

Twin Falls, Idaho
REGULAR DECEMBER MEETING
December 30, 2024, 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 December 26, 2024.

PRESENT: Commissioner Jack Johnson, 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.

In the Matter of COMMISSIONER PROCEEDINGS

Commissioner Johnson made a MOTION to go into executive session at 9:22 a.m. pursuant to Idaho Code §74-206 (F) records exempt from the public for potential litigation. Commissioner Reinke SECONDED. Motion passed after roll call vote. (Hall yes, Johnson yes, Reinke yes)

Commissioners returned to regular session at 9:50 a.m.

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.

No items to consider.

In the Matter of ZONING

Commissioners reconsidered an order Reversing the Decision of the Planning and Zoning Commission on Remand for a Telecommunications Facility, Conditional Use Permit Application filed by Hanfen Inc.

Commissioner Hall reviewed the record and the Laws considered in the matter of a request for reconsideration of the Board of County Commissioners' order Reversing the Decision of the Planning and Zoning Commission on Remand, to deny a Conditional Use Permit to Vertical Bridge on behalf of Hanfen Inc. for a Telecommunications Tower on land (of approximately 40 acres) located at approximately Section 16, Township 11 South, Range 18 East BM in Twin Falls County. The Board of County Commissioners issued their written decision on appeal on December 3, 2024. On December 17, 2024 the Applicant filed a motion for reconsideration.

Laws Considered:

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

- Title 10 of the Twin Falls County regarding Subdivisions.
- Title 8, Chapter 20 of Twin Falls County Code regarding appeals.
- Title 8, Chapter 7 of Twin Falls County Code regarding Conditional Uses.
- Title 8, Chapter 16 of Twin Falls County Code regarding Telecommunication Towers.
- The Twin Falls County Comprehensive Plan.
- Federal Telecommunications Act of 1996

Commissioner Hall swore in all parties giving testimony.

Liz Walker, Attorney for Hanfen Inc. and Vertical Bridge, Tyler Rands, Attorney for affected Persons, collectively “Friends of Valley View”.

Tyler Rands, Friends of Valley View, reviewed the request for reconsideration and noted that he will not be presenting any new information. Mr. Rands noted there are procedural irregularities and lack of evidentiary support, and then reviewed those items with the Board. Mr. Rands discussed the location of the tower and noted that the record/minutes did not reveal a good reason for the location. Mr. Rands stated that standard of least intrusive means needs to be reviewed and he felt the proposed location is the most intrusive means. Mr. Rands reviewed the concerns of colocation and interference and he felt that those issues needed further review and consideration by the Board. Mr. Rands stated the issue is one of discretion and the Telecommunications Act does allow for discretion. Mr. Rands asked the Board to review the least intrusive means issue and develop testimony for colocation.

Liz Walker, Hanfen Inc. and Vertical Bridge, spoke and noted that they oppose the request for reconsideration. Ms. Walker reviewed the application and noted that they met all the code requirements and went beyond and answered additional questions regarding the need for the tower. Ms. Walker noted they provided testimony from specialists that demonstrated the need for the tower. Ms. Walker reviewed the points addressed in the reconsideration request. Ms. Walker noted that the interference issue is not an issue that the Board could use to deny the site. Ms. Walker addressed the concerns with colocation, least intrusive means and the other items in the appellants request for reconsideration. Ms. Walker requested that the Board affirm their decision and allow the project to move forward.

Commissioner Johnson asked Ms. Walker to respond to a point made by Mr. Rands and a 2018 FCC order. Ms. Walker reviewed the order and the significant gap issue addressed by the order. Commissioner Hall reminded everyone that County Code specifically limits testimony to the record and no new information can be considered. There was discussion regarding the Telecommunications Act and how it has impacted other municipalities.

Mr. Rands responded to the applicants position that they met the County Code and felt that there are issues with that position and that neighbor concerns should be considered. Mr. Rands addressed the need for the site that Ms. Walker spoke to and the development of the record on that issue. Mr. Rands stated that colocation, alternate locations and interference needs to be addressed

and the development of the record needs to support that. Mr. Rands reviewed the points made by Ms. Walker. There was discussion on the proposed location and the opportunity for other locations.

Commissioner Hall reviewed the decision options with the Board.

Commissioner Reinke noted that the issue is a difficult issue. Commissioner Reinke stated that he has not heard anything that would lead him to change his previous decision and is leaning toward affirming the previous order. Commissioner Johnson noted that there are some confusing issues to include the interference issue. Previous neighbor concerns included tower failure and that issue was mitigated by requiring fall technology to be utilized in the previous order.

Commissioner Johnson made a MOTION to deny the application for reconsideration and affirm the Board's previous order. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted that the written record would show what was reviewed in the previous hearing and he felt the issue was vetted fairly well in that hearing. Commissioner Reinke stated he would agree with Commissioner Johnson. Commissioner Hall stated that he has not heard anything in the presentation today that would change his previous decision. The Board has spent significant time reviewing the issue and assessing the validity of the request. Motion Passed Unanimously.

Commissioner Hall reviewed the right to appeal on the record.

In the Matter of COMMISSIONER PROCEEDINGS

Commissioner Johnson made a MOTION to go into executive session at 1:30 p.m. pursuant to Idaho Code §74-206 (B) records exempt from disclosure – evaluation, dismissal or discipline of staff. Commissioner Reinke SECONDED. Motion passed after roll call vote. (Johnson yes, Reinke yes, Hall yes)

Commissioners returned to regular session at 2:30 p.m.

There being no further business, the Board recessed until 8:00 a.m., December 31, 2024, 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 DECEMBER MEETING
December 31, 2024, 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 December 30, 2024.

PRESENT: Commissioner Jack Johnson, Commissioner Brent Reinke, and Commissioner Don Hall.

ABSENT: None.

STAFF: Deputy Clerk Mable Shurtleff.

The following proceedings were held to wit:

In the Matter of INDIGENT

Commissioners considered County Assistance applications.

In the Matter of COMMISSIONER PROCEEDINGS

Commissioner Johnson 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, Johnson yes, Reinke yes)

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

Commissioner Johnson made a MOTION to release the lien, zero out the balance and close case number 97030. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted the client is deceased. Motion Passed Unanimously.

Commissioner Reinke made a MOTION to release the lien, zero out the balance and close case number 99369. Commissioner Johnson SECONDED. Discussion Commissioner Reinke noted the client is deceased with no assets. Motion Passed Unanimously.

Commissioner Johnson made a MOTION to approve case number 104757 for cremation in the amount of \$950.00 to Rosenau Funeral Home. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted that the client was a Twin Falls County resident and was indigent. Motion Passed Unanimously.

Commissioner Reinke made a MOTION to approve case number 104761 for cremation in the amount of \$950.00 to Rosenau Funeral Home. Commissioner Johnson SECONDED. Discussion Commissioner Reinke noted that the client was a Twin Falls County resident and was indigent. Motion Passed Unanimously.

Commissioner Johnson made a MOTION to approve case number 104762 for cremation in the amount of \$950.00 to Idaho Legacy LLC. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted that the client was a Twin Falls County resident and was indigent. Motion Passed Unanimously.

In the Matter of COMMISSIONER PROCEEDINGS

Commissioner Johnson made a MOTION to go into executive session at 9:18 a.m. pursuant to Idaho Code §74-206 (B) records exempt from disclosure – evaluation, dismissal or discipline of staff. Commissioner Reinke SECONDED. Motion passed after roll call vote. (Johnson yes, Reinke yes, Hall yes)

Commissioners returned to regular session at 9:36 a.m.

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 Johnson made a MOTION to approve the Consent Agenda as presented. Commissioner Reinke SECONDED. Discussion Commissioner Johnson reviewed the items in the Consent Agenda to include status sheets for the Prosecutor's Office and the Sheriff's Office; Alcohol Beverage Catering Permits for The Pocket at the Twin Falls County Fair Grounds on January 18, 2025, and for The Cove at the Twin Falls County Fair Grounds on February 8, 2025. Motion Passed Unanimously.

In the Matter of CONTRACTS

Commissioners considered the Property Lease Agreement with the Wellness Tree Community Clinic.

Commissioner Reinke reviewed the Property Lease Agreement with the Wellness Tree Community Clinic with the Board.

Commissioner Reinke made a MOTION to approve the Property Lease Agreement with the Wellness Tree Community Clinic. Commissioner Johnson SECONDED. Motion Passed Unanimously.

In the Matter of ZONING

Commissioners considered the Final Plat and Development Agreement for Dusty Subdivision.

Jon Laux, CSD Director reviewed the Final Plat and Development Agreement for Dusty Subdivision with the Board.

Commissioner Johnson made a MOTION to approve the Final Plat and Development Agreement for Dusty Subdivision and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Reinke SECONDED. Motion Passed Unanimously.

Commissioners considered a Lot Line Adjustment in the Platted Subdivision - Hidden Lake Estates.

Jon Laux, CSD Director reviewed a Lot Line Adjustment in the Platted Subdivision - Hidden Lake Estates with the Board.

Commissioner Johnson made a MOTION to approve a Lot Line Adjustment in the Platted Subdivision - Hidden Lake Estates and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Reinke SECONDED. Motion Passed Unanimously.

In the Matter of COMMISSIONER PROCEEDINGS

Commissioner Johnson made a MOTION to go into executive session at 10:45 a.m. pursuant to Idaho Code §74-206 (B) records exempt from disclosure -evaluation, dismissal and discipline of

staff. Commissioner Reinke SECONDED. Motion passed after roll call vote. (Hall yes, Johnson yes, Reinke yes)

Commissioners returned to regular session at 11:51 a.m.

There being no further business, the Board recessed until 8:00 a.m., January 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 JANUARY MEETING
January 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 December 31, 2024.

PRESENT: Commissioner Jack Johnson, 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 Johnson attended an Optimist meeting.

In the Matter of COMMISSIONER PROCEEDINGS

Commissioner Johnson made a MOTION to go into executive session at 8:14 a.m. pursuant to Idaho Code §74-206 (B) records exempt from disclosure – evaluation dismissal or discipline of staff. Commissioner Reinke SECONDED. Motion passed after roll call vote. (Hall yes, Johnson yes, Reinke yes)

Commissioners returned to regular session at 10:52 a.m.

In the Matter of CONSENT AGENDA

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

Commissioner Johnson made a MOTION to approve the Consent Agenda as presented. Commissioner Reinke SECONDED. Discussion Commissioner Johnson reviewed the items in the Consent Agenda to include status sheets for Juvenile Probation, Parks and Waterways, Commissioners Office, Sheriff's Office, and Weeds Department; Commissioners minutes from

December 2, 2024 to December 6, 2024 and December 9, 2024 to December 13, 2024. Motion Passed Unanimously. (Hall absent)

In the Matter of CONTRACTS

Commissioners considered a Memorandum of Agreement with Pastoor Trust.

Commissioner Johnson reviewed the Memorandum of Agreement with Pastoor Trust with the Board.

Commissioner Johnson made a MOTION to approve the Memorandum of Agreement with Pastoor Trust and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Reinke SECONDED. Motion Passed Unanimously. (Hall absent)

Commissioners considered the Purchase Agreement with Legacy Post & Beam.

Commissioner Johnson reviewed the Purchase Agreement with Legacy Post & Beam with the Board. Commissioner Johnson noted that the purchase is related to the Desert Station project.

Commissioner Johnson made a MOTION to approve the Purchase Agreement with Legacy Post & Beam and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Reinke SECONDED. Motion Passed Unanimously. (Hall absent)

In the Matter of COMMISSIONER PROCEEDINGS

Commissioner Johnson made a MOTION to go into executive session at 10:33 a.m. pursuant to Idaho Code §74-206 (B) records exempt from disclosure – evaluation, dismissal or discipline of staff. Commissioner Reinke SECONDED. Motion passed after roll call vote. (Hall yes, Johnson yes, Reinke yes)

Commissioners returned to regular session at 11:21 a.m.

There being no further business, the Board recessed until 8:00 a.m., January 3, 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 JANUARY MEETING
January 3, 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 January 2, 2025.

PRESENT: Commissioner Jack Johnson, Commissioner Brent Reinke, and Commissioner Don Hall.

ABSENT: None.

STAFF: Deputy Clerk Mable Shurtleff.

The following proceedings were held to wit:

In the Matter of MEETINGS

Commissioner Reinke attended a WEMA meeting.

Commissioner Reinke attended a Unity Alliance of Southern Idaho meeting.

Commissioner Reinke attended a Board of Community Guardians monthly meeting.

In the Matter of COMMISSIONER PROCEEDINGS

Commissioner Johnson made a MOTION to go into executive session at 10:40 a.m. pursuant to Idaho Code §74-206 (A) records exempt from disclosure – hiring of public officer, employee, staff member. Commissioner Reinke SECONDED. Motion passed after roll call vote. (Hall yes, Johnson yes, Reinke yes)

Commissioners returned to regular session at 10:52 a.m.

There being no further business, the Board recessed until 8:00 a.m., January 6, 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