by the County of Twin Falls Idaho, declaring Sunday, May 11, 2025 through Saturday, May 17, 2025, as Police Week and Thursday, May 15, 2025, as Peace Officers Memorial Day.

WHEREAS, the Congress and President of the United States have designated the week in which May 15th falls as National Police Week; and

WHEREAS, the members of the law enforcement agencies of the County of Twin Falls play an essential role in safeguarding the rights and freedoms of the residents of the County of Twin Falls; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement agency and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the law enforcement agencies of the County of Twin Falls unceasingly provide a vital public service;

NOW, THEREFORE, we, call upon all citizens of the County of Twin Falls and upon all patriotic, civic and educational organizations to observe the week of May 11, 2025 through May 17, 2025, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

FURTHERMORE, we call upon all citizens to observe May 15, 2025, as Peace Officers Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their communities or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

In witness whereof, we have hereunto set our hand and caused this seal to be affixed.

/s/ Don Hall
Don Hall

/s/ Rocky Matthews
Rocky Matthews

/s/ Brent Reinke
Brent Reinke

Date: April 29, 2025

In the Matter of ZONING

Commissioners considered the final plat for Rim Rock Estates Subdivision.

Laura Wilson reviewed the final plat for Rim Rock Estates Subdivision with the Board. Ms. Wilson noted that all county requirements had been met.

Commissioner Matthews made a MOTION to approve the final plat documents for Rim Rock Estates Subdivision and authorize the Chairman to sign the necessary documents on behalf of the Board. Commissioner Reinke SECONDED. Motion Passed Unanimously.

In the Matter of CONTRACTS

Commissioners considered a Grazing Lease Agreement with Kyle Turner.

Kali Sherrill reviewed the grazing lease agreement with the Board. Ms. Sherrill noted that the property has restricted access through private property. The lease agreement will allow Mr. Turner to graze cows on the lot which will help manage the weeds. Mr. Turner will pay \$100.00 per year

for the use. Commissioner Matthews noted that the area has limited access and the agreement will help the parks department by managing the weeds and grass on the lot.

Commissioner Reinke made a MOTION to approve the grazing lease agreement with Kyle Turner contingent upon receipt of a certificate of insurance and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Matthews SECONDED. Motion Passed Unanimously.

In the Matter of PUBLIC HEARINGS

Commissioners conducted a public hearing to consider the matter remanded by the Twin Falls County District Court in Case No. CV42-24-0558, a denial of a Conditional Use Permit and Preliminary Plat Permit application filed by Richard Pierson. **

Commissioner Hall opened the hearing at 10:30 a.m.

Commissioner Hall outlined the process for today's hearing. Commissioner Hall gave the following summary of the District Court's order and its implications. "We will then provide the applicant and any affected persons the opportunity to present argument. Those of you in the room may have been at prior hearings where we or the Planning and Zoning Commission heard testimony. We are not going to hear evidence or testimony today, but only legal argument. I want to explain the difference, because these are legal terms that might be confusing. Evidence or testimony is something that you swear to under oath. It's usually something you have witnessed with your own eyes or something you have an expertise in. For example, it would be evidence if you told us today that you have seen three car crashes at the intersection of 4500 North and 1600 East. Similarly, it would be evidence if you told us that you have a doctorate in water resource engineering, and gave us your opinion about how the water used by 23 households would affect the aquifer. **We are not going to be hearing evidence or testimony today.**"

"What we are going to be hearing today is **argument**. I don't mean argument in the sense of raised voices or name-calling. I mean argument in the sense of persuading us of what the Board of County Commissioners should do in this case, in the light of the evidence that has been collected throughout this application process and in the light of the law that applies."

"We are going to limit argument to **affected persons** and their representatives. According to Idaho Code 67-6521, an affected person is "one having a bona fide interest in real property which may be adversely affected by the approval, denial, or failure to act upon an application for a subdivision." Section 8-7-6 of the Twin Falls County Code states that notice of applications for a conditional use permit are sent to property owners within 300 feet of the exterior boundary of a proposal. Property owners within 300 feet of this proposed project are certainly affected persons."

"The applicants or their representative will have **15 minutes** for argument, and other affected persons or their representatives will have **5 minutes** each for argument."

"Commissioners may ask questions as needed. Following argument, the Board will deliberate and issue its decision. Before we begin considering the case, I'd like to turn some time over to Commissioner Rocky Matthews to talk about his prior involvement in the matter."

