

Twin Falls, Idaho
REGULAR MARCH MEETING
March 4, 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 March 1, 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 attended a Farm Managers meeting.
Commissioners met with office staff for a weekly department meeting.
Commissioners met with Legal for a weekly department meeting.
Commissioner attended an Elected Officials meeting.
Commissioners met with Kali Sherill, Weeds Director, for a department update.
Commissioner Johnson attended a Parks and Waterways Board meeting.

In the Matter of COMMISSIONER PROCEEDINGS

Commissioner Hall made a MOTION to go into executive session at 8:45 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 9:00 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. Commissioner Reinke SECONDED. Discussion Commissioner Johnson reviewed the items in the Consent Agenda to include an employee requisition for the Prosecutor's Office; and a Status Sheet for the Sheriff's Office. Motion Passed Unanimously.

In the Matter of RESOLUTION

Commissioners considered Resolution #2024-019 records destruction for Weeds Department.

Commissioner Johnson made a MOTION to approve Resolution #2024-019 for records destruction. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted that Legal has reviewed the records for destruction. Motion Passed Unanimously.

RESOLUTION NO. 2024-019

WHEREAS, the Twin Falls County Weeds 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 ten (10) years; semi-permanent records be retained for not less than five (5) 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 (2) 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 Weeds Department's records listed in the attached "Exhibit A" are classified as set forth and may be destroyed.

DATED this 4th day of March 2024.

TWIN FALLS COUNTY BOARD OF COMMISSIONERS

/s/ Don Hall
Don Hall, Chairman

/s/ Jack Johnson
Jack Johnson, Commissioner

/s/ Brent Reinke
Brent Reinke, Commissioner

ATTEST:

/s/ Kristina Glascock
Kristina Glascock, Clerk

In the Matter of CONTRACTS

Commissioners considered a Property Lease Agreement with Interlink Volunteer Caregivers.

Shannon Carter, Office Manager, Commissioners reviewed the Property Lease Agreement with the Board. The rent was increased to account for additional utility costs.

Commissioner Johnson made a MOTION to approve the Property Lease Agreement with Interlink Volunteer Caregivers. Commissioner Reinke SECONDED. Motion Passed Unanimously.

In the Matter of AIRPORT

Commissioners considered a construction bid/contract award to Summit Construction for the FAA Northwest Aircraft Apron Pavement Rehabilitation Project.

Bill Carberry, Airport Manager reviewed the bids and his recommendation with the Board.

JUB Engineer's Estimate - \$1,565,205.00

Summit Construction, LLC - \$1,525,537.00

Idaho Materials & Construction, Inc. - \$1,573,252.00

Mr. Carberry recommended the Board award the bid and contract to Summit Construction in the amount of \$1,525,537.00, and authorize the Chairman to sign the documents on behalf of the Board contingent upon County legal review.

Commissioner Reinke made a MOTION to award the construction bid and contract to Summit Construction for the FAA Northwest Aircraft Apron Pavement Rehabilitation Project in the amount of \$1,525,537.00 and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Johnson SECONDED. Motion Passed Unanimously.

Commissioners considered a Termination of an Airport Lease Agreement with William and Sandra Paul.

Bill Carberry, Airport Manager reviewed the termination with the Board. Mr. Carberry noted that the hanger has been sold to Redd Brand Aviation LLC.

Commissioner Reinke made a MOTION to approve the termination of the Property Lease Agreement with William and Sandra Paul and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Johnson SECONDED. Motion Passed Unanimously.

Commissioners considered an Airport Ground Lease Agreement with Redd Brand Aviation, LLC.

Bill Carberry, Airport Manager reviewed the lease agreement with the Board. Mr. Carberry noted that Redd Brand Aviation, LLC is the new owner of the hanger that was mentioned in the termination that the Board considered earlier for William and Sandra Paul.

Commissioner Reinke made a MOTION to approve the Property Lease Agreement with Redd Brand Aviation, LLC and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Johnson SECONDED. Motion Passed Unanimously.

In the Matter of BIDS

Commissioners awarded the bid for the Cooling Tower Replacement project.

Bob Beer, Facilities Director reviewed the bids, the award, and a letter of intent with the Board. Mr. Beer recommended that the bid and contract be awarded to American Chiller Services for \$309,543.00.

Commissioner Johnson made a MOTION to award the bid for the Cooling Tower Replacement project to American Chiller Service for \$309,543.00 and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted the other bid was substantially higher. Motion Passed Unanimously.

In the Matter of COUNTY PROPERTY

Commissioners considered Change Order #OCO-0002 from Starr Corporation.

Bob Beer, Facilities Director reviewed Change Order #OCO-0002 from Starr Corporation with the Board. Mr. Beer noted that the change order includes the costs associated with three proposal requests: Proposal Request # PR-001 Foundation Drainage for \$52,520.00; PR-002 Door Hardware Changes for a credit of \$1,246.00; and PR-003 Access Doors Custom Color for \$259.00; for a total cost of \$51,533.00.

Commissioner Reinke made a MOTION to approve Change Order #OCO-0002 from Starr Corporation for a total cost of \$51,533.00 and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Johnson SECONDED. Motion Passed Unanimously.

In the Matter of VICIOUS DOGS

Commissioners considered the disposition of vicious dogs.

Commissioner Johnson reviewed the report from People for Pets and their recommendation for euthanasia of the vicious dogs with the Board and noted that he has some confusion from previous discussions. Commissioner Johnson recommended the Board follow the recommendation of People for Pets. Commissioner Johnson noted that the Board has considered this issue previously and this should be the final disposition. Lt. Daron Brown noted that the dogs are currently under the care of People for Pets.

Commissioner Johnson made a MOTION to approve the recommendations for placement and euthanasia from People for Pets. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted that the report outlines the animals that are not suitable for adoption and recommended euthanasia for those dogs and adoption for the ones that are viable for placement. Commissioner Reinke noted that it is wise for the Board to follow the recommendations of the specialists. Commissioner Hall noted that the Board does not have the expertise to assess the animals and is reliant on the People for Pets organization and their recommendations. Motion Passed Unanimously.

There being no further business, the Board recessed until 8:00 a.m., March 5, 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 MARCH MEETING
March 5, 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 March 4, 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 MEETINGS

Commissioners met with Elaine Molognoni, HR Director, for a weekly department update.
Commissioner Johnson attended a Fair Board meeting.
Commissioner Hall met with Val Stotts, Safe House, for a monthly update.
Commissioners attended an ARPA funding budget meeting.
Commissioners met with Nate Francisco and Mark Jones to discuss new transfer station sites.

In the Matter of INDIGENT

Commissioners considered County Assistance applications.

Commissioner Johnson made a MOTION to approve case number 104706. Commissioner Reinke SECONDED. Discussion Commissioner Johnson recommended denial due to an incomplete application. Motion Failed Unanimously.

Commissioner Reinke made a MOTION to approve case number 104707 for \$950.00 for cremation at Wilkes Magic Valley Funeral Chapel. Commissioner Johnson SECONDED. Discussion Commissioner Reinke noted the individual was indigent and was a Twin Falls County resident. Motion Passed 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 Reinke made a MOTION to approve the Consent Agenda. Commissioner Johnson SECONDED. Discussion Commissioner Reinke reviewed the items in the Consent Agenda to

include a Status Sheet for Weeds Department; Alcohol Beverage License No. 2024-195 for Meat and Potato LLC., Alcohol Beverage License No. 2024-196 for El Caporal TF Inc., and Alcohol Beverage License No. 2024-197 for David J. Woodhead - Woody's #2. Motion Passed Unanimously.

In the Matter of SHERIFF'S OFFICE

Commissioners met with Captain Doug Sugden to discuss patrol vehicle acquisitions.

Captain Doug Sugden discussed with the Board the difficulty of acquiring patrol vehicles. Captain Sugden noted that next year's budget will need to be increased to accommodate the inability to acquire vehicles annually. The Board recommended that Captain Sugden have a discussion with the Clerk to let her know of the difficulty and the need for budget flexibility.

No action taken.

In the Matter of LETTER OF SUPPORT

Commissioners considered a Letter of Support for Buhl Rural Fire District.

Commissioner Reinke reviewed the Letter of Support for Buhl Rural Fire District with the Board.

Commissioner Reinke made a MOTION to approve the Letter of Support for Buhl Rural Fire District. Commissioner Johnson SECONDED. Discussion Commissioner Johnson expressed his support for the local Fire Districts. Motion Passed Unanimously.

In the Matter of CONTRACTS

Commissioners considered a Forest Service Agreement.

Captain Doug Sugden and Commissioner Johnson reviewed the agreement with the Board. Commissioner Johnson noted that the agreement is an annual agreement for the Sheriff's Office to provide patrol on Forest Service property.

Commissioner Johnson made a MOTION to approve the Forest Service Agreement and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Reinke SECONDED. Motion Passed Unanimously.

In the Matter of TAX EXEMPTIONS

Commissioners considered Annual Property Tax Exemption Applications for tax year 2024.

Commissioner Reinke made a MOTION to approve the Annual Property Tax Exemptions for tax year 2024 as presented. Commissioner Johnson SECONDED. Motion Passed Unanimously.

Ageless Senior Citizens, Inc.	RPK8661013014AA
Amazing Grace Fellowship	RPT00107039027A
Amazing Grace Fellowship/Amazing Grace Academy	RPT00107037780A
Amazing Grace Fellowship/Amazing Grace Academy	RPT00107039140A
American Legion Post #47	RPF8401020011AA

Art Guild of Magic Valley	RPT0001083011AA
Bethel Temple Apostolic Church Inc	RPT00107140070A
Bethel Temple Apostolic Church Inc	RPT00107140085A
Bible Missionary Church Inc	RPT33010000030A
Bible Missionary Church Inc	RPT3301000004AA
Buhl Rodeo Association	RPB72460368510A
Buhl, Idaho Congregation of Jehovah's Witness, Inc.	RPB72510010687A
Buhl, Idaho Congregation of Jehovah's Witnesses, Inc.	RPB72510010686A
Calvary Assembly of God Inc.	RPB72460366000A
Calvary Assembly of God, Inc.	RPB72460365410A
Calvary Chapel of Buhl, Inc.	RPB72460369047A
Calvary Chapel of Twin Falls Inc	RP10S18E065600
Calvary Chapel of Twin Falls Inc	RP10S18E066000A
Canyon Crossing Church of The Christian and Missionary Alliance, Inc.	RPT0001030005AA
Center for Prayer and Worship	RPT0001088029AA
Center of Prayer and Worship, Inc	RP10S17E226090A
Christian Church Homes of Idaho	RPT54710000000A
Church of the Nazarene	RPB7241081029AA
Church of the Nazarene	RPB7241097013AA
Club Inc.	RPT1401000023LA
Crossroads United Methodist Church	RPK89690000010A
E Street Community Center	RPT3561000008AA
East Twin Falls Congregation of Jehovah's Witness, Inc.	RPT08350010010A
East Twin Falls Congregation of Jehovah's Witnesses, Inc.	RPT08330010010A
Easter Seals-Goodwill	PP0000061933000A
Easter Seals-Goodwill	RPT00107103032A
Eternal Life Christian Center Inc	RP10S17E217050A
Evangelical Lutheran Immanuel	RPT0821004000BA
Family Health Services Corporation	RPB72510036020A
Family Health Services Corporation	RPK8661012011AA
Family Health Services Corporation	RPT1588001001AA
Family Health Services Corporation	RPT15890010030A
Family Health Services Corporation	RPT15890010050A
Family Health Services Corporation	RPT4021000001BA
Family Health Services Corporation	RPT4021000002GA
Filer Senior Haven Inc	RPF8401014017AA
First Baptist Church of Castleford	RPC9501008007AA
First Baptist Church of Castleford, Idaho, Inc.	RPC9501016010AA
First Baptist Church of Filer	RPF84110086640A
First Baptist Church Trustee	RPC9501016013AA
First Christian Church	RPB7241097001AA
First Christian Church	RPB72410970100A
First Methodist Church	RPT0001058001BA
First Presbyterian Church	RPT0001043004AA

First Southern Baptist Church of Twin Falls, Inc.	RPT0961000002AA
First Southern Baptist Church of Twin Falls, Inc.	RPT0961000005AA
Followers of Christ Church	RP10S14E263010A
Higher Ground Ministries	RPT02610120100A
Idaho Legal Aid Services, Inc.	RPT2641000013LA
Idaho Youth Ranch, Inc.	RPOK4510040030A
Iglesia Bautista "Cristo El Camino" Inc	RPB782100B001CA
Kingdom Church	RPT0001005001AA
Kingdom Church	RPT0001005009AA
Kingdom Church	RPT00010050110A
Kingdom Church	RPT00010050120A
Kum Ba Yah, Inc. c/o South Hills Retreat Center	SC14S18E250000A
Lighthouse Christian Fellowship, Inc.	RPT00107143061A
Lighthouse Christian Fellowship, Inc.	RPT00107143080A
Magic Valley Baptist Church, Inc	RPB7241065029A
Magic Valley Baptist Church, Inc.	RPOB171000001BA
Magic Valley Bible Church	RPT0001085015CA
Magic Valley Bible Church	RPT00010850290A
Magic Valley Church of Christ, Inc.	RPT00107107210A
Magic Valley Fellowship Hall Inc	RPT0001079007AA
Magic Valley Unitarian Universalist Fellowship	RPT0001010007A
Methodist Church	RPB7241081013AA
Methodist Church	RPC5901018001AA
Mountain View Mennonite Church Inc Buhl Division	RP09S14E336305A
National Association of Free Will Baptists	RPB782100D007BA
New Hope Transition Center Inc.	RPT0001083005AA
New Hope Transition Center Inc.	RPT0001083006AA
Orton Botanical Gardens	RP06501000007AA
Orton Botanical Gardens	RPT4021000007F
Our Savior Lutheran Church of Twin Falls, Inc	RPT40710010010A
Rock Creek Community Church	RPT00010460080A
Rock Creek Community Church	RPT00010470010A
Salvation Army	RPT00010420060A
Salvation Army	RPT0001042009AA
South Central Community Action Agency, Inc	RP10S17E207216A
South Central Idaho Catholic Social Services, Inc.	RPT0001104011AA
St John Lutheran Church	RPB7241124006AA
St John Lutheran Church Inc	RPB7241111028A
Tabernacle of Twin Falls Inc	RPT0001055031AA
Taproot Church Twin Falls	RPT00010240130A
Taproot Church Twin Falls	RPT00010240140A
Taproot Church Twin Falls	RPT0001024015AA
Twin Falls Lodge #612 Loyal Order of Moose	RPT1781001016AA
Twin Falls Post 7, American Legion Inc.	RPT4551001001BA
Twin Falls Reformed Church Inc	RPT00107060014A

Twin Falls Rifle and Pistol Club	RPT0001152002AA
Twin Falls Rod and Gun Club, Inc	RP09S17E321810A
United Methodist Church of Castleford Idaho (Castleford Methodist Church)	RPC95010170070A
United Methodist Church of Castleford Idaho (Castleford Methodist Church)	RPC95010170080A
Valley Christian Church of Twin Falls Idaho Inc.	RPT0041000006AA
Valley Christian Church of Twin Falls Idaho Inc.	RPT0041000006AA
Valley Housing Coalition Inc.	RPT2901000009BA
Valley Housing Coalition Inc.	RPT4461000001AA
Valley View Mennonite Church LTD	RP10S15E109010A
Volunteers Against Violence, Inc	RPT0001120001AA
Wells Fargo Vendor Financial c/o Kimberly School Dist.	PP000077190036A
Wells Fargo Vendor Financial c/o Kimberly School Dist.	PP000077190115A
Wesleyan Holiness Association of Churches of Twin Falls Idaho, Inc	RPT13210000110A
Wesleyan Holiness Association of Churches of Twin Falls, Idaho, Inc	RPT13210000120A
West End Senior Center	RPB7241099021AA
West End Senior Center	RPB7241099023AA
Xrossway Lutheran Ministries, Inc	RPK8961000001AA
Airport Road Free Will Baptist Church	RPT0941003011AA
Airport Free Will Baptist Church	RPT0921000002BA

There being no further business, the Board recessed until 8:00 a.m., March 6, 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 MARCH MEETING
March 6, 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 March 5, 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 Hall attended a Legislative Committee meeting in Boise.
Commissioner Reinke attended an Empty Bowls Committee meeting.
Commissioners Johnson and Reinke attended a Rotary Club meeting.

There being no further business, the Board recessed until 8:00 a.m., March 7, 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 MARCH MEETING
March 7, 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 March 6, 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 MEETINGS

Commissioner Hall attended a RIVDA Association Quarterly Board meeting.

Commissioner Johnson attended an Optimist meeting.

Commissioner Reinke attended a Kiwanis meeting.

Commissioners met with Bob Beer, Facilities Director, for a weekly department update.

Commissioners attended a FY 2023 Annual Report presentation by Idaho Department of Juvenile Correction personnel.

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. Commissioner Reinke SECONDED. Discussion Commissioner Johnson reviewed the items in the Consent Agenda to include Status Sheets for the Coroner's Office and for the Assessor/DMV; an Alcohol Beverage Catering Permit for Busters Restaurant & Saloon at the Twin Falls County Fairgrounds on March 16, 2024; and Commissioner Minutes for February 20 to February 23, 2024. Motion Passed Unanimously.

In the Matter of PROCLAMATION

Commissioners considered a Proclamation for the 52nd Anniversary of the National Senior Nutrition Program.

JoHanna Lloyd, Nutrition Specialist, CSI Office on Aging noted the program has been very successful in assisting the senior community. The program helps to prevent isolation as well as provide nutrition. Ms. Lloyd expressed her appreciation to the Board for the Proclamation. Commissioner Reinke read the Proclamation for the record.

Commissioner Reinke made a MOTION to approve and sign the Proclamation for the 52nd Anniversary of the National Senior Nutrition Program. Commissioner Johnson SECONDED. Discussion Commissioner Reinke expressed his appreciation for the Office on Aging and noted that the nutrition program is a very positive program for the senior community. Commissioner Johnson expressed his appreciation of the program. Motion Passed Unanimously.

Proclamation

WHEREAS, since 1972, the National Senior Nutrition Program has funded local agencies and organization to serve home-delivered and congregate meals to help ensure older adults have opportunities to stay healthy, independent, and connected; and

WHEREAS, more than 10 million older Americans face hunger each year; and

WHEREAS, local senior nutrition programs help older adults access healthy foods, nutrition screening, education and counseling, social opportunities, and other supports that encourage well-being; and

WHEREAS, the nutrition program is an integral part Of Twin Falls County providing sustenance and so much more to our older community members through four Senior Centers, especially those most vulnerable to malnutrition, hunger, chronic health diseases and social isolation; and

WHEREAS, the nutrition program continues to have a positive impact on our community and its senior members, and in FFY 2023, served 19,477 congregate meals to participants and 44,661 home-delivered meals to participants, and

WHEREAS, all Idahoans are encouraged to recognize older adults and the people who support them through nutrition services as essential contributors to the strength of our community.

NOW, THEREFORE, we, The Commissioners of the County of Twin Falls Idaho, do hereby proclaim March 2024, to be

The 52ND Anniversary of the National Senior Nutrition Program

In the County of Twin Falls, State of Idaho and we encourage our communities to recognize this special observance.

IN WITNESS WHEREOF, I have hereunto set my hand at the Twin Falls County West Facility in Twin Falls, Idaho on this 7th day of March, 2024.

/s/ Don Hall
Don Hall, Chairman

/s/ Jack Johnson
Jack Johnson, Commissioner

/s/ Brent Reinke
Brent Reinke, Commissioner

ATTEST:

/s/ Kristina Glascock
Kristina Glascock, Clerk

In the Matter of RESOLUTIONS

Commissioners considered Resolution No. 2024-020, Records Destruction for Juvenile Probation.

Commissioner Reinke reviewed the resolution with the Board and noted that Legal had reviewed it.

Commissioner Reinke made a MOTION to approve Resolution No. 2024-020, Records Destruction for Juvenile Probation. Commissioner Johnson SECONDED. Motion Passed Unanimously.

RESOLUTION NO. 2024-020

WHEREAS, the Twin Falls County Juvenile Probation 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 Probation records, as outlined in Exhibit A attached to this resolution, are classified as temporary and may be destroyed based on the record's age and classification. All described records have been maintained for at least 2 years after the date of completion.

DATED this 7th day of March 2024.

TWIN FALLS COUNTY BOARD OF
COMMISSIONERS

/s/ Don Hall

Don Hall, Chairman

/s/ Jack Johnson

Jack Johnson, Commissioner

/s/ Brent Reinke

Brent Reinke, Commissioner

ATTEST:

/s/ Kristina Glascock

Kristina Glascock, Clerk

In the Matter of CONTRACTS

Commissioners considered the Peak Software Systems Solution Proposal and Agreement.

Rocky Matthews, Director of Parks & Waterways reviewed the Peak Software Systems Solution Proposal and Agreement with the Board. Mr. Matthews noted that the software has been used by his department for several years and has been very useful to the staff. This agreement has been reviewed by Legal previously and there were no changes.

Commissioner Johnson made a MOTION to approve the Peak Software Systems Solution Proposal and Agreement and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted that the previous software did not work well and this one has been working smoothly. Motion Passed Unanimously.

In the Matter of ZONING

Commissioners considered the Findings of Fact, Conclusions of Law and Decision for an appeal of the P&Z Administrators decision to deny a lot line adjustment to Idaho Agricultural Investments.

Commissioner Johnson made a MOTION to approve the Findings of Fact, Conclusions of Law and Decision for an appeal of the P&Z Administrators decision to deny a lot line adjustment to

Idaho Agricultural Investments. Commissioner Reinke SECONDED. Motion Passed Unanimously.

There being no further business, the Board recessed until 8:00 a.m., March 8, 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 MARCH MEETING
March 8, 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 March 7, 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 Reinke attended a WEMA meeting.

Commissioner Hall attended a Public Policy Committee – Legislative Update meeting.

Commissioner Hall attended a Crisis Center Advisory Board meeting via Google Meet.

In the Matter of ZONING

Commissioners conducted a Public Hearing to consider proposed Ordinance #282, adding Chapter 21, Energy Production, to Twin Falls County Code Title 8.

Commissioner Hall reviewed the Laws considered to include the following statutes, ordinances and standards:

- Twin Falls County Code Title 8, Chapter 7 Conditional Uses
- Twin Falls County Code Title 8, Chapter 9 General Provisions
- Idaho Code Section 67-6509 Recommendation and adoption, amendment, and repeal of the plan.
- Idaho Code Section 67-6512 Special use permits, conditions, and procedures.
- Idaho Code Section 67-6523 Emergency ordinances and moratoriums.
- Idaho Code Section 67-6524 Interim ordinances and moratoriums.
- Idaho Code Section 31-881 County prohibitions on utility connections.

Commissioner Johnson reviewed the history of the proposed Ordinance and what brought the Board to the position of creating an ordinance for energy production.

Commissioner Hall swore in all affected persons giving testimony. Affected persons were limited to County residents or those that own property in Twin Falls County.

Twin Falls County Staff: Laura Wilson, Planner and Jon Laux CDS Director.

Affected Persons:

Mark Mazza, BLM
Chase Lanting TFC
Wesley Panter, TFC
Mathias Ellingsen, TFC
David Ellingsen, TFC
Nathan Murray, TFC and Idaho Power
Bill Ebener, TFC
Joan Hurlock, TFC
Ronald James, TFC
Shauna Robinson, TFC
Jeff Juker, TFC
Jared Brackett, TFC
Mike Henslee, TFC

Commissioner Hall reviewed the summary of changes for the record. Jon Laux, Community Development Director presented a summation of the process that brought the Ordinance to the Board for consideration.

Questions for the CDS Staff;

Commissioner Hall requested Mr. Laux compare existing wind and solar projects to the current proposed code and explain how they would have been affected by the proposed code. Mr. Laux reviewed his understanding of the impact and noted that conditions would be different. Commissioner Hall noted that this proposed ordinance would give the County a better perspective over those types of projects.

- Has a proposed Energy Production code been presented to the Planning and Zoning Commission? Yes, the original draft.
- Has the Planning and Zoning Commission made a recommendation in regards to the proposed ordinance? Yes, the original draft.
 - What is their recommendation? Approval with additional items to be added.
 - Did they recommend any changes? Yes.
- Has the Community Development Services Department staff reviewed the proposed ordinance? Yes.

- Do you believe the proposed code addresses the life, health, and safety issues identified in the Emergency Moratorium: Yes.
 - How? By giving tools to provide parameters for these types of projects.
- Do you have any recommended changes? No.
- Do you have any policy recommendations for the Board to consider? No.
- Do you think the proposed code should be adopted in its current form? Yes, as the County goes forward it will have the tools to regulate these types of proposals and the code can be updated as needed.
 - Does the proposed code contain any illegal terms? No.

Public Testimony

David Ellingsen, TFC Resident spoke regarding prime farm land and encouraged the Board to allow farm land to be used for these types of projects and exclude Section 8.21 Section F.

Mark Mazza, BLM spoke and noted that the BLM is updating its Sage Grouse Plan and would like to work with the Board to update the current zoning.

Mike Henslee, TFC Resident, spoke and expressed concern with the definition of prime farm land. Mr. Henslee also expressed concerns about a contract that he entered into prior to the County's moratorium and requested that his contract be considered a legacy agreement.

Shauna Robinson, TFC Resident and Historic Preservation Commission Board Member reviewed her concerns with the proposed code. Ms. Robinson asked the Board to address heritage sites within the County and preserve them from these types of projects. Ms. Robinson also submitted a comment letter. Ms. Robinson reviewed her proposed changes to the code with the Board. Ms. Robinson requested the Board also preserve view sheds within the county.

Ronald James, TFC Resident and Historic Preservation Commission member asked the Board to consider the protection of landscape views and scenic characteristics in their decisions.

Jared Brackett, TFC Resident spoke with the Board and requested a few changes. He expressed support for Mr. Henslee's comments and his request that the Board update the definition of prime farm ground and consider net loss to farmers. Mr. Brackett also expressed concerns with the height elements of the proposed code. Mr. Brackett asked for clarification of the areas of the draft that need to be adjusted as per Mr. Laux's opening statement.

Nathan Murray, TFC Resident and Idaho Power representative spoke and expressed his appreciation for the Board's work on the code. Mr. Murray noted that Idaho Power's position is mainly neutral but was leaning toward supporting the Ordinance. Mr. Murray also expressed concerns with the unknowns with the code and noted those unknowns may not be known until the code is applied.

Mathias Ellingsen, TFC Resident spoke with the Board and expressed concerns with the height elements and the agrisolar restrictions.

Joan Hurlock, TFC Resident spoke and stated she was in favor of an ordinance to limit the scale of solar and wind turbines. Ms. Hurlock noted she is unsure if the code is restrictive enough. The existing projects are too large and destroy the visual beauty of the area. The solar panels cause visual disturbances to residents and should be limited more. Ms. Hurlock requested the notification distance for neighbors be expanded to a mile or so.

Jeff Juker, TFC Resident thanked the Board for the opportunity to participate and was in support of Ms. Hurlock's request to extend the notification distance. Mr. Juker expressed concerns with safety to include blade failure and ice throw. Mr. Juker also asked the Board to consider the impact to water as well as bond failure.

Wesley Panter, TFC Resident expressed support for Mr. Bracket's testimony and the concerns with the height restrictions for private land owners but no restrictions on federal land.

Bill Ebener, TFC Resident spoke and addressed concerns with Section 8.21.3 and permitting requirements. Mr. Ebener reviewed his specific concerns relating to land use restrictions.

Chase Lanting, TFC Resident, stated he did not wish to testify.

Commissioner Reinke asked Jon Laux, Community Development Director to help answer some of the public's concerns regarding the changes to the ordinance. Mr. Laux stated he did not believe there would be any changes to the code.

Commissioner Johnson asked Mr. Laux to address the bond failure concern. Mr. Laux reviewed the process used for bond failure. There was discussion regarding ice throw and Mr. Laux noted that P&Z staff did not feel that they could determine what a safe zone for ice throw would be. Mr. Laux noted that the height restrictions were based upon Bell Rapids height with a bit more added for future technology developments. Commissioner Reinke asked if the P&Z Commission discussed the impacts on water. Mr. Laux stated that he did not believe there was discussion on water.

Break from 10:25 to 10:30 a.m.

Commissioner Hall swore in Bradley Dawson, Idaho Fish and Game.

Mr. Dawson noted he was present for the hearing but had no public comment.

Commissioner Hall closed the public comment/testimony portion of the hearing at 10:34 a.m.

Commissioner Hall reviewed the following discussion topics and findings as well as the summary of changes:

The Board reviewed the following Summary of Changes and made the following findings;

Page 1

- 8-21-10 Name changed from "Agrivoltaic" to "Agrisolar". The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.

Page 2

- Agrisolar definition updated for clarity, and fix formatting. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.
- Personal Use Energy Projects definition changed to only apply to a footprint of 200 sq. ft. that are associated with single family dwellings. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.
- Added definition of "prime farm land", with the removal of wording "and few or no rocks." The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.

Page 3

- Clarified that permits are conditional use permits are required for certain zones consistent with Idaho Code Section 67-6512. Siting permits are required for Personal Use Energy Projects. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.
- Removed language regarding Section "E" that violated Idaho Code Section 67- 6535. The Board found the change made sense and removed illegal terms.

Page 5

- Paragraph "P" was deleted as it wasn't relevant and violated Idaho Code Section 31-881. The Board found the change made sense and removed illegal terms.
- Correct formatting with "O thru W" turning into number and renumbering 3-6 to be 3-15. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.

Page 6

- Paragraph "I" changed to comply with Idaho Code Section 67-6512. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.
- Paragraph "J" changed to clarify timing of zoning official review. Add "t" to "he" to read "the". The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.

Page 7

- Paragraph "K" changed to provide citation to Twin Falls County Code. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.
- Paragraph "M" Termination and Decommissioning changes to N, to correct having two "M's" "M1-a" "N1a" added the words "the pre-existing" to clarify grade. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.

Page 8

- Paragraph 2 added language to require decommission bond to be updated every 5 years. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.
- 8-21-SA change citing of TFCC8-21-3-H to TFCC 8-21-3-1. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.

Page 9

- Table of uses removed and replaced with paragraph format. Updated list of uses in zones. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.
- 8-21-5D fix formatting, and remove rural residential zone. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.
- 8-21-SE add Agricultural Zone. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.
- 8-21-SF remove Agricultural Zone. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.

Page 11

- Add Paragraph "F" adding requirement for the preservation of prime farm land. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.
- Paragraph I remove number 3 which states other signs specifically approved in the conditional use permit. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.

Page 13

- Removed Paragraph "6" removed. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.
- Paragraph "8" added language to clarify wind turbine setbacks. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.

Page 14

- "Agrivoltaic" changed to "agrisolar". The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.

Page 15

- Removed requirement that all wind turbines be of uniform height. The Board found the change made sense and met concerns raised by the citizens of Twin Falls County.

The Board discussed the following topics and made the following findings;

- Does the proposed Energy Production Code address the life, health, and safety concerns addressed in the Emergency Moratorium? Yes. Commissioner Hall noted the ordinance was not perfect but it addresses those things.
- Does the proposed Energy Production Code meet the concerns raised by the citizens of Twin Falls County? Commissioner Johnson noted there are additional concerns that were

raised at this hearing, but this ordinance addresses the concerns previously addressed as best they can be as well as addressing them legally. Commissioner Reinke noted the ordinance as reviewed, addresses concerns raised at the previous hearing. The Board will continue to address those additional concerns but the current version addresses the concerns raised at the previous hearing. Commissioner Hall noted it is impossible to address every concern raised, but the Board has attempted to represent its citizens to the best it can.

- Does the proposed Energy Production Code contain any illegal terms that need to be remedied prior to adoption? No, the Board knows of no illegal terms in the approved draft. Commissioner Johnson noted that the P&Z staff testified and they know of no illegal terms. Also, Legal has reviewed the draft and knows of no illegal terms.
- Is the proposed Energy Production Code is written in a way that makes sense and is easily accessible to the citizens of Twin Falls County? Yes, Commissioner Johnson noted that the Board has done its best to make the code make sense and it will be on the County's website. Commissioner Reinke stated yes. Commissioner Hall stated yes, it was the best the Board could do.

The Board discussed the adoption of the Ordinance and Code and the impact on the citizens. Commissioner Reinke recommended approval of the current draft and expressed concern with not having a code in place as the emergency moratorium has expired. Commissioner Johnson concurred and encouraged the Board to revisit the concerns raised today. The County needs something in place so he was in favor of approving the Ordinance today to give the P&Z Commission tools to proceed. Commissioner Hall noted he agreed with everything said and he committed the Board to readdressing the code and ordinance in an open meeting in the near future. Commissioner Hall noted the ice throw distance issue was something he wanted to readdress but he would be in support of a motion to approve.

Commissioner Hall reviewed the decision options for the Board to approve, disapprove, remand back or modify the recommendation of the Planning and Zoning Commission.

Commissioner Johnson made a MOTION to approve Ordinance 282 and adopt