Commissioner Matthews noted that he chaired the original P&Z meeting for the application and the original denial. Commissioner Matthews stated he felt it was appropriate to recuse himself due to his involvement in the original process. Commissioner Hall stated that Commissioner Matthews has no financial interest in the process, however due to his involvement in the original decision there could be a perceived conflict so it was appropriate for Commissioner Matthews to recuse himself.

Commissioner Hall reviewed the Procedural History of the matter.

“As background, the Board previously rendered a decision on November 13, 2023, regarding the Piersons’ applications for a Conditional Use Permit and Preliminary Plat. That decision was subsequently challenged and taken to judicial review before the Twin Falls County District Court. On February 21, 2025, the Court set aside the Board’s decision and remanded the matter back to us for further proceedings.”

“Today’s date is April 29, 2025. Today is the day the Board has scheduled to address the decision of the District Court.”

Commissioner Hall reviewed the Record on Appeal

Pursuant to Twin Falls County Code 8-20-7 the matters considered were confined to the record produced from the parties and arguments presented today.

The following documents were submitted part of the record of the Appeal:

- The Conditional Use Permit Application Packet including: staff reports, agency letters, and the Planning and Zoning Commission’s Written Decision.
- Appeal Application Packet including: the appeal application; written statement explaining the basis for the appeal; written statements of respondents; and the transcript of the planning and zoning commission proceedings.

Commissioner Hall reviewed the Laws Considered

The Board considered the following statutes, ordinances, and standards:

- Title 8, Chapter 6, Article D of Twin Falls County Code regarding Rural Residential Zone
- Title 8, Chapter 7 of Twin Falls County Code regarding Conditional Uses
- Title 8, Chapter 20 of Twin Falls County Code regarding appeals
- Title 10, Chapter 2 of Twin Falls County Code regarding preliminary plat applications
- The Twin Falls County Comprehensive Plan
- Idaho Code 67-5279, the Court’s scope of review under the Administrative Procedures Act
- Idaho Code 67-6512 about applications for conditional uses
- Idaho Code 67-6513 regarding standards for subdivision ordinances
- Idaho Code 67-6535 regarding the requirement for approvals or denials of land use applications to be based upon express standards and to be in writing

Commissioner Hall reviewed a summary of the Court’s Decision

The District Court's decision on judicial review found that the Board's October 2023 decision violated Idaho Code Section 67-5279 and Idaho Code Section 67-6535. Specifically, the Court found that:

- The Board's Final Decision failed to apprise Petitioners of the insufficiency of their applications and failed to explain the basis of its decision; and
- The Final Decision of the Board failed to make findings of fact that resolve the conflicting evidence presented to the Commission; and
- The Board "failed to adequately explain why it found some evidence in the record to be more persuasive than the Commission's findings."

Commissioner Hall reviewed the Argument Portion of Hearing

"At this time, we will take comments from the applicants and other affected persons about the application. Again, we are not going to hear evidence, but we are only going to hear argument. We ask that you do not testify about what you personally know about the property, but we want to hear legal argument. In other words, we'd like to hear what you think we should do in light of the law and the evidence that was provided previously."

"We will start with the applicants (Richard and Bonnie Pierson) or their representative (Ted Larson) (15 minutes)"

Ted Larson spoke on behalf of Richard and Bonnie Pierson. Mr. Larson reviewed the history of the application and the decision of the Board. Mr. Larson asked the Board to reverse their decision and approve the application. Mr. Larson reviewed the Board's previous decision and points for denial. Mr. Larson discussed the decision on the water issue and the proposed subdivision and its expected water usage. Mr. Larson reviewed the decision point which found that the subdivision was not compatible with the area, the comprehensive plan and the zoning definitions and designations within the county. Mr. Larson reviewed the roadway point made by the Board in its decision. Mr. Larson reviewed the character change point made by the Board in its decision and the preservation of prime farm land. Mr. Larson noted the Board found the application was complete and with a lack of evidence to counter the complete application, Mr. Larson recommended that the Board approve the application.

Commissioner Hall asked Mr. Larson whether he had reviewed the proposed findings of fact submitted by Kelly Anderson on behalf of Ann Armitage. Mr. Larson stated he had not seen the letter.

Ann Armitage spoke and stated that her attorney submitted a letter and requested the Board read the letter for the record. Commissioner Reinke read the letter for the record. The letter requested that the Board uphold the Board's previous denial and included a suggested draft of a findings of fact.

Ezra Eames (EBECO) attended via conference call and spoke in support of the application and recommended that the Board approve the applications submitted for the subdivision.

Chase Cantrell, the grandson of Georgia Cantrell, requested to speak on behalf of his grandmother. Commissioner Hall noted that Ms. Cantrell did not provide a letter of representation so Mr. Cantrell would not be allowed to speak.

Denise Fuller (Tunnel Creek Ranch) spoke in opposition to the application.

Pam Blenderman spoke in opposition to the application. Ms. Blenderman stated the traffic study that was done was not good enough to show the traffic in the fall and spring. Ms. Blenderman stated that she would like to see a better traffic study done and a water study done.

Edward Richards spoke in support of the application. Mr. Richards stated he trusts the water study and does not see a lot of traffic and he is in support of the development.

Commissioner Hall gave the applicants an opportunity to present any final argument.

Mr. Ted Larson reviewed the record and asked the Board to follow the code and approve the applications.

Commissioner Hall closed the presentation and argument portion of the hearing and began deliberation at 11:45 a.m. Commissioner Hall noted that the Board would consider the arguments presented today and the evidence in the record in order to determine the appropriate action consistent with the District Court's order and Idaho law.

Commissioner Hall reviewed the decision options, which were to affirm, reverse, modify or remand and noted that he was not in favor of remanding the decision back to the Planning and Zoning Commission. Commissioner Hall noted that there is significant information in the record and he had concerns with what should and shouldn't be considered by the Board. Commissioner Reinke noted that he read the court's decision and there were several items that the Board need to carefully consider. Commissioner Reinke stated that he is concerned with the future and will take that information into consideration with his decision. In addition, the Board will need to weigh the comprehensive plan and personal property rights in their decision. Commissioner Reinke stated he also feels that the Board should make the decision and not remand it back to the P&Z Commission. Commissioner Hall stated he felt that he needed more time to review the record in order to make a good decision as land use decisions are difficult and this issue is expected to be further litigated. Commissioner Hall stated he would be in favor of taking further time to review the record and then set another meeting to deliberate and issue a decision. Commissioner Reinke noted that he agrees and would also like more time to review the record and evidence to make sure what is appropriate to consider. Commissioner Hall stated that he doesn't feel like he can issue a decision at this time based upon the volume of information that needs review in order to determine what evidence and testimony that the Board can and can't consider in order to issue a proper findings of fact. Commissioner Hall recommended setting another hearing within 45 days for the Board to further deliberate and issue a decision. Commissioner Hall noted that the Board will follow the decision with a written findings of fact after the verbal decision is made.

Commissioner Reinke made a MOTION continue the hearing to be held within 45 days to further deliberate and issue a decision on the issue. Commissioner Hall SECONDED. Discussion Commissioner Reinke stated the decision is important and the Board has a lot of information to consider. Commissioner Hall stated that the Board needs to carefully consider the information and has an obligation to look out for public safety. Motion Passed Unanimously. (Commissioner Matthews recused himself from the process.)

There being no further business, the Board recessed until 8:00 a.m., April 30, 2025, at the Commissioners Chambers, second floor of the Twin Falls County West Facility, 630 Addison Ave West, Twin Falls, Idaho, for the transaction of further business of the Board.

Twin Falls, Idaho
REGULAR APRIL MEETING
April 30, 2025, 8:00 a.m.

Vice-Chairman Reinke called the Board of County Commissioners to order at 8:00 a.m. in regular session, pursuant to the recess of April 27, 2025.

PRESENT: Commissioner Rocky Matthews, Commissioner Brent Reinke, and
Commissioner Don Hall.

ABSENT: None.

STAFF: Deputy Clerk Shannon Carter.

The following proceedings were held to wit:

In the Matter of MEETINGS

Commissioners attended the Idaho Association of Counties Spring County Officials Institute.

There being no further business, the Board recessed until 8:00 a.m., May 1, 2025, at the Commissioners Chambers, second floor of the Twin Falls County West Facility, 630 Addison Ave West, Twin Falls, Idaho, for the transaction of further business of the Board.

Twin Falls, Idaho
REGULAR MAY MEETING
May 1, 2025, 8:00 a.m.

Chairman Hall called the Board of County Commissioners to order at 8:00 a.m. in regular session, pursuant to the recess of April 30, 2025.

PRESENT: Commissioner Rocky Matthews, Commissioner Brent Reinke, and
Commissioner Don Hall.

ABSENT: None.

STAFF: Deputy Clerk Shannon Carter.

The following proceedings were held to wit:

In the Matter of MEETINGS

Commissioner Reinke attended a Kiwanis meeting.

In the Matter of COMMISSIONER PROCEEDINGS

Commissioner Matthews made a MOTION to go into executive session at 9:00 a.m. pursuant to Idaho Code §74-206 (D) records exempt from disclosure – hospital care, medical records. Commissioner Reinke SECONDED. Motion passed after roll call vote. (Hall yes, Matthews yes, Reinke yes)

Commissioners returned to regular session at 9:05 a.m.

In the Matter of INDIGENT

Commissioners considered County Assistance applications.

Commissioner Reinke made a MOTION to approve the document for Full Reconveyance with Lost Document Indemnity for case number 97592 and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Matthews SECONDED. Discussion Commissioner Reinke noted that paperwork was lost on this case and this document will close out the file. Motion Passed Unanimously.

Commissioner Matthews made a MOTION to approve case number 104786 for rent assistance in the amount of \$2,135.00. Commissioner Reinke SECONDED. Discussion Commissioner Reinke noted that the client has resources and the plan forward to pay future rent is inadequate. Commissioner Matthews noted that the county is not last resource. Commissioner Hall noted that the client has had opportunities and resources which were used poorly. Motion Failed Unanimously.

In the Matter of CONSENT AGENDA

Commissioners considered the Consent Agenda; items may include status sheets, employee requisitions, alcohol licenses, tax cancellations, Sheriff's Office Security Agreements, and Commissioner minutes.

Commissioner Matthews made a MOTION to approve the Consent Agenda as presented. Commissioner Reinke SECONDED. Discussion Commissioner Matthews reviewed the items in the consent agenda to include status sheets for the Clerk's Office and the Assessor's Office; alcohol catering permits for Paleteria y Neveria M Linda Michoacana at Idaho Central Legacy Fields on May 18th and for Woody's 2.0 at the Twin Falls County Fairgrounds on May 3, 2025; and Commissioner Minutes for April 21 – April 25. Motion Passed Unanimously.

In the Matter of RESOLUTIONS

Commissioners considered proposed Resolution #2025-031 Records Destruction – Jail.

Captain Doug Hughes reviewed the requested records for destruction with the Board.

Commissioner Reinke made a MOTION to approve Resolution #2025-031 for Records Destruction in the Jail. Commissioner Matthews SECONDED. Motion Passed Unanimously.

RESOLUTION NO. 2025-031

WHEREAS, the Twin Falls County Juvenile Detention Department has files that are in need of destruction; and

WHEREAS, Idaho Code § 31-871 governs the retention and destruction of county records and classifies records as permanent, semi-permanent, and temporary, and further directs the county commissioners to classify records not specifically listed in that code; and

WHEREAS, Idaho Code § 31-871(2) requires that permanent records be retained for not less than 10 years; semi-permanent records be retained for not less than five years after the date of issuance or completion of the matter contained within the record; and temporary records shall be retained for not less than two years; and

WHEREAS, Idaho Code § 31-871(2) states that records may be destroyed by Resolution of the Board of County Commissioners after regular audit and upon the advice of the Prosecuting Attorney;

NOW, THEREFORE, BE IT RESOLVED by the Twin Falls County Board of Commissioners that the Juvenile Detention Department's office records listed in the attached “Exhibit A” are classified as set forth and may be destroyed.

DATED this 1st day of May, 2025.

TWIN FALLS COUNTY BOARD OF COMMISSIONERS

/s/ Don Hall
Don Hall, Chairman

ATTEST:

/s/ Rocky Matthews
Rocky Matthews, Commissioner

/s/ Kristina Glascock
Kristina Glascock, Clerk

/s/ Brent Reinke
Brent Reinke, Commissioner

There being no further business, the Board recessed until 8:00 a.m., May 2, 2025, at the Commissioners Chambers, second floor of the Twin Falls County West Facility, 630 Addison Ave West, Twin Falls, Idaho, for the transaction of further business of the Board.

Twin Falls, Idaho

REGULAR MAY MEETING
May 2, 2025, 8:00 a.m.

Chairman Hall called the Board of County Commissioners to order at 8:00 a.m. in regular session, pursuant to the recess of May 1, 2025.

PRESENT: Commissioner Rocky Matthews, Commissioner Brent Reinke, and
Commissioner Don Hall.

ABSENT: None.

STAFF: Deputy Clerk Shannon Carter.

The following proceedings were held to wit:

In the Matter of MEETINGS

Commissioner Reinke attended a Board of Community Guardians meeting.

In the Matter of ELECTIONS

Commissioners attended a public test of the ballot counting machines.

In the Matter of PUBLIC HEARINGS

Commissioners conducted a public hearing to consider updating Twin Falls County Code Title 3 Chapter 1-Liquor Control and Title 5 Chapter 1-Public Assemblies, and consideration of proposed Ordinance #289 for the same.

Commissioner Hall opened the public hearing at 10:30 a.m.

No public was present to comment on the proposed code update.

Commissioner Matthews reviewed the proposed updated code with the Board. Commissioner Matthews noted that the new Ordinance and code repealed and replace approximately 7 previous ordinances and replaced them with the new one.

Commissioner Hall closed the public hearing at 10:35 a.m.

In the Matter of ORDINANCES

Commissioners considered proposed Ordinance #289 updating Twin Falls County Code Title 3 Chapter 1-Liquor Control and Title 5 Chapter 1-Public Assemblies.

Commissioner Matthews made a MOTION to approve Ordinance #289 which updates Twin Falls County Code Title 3 Chapter 1-Liquor Control and Title 5 Chapter 1-Public Assemblies. Commissioner Hall SECONDED. Motion Passed Unanimously. (Reinke absent)

Ordinance No. 289

An ordinance repealing and replacing previous editions of Twin Falls County Code Title 3, Chapter 1, and Title 5, Chapter 1, to: eliminate the requirement for a County-issued “Special Permit” for the possession, consumption, or sale of alcoholic beverages on County property; remove the restriction on sale of liquor on election day; add a requirement for public assembly permits at events with 300 people or more and which include alcohol or loud sound; and update the requirements for medical service at public assemblies.

Be it ordained by the Board of County Commissioners of Twin Falls County, Idaho, that Twin Falls County Code Title 3, Chapter 1, and Title 5, Chapter 1, be adopted as follows:

CHAPTER 1 LIQUOR CONTROL

SECTION:

3-1-1: Purpose

3-1-2: Definitions

3-1-3: Days and Times When Alcoholic Liquor May Be Sold

3-1-4: Catering Permits and Other Requirements

3-1-1: PURPOSE:

It is the purpose of this Chapter to regulate the days and times which alcoholic liquor may be sold in Twin Falls County.

3-1-2: DEFINITIONS:

ALCOHOLIC LIQUOR: “Alcoholic liquor,” as the term is used in this Chapter, includes:

(a) “Alcohol,” meaning the product of distillation of any fermented liquor, rectified once or more than once, whatever may be the origin thereof, or synthetic ethyl alcohol.

(b) “Spirits,” meaning any beverage which contains alcohol obtained by distillation mixed with drinkable water and other substances in solution, including, among other things, brandy, rum, whiskey and gin.

(c) Any liquid or solid, patented or not, containing spirits, and susceptible of being consumed by a human being for beverage purposes and containing more than four percent (4%) of alcohol by volume.

3-1-3: DAYS AND TIMES WHEN ALCOHOLIC LIQUOR MAY BE SOLD

- A. State Liquor Store Sales on Sunday: Alcoholic liquor may be sold or delivered by any state liquor store or distributing station in Twin Falls County on any Sunday which does not fall on Christmas Day.
- B. Times When Sale of Liquor by the Drink is Prohibited: In accordance with Idaho Code section 23-927, it is unlawful for liquor to be sold between the hours of one o'clock (1:00) a.m. to ten o'clock (10:00) a.m.
- C. Days When Liquor May Be Sold by the Drink: In addition to the days listed in Idaho Code section 23-927, licensed premises in Twin Falls County may choose to sell alcoholic liquor by the drink on Memorial Day, on Thanksgiving Day, and/or on any Sunday which does not fall on Christmas Day.

3-1-4: CATERING PERMITS AND OTHER REQUIREMENTS:

State laws about alcoholic beverages, including the requirements for the issuance of alcohol beverage catering permits, are contained in the Idaho Liquor Act at Title 23 of Idaho Code.

CHAPTER 1
PUBLIC ASSEMBLIES

SECTION:

5-1-1: Purpose

5-1-2: Definitions

5-1-3: When a Permit is Required

5-1-4: Timing of Application

5-1-5: Contents of Application

5-1-6: Revocation of Permit

5-1-7: Removal of Structures

5-1-8: Violation; Penalty

5-1-1: PURPOSE:

The purpose of this chapter is to regulate the assemblage of large numbers of people in order that health, sanitary, fire, police, transportation, and utility services may be provided for the protection of the health, safety, and welfare of all persons in the County.

5-1-2: DEFINITIONS:

ASSEMBLY OR PUBLIC ASSEMBLY: A group of persons gathered together at any location at any single time for any purpose.

LOUD SOUND: Any noise or sound created at the public assembly that measures at ninety-six (96) or more decibels.

PERSON: Any individual natural human being, partnership, corporation, firm, company, association, society, or group.

5-1-3: WHEN A PERMIT IS REQUIRED:

A. Permits Are Required for the Following Public Assemblies:

1. Three hundred (300) people or more and alcohol or loud sound: No person shall permit, maintain, promote, conduct,

advertise, act as entrepreneur, undertake, organize, manage or sell or give tickets to an assembly, whether on public or private property, where: (a) three hundred (300) or more people are in attendance or are reasonably anticipated to attend; and (b) where alcohol will be consumed and/or loud sound will be present; unless a permit to hold the assembly has first been issued by the Board of County Commissioners.

2. Five hundred (500) people or more: No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage or sell or give tickets to an assembly where five hundred (500) or more people are in attendance or are reasonably anticipated to attend, whether on public or private property, unless a permit to hold the assembly has first been issued by the Board of County Commissioners.

- B. Multiple Locations: A separate permit shall be required for each non-contiguous location in which portions of an event take place if the individual location would require a permit for the portion(s) of the event taking place at that location. Approval conditions set by the Board of County Commissioners shall apply to each location.
- C. Maximum Number of Attendees: A permit shall permit the assembly of no more than the maximum number of people stated in the permit. The permittee shall not sell tickets to, nor permit to assemble at the permitted location, more than the maximum number of allowed people.
- D. Location of Event: No permit shall be issued to any anticipated assembly of five hundred (500) or more people where the proposed location is within one-quarter ($\frac{1}{4}$) mile of the mean high-water mark of the Snake River and Rock Creek; or where said location may be hazardous, dangerous or detrimental to the public health, safety, and/or welfare; unless the Board has found that appropriate public health, safety, and welfare precautions have been taken.
- E. Conditions for Approval: The Board of County Commissioners may make approval of public assembly permits conditional. The conditions may be based on the characteristics of the site; the likely impacts on

neighbors; the needs of the event; or any other thing that advances the public health, safety, and/or welfare.

F. Exceptions:

1. Allowed in zone: This chapter shall not apply to any business, church, school, or other organization which is holding a gathering which is allowed in the zone where the gathering will be held.
2. Allowed by permit: This chapter shall not apply to any business, church, school, or other organization which is holding a gathering which complies with a Special Use Permit or Conditional Use Permit granted for the property where the gathering will be held.
3. Fairs: This chapter shall not apply to government-sponsored fairs held on regularly-established fairgrounds.
4. City limits: This chapter shall not apply within any incorporated municipality.
5. Expressive activity: This chapter shall not apply to spontaneous gatherings, for the purpose of expressive activity, that occur in response to breaking or emerging news.

5-1-4: TIMING OF APPLICATION:

- A. An application must be submitted to the County Commissioner's Office sixty (60) days in advance of the assembly.
- B. The Board of County Commissioners may forward the application to relevant stakeholders, including the following, for review:
 1. The County Sheriff or his designee may provide a recommendation on the security plan and/or the traffic control plan to the County Commissioners at least thirty (30) days prior to the proposed assembly.
 2. The appropriate fire district may provide a recommendation on the fire protection plan to the County Commissioners at least thirty (30) days prior to the proposed assembly.

3. The appropriate highway district may provide a recommendation on the traffic control plan at least thirty (30) days prior to the proposed assembly.

C. Late Applications: Depending on the schedule of the Board and the complexity of the application, applications received less than sixty (60) days prior to an assembly may or may not be reviewed by the Board.

D. Items Due After Application Submitted:

1. Certificate of Insurance: A Certificate of Insurance shall be filed with the County Commissioners at least fifteen (15) days prior to the beginning of the assembly.

2. Bond: If the Board of County Commissioners has required a bond, the bond must be submitted to the County Commissioners at least fifteen (15) days prior to the date of the assembly.

3. Proof of compliance: Proof of compliance with this chapter and any conditions found necessary by the Board of County Commissioners must be submitted to the Board at least fifteen (15) days prior to the beginning of the assembly. The permit will not be issued until appropriate requirements have been met.

5-1-5: CONTENTS OF APPLICATION:

The application shall be accompanied by an application fee as set by the board of County Commissioners.

Each application shall contain the following:

A. Location of Property: The address and legal description of all property upon which the assembly is to be held.

B. Signature of Landowner: A statement made upon oath or affirmation by the record owner(s) of all such property that the applicant has the landowner's permission to use such property for an assembly with the maximum number of persons stated in the application.

- C. Signature of Applicant: A statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application in the case of an individual or corporation; by all partners in the case of a partnership; or by all officers of an association, society, or group, or, if there are not officers, by all members of such association, society or group.
- D. Information about Signatories: The name, residence address, and mailing address of all people required to sign the application. In the case of a corporation, a certified copy of the articles of incorporation is required together with the name, residence address, and mailing address of each person holding ten percent (10%) or more of the stock of said corporation.
- E. Right of Entry: The applicant shall agree that, if the County issues a permit, the Sheriff and Sheriff's deputies shall be allowed entry to the public assembly to enforce provisions of the permit or this chapter.
- F. Number of People at Assembly: The maximum number of people which will be assembled or admitted to the location of the assembly provided, however, that the maximum number shall not exceed the maximum number which can reasonably assemble at the location of the assembly in consideration of the nature of the assembly, or the maximum number of people allowed to sleep within the boundaries of the location of the assembly by the zoning ordinances of the County if the assembly is to continue overnight.
- G. Number of Tickets: The maximum number of tickets to be sold, if any.
- H. Purpose of Assembly: The nature or purpose of the assembly.
- I. Length of Assembly: The total number of days and/or hours during which the assembly is to last.
- J. How Occupancy will be Limited: The plans of the

applicant to limit the maximum number of persons permitted to assemble.

K. Requirements at Applicant's Expense: Before they may be issued a permit, the applicant shall provide proof that they will furnish at their own expense before the assembly commences:

1. Health requirements:

a. Water: The plan for supplying potable water including the source, amount available, and location of outlets sufficient to meet all federal and state requirements for purity, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of at least one gallon per person per day; and

b. Toilet facilities: The plans for providing separate enclosed toilets, meeting all state and local specifications, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled at the rate of at least one toilet for every one hundred (100) persons; an efficient sanitary means of disposing of waste matter deposited therein, which is in compliance with all state and local laws and regulations; handwashing stations, and a continuous supply of soap and paper towels shall be provided with each toilet; and

c. Garbage: the plans for providing a sanitary method of disposing of solid waste, in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least two and one-half ($2\frac{1}{2}$) pounds of solid waste per person per day, together with a plan for holding and a plan for collecting all such waste and sufficient trash cans with tightfitting lids and personnel to perform the task; and

d. Emergency medical service providers: plans for providing emergency medical service providers, licensed to practice in the state of Idaho, sufficient to provide emergency assistance for the maximum number of people to be assembled at the rate of at least two emergency medical service providers for every two thousand (2,000) people; together with an enclosed covered facility where treatment

may be rendered including the location of the medical facility, the hours of availability of emergency medical service providers, and provisions for emergency ambulance service.

2. Lighting: If the assembly is to continue during hours of darkness, plans to provide illumination sufficient to light the central area of the assembly, including the medical and health facilities; but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly. The plans shall include the source of power, the amount of power, and the location of lamps.

3. Parking: The plans for a parking area inside of the assembly grounds sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least one parking space for every four (4) persons. Plans shall include the size and location of lots, points of highway access, and interior roads including routes between highway access and parking lots. In the event that the site and access to it cannot handle the number of people expected to attend the assembly, the County Commissioners can require the promoter to provide parking at other sites with transportation between the parking site and the site of the assembly to be provided by the promoter.

4. Emergency communication: The plans for a dependable method of communication sufficient to provide service for the maximum number of people to be assembled, at the rate of at least one separate device for each two thousand (2,000) persons, including the source, number, and location of communication devices.

5. Camping facilities: If the assembly is a multi-day event and will include camping, plans shall be provided describing camping facilities that are in compliance with all federal, state and local requirements.

6. Security guards: The plans for security, including the number of guards and hours of availability, using either regularly-employed, duly sworn off-duty peace officers of the state of Idaho; private guards licensed in the County; or other qualified individuals sufficient to provide adequate security for the maximum number of people to be assembled at the rate of

at least one security guard for every two hundred fifty (250) people as a minimum shall be provided by the promoter.

7. Fire protection: The plans for fire protection including the number, type, and location of all protective devices including alarms, extinguishers, fire lanes, and escapes sufficient to meet all federal, state, and local standards for the location of the assembly and sufficient emergency personnel to efficiently operate the required equipment.

8. Food concessions: The plans for food concessions and concessionaires (if any) who will be allowed to operate on the ground, including the names and addresses of all concessionaires and their license or permit numbers.

9. Traffic control: Plans for an emergency entrance and exit to and from the site of the proposed assembly. Said emergency entrance and exit shall be kept open at all times for the use of emergency vehicles. The promoter is responsible for providing traffic control personnel.

10. Insurance policy: A Certificate of Insurance, filed with the Board of County Commissioners, underwritten by an insurance company licensed to do business in Idaho in the minimum amount of one million dollars (\$1,000,000.00), which shall indemnify and hold harmless Twin Falls County or any of its agents, officers, servants and employees from any liability or causes of action which might arise by reason of granting this permit, and from any cost incurred in cleaning up any waste material produced or left by the assembly, at the site or surrounding areas. A Certificate of Insurance shall be filed with the County Commissioners at least fifteen (15) days prior to the beginning of the assembly.

11. Performance bond: At the discretion of the Board of Twin Falls County Commissioners, a performance bond may be required to ensure compliance with all terms of this chapter and/or to pay for potential damage to adjoining or non-adjoining properties within one thousand (1,000) feet of the site of the proposed assembly.

5-1-6: REVOCATION OF PERMIT:

The permit may be revoked by the County at any time if the conditions necessary for the issuing of, or contained in, the permit

are not complied with, or if any condition previously met ceases to be complied with.

5-1-7: REMOVAL OF STRUCTURES:

All structures, installations, excavations and construction shall be removed by the permittee from the site of the assembly at the termination of the event. In the event this is not accomplished within ten (10) days after the assembly, the County is authorized to accomplish the removal and charge the cost of the removal against the performance bond or the permittee.

5-1-8: VIOLATION; PENALTY:

- A. Public Assembly Without Permit: No public assembly for which a permit is required shall take place without a permit. A landowner, leaseholder, promoter, ticket-seller, or other person who holds, organizes, or allows such an assembly, or in any manner violates this chapter, shall be guilty of a misdemeanor with penalties as set forth in Twin Falls County Code 1-4-1. Each day of violation shall be considered a separate offense.
- B. Violation of any conditions of a Permit are punishable as follows:
 - 1. For a first violation the violator will be deemed guilty of an infraction and shall pay the fixed penalty of \$200.00
 - 2. For a second violation within two (2) years, the violator will be deemed guilty of a second offense infraction and shall pay the fixed penalty of \$300.00.
 - 3. For a third violation within three (3) years, the violator will be deemed guilty of a misdemeanor and may be fined up to one thousand dollars (\$1,000.00) and may be jailed for up to six (6) months. In addition, applicants and/or the venue promoter shall be barred from applying for any future public assembly permit for 5 years from the date of the first violation.
 - 4. Each day of violation shall be considered a separate offense.

APPROVED AND ADOPTED this 2nd day of May, 2025.

TWIN FALLS COUNTY BOARD OF COMMISSIONERS

/s/ Don Hall
Don Hall, Chairman

/s/ Rocky Matthews
Rocky Matthews, Commissioner

ATTEST:

/s/ Brent Reinke
Brent Reinke, Commissioner

/s/ Kristina Glascock
Kristina Glascock, Clerk

There being no further business, the Board recessed until 8:00 a.m., May 5, 2025, at the Commissioners Chambers, second floor of the Twin Falls County West Facility, 630 Addison Ave West, Twin Falls, Idaho, for the transaction of further business of the Board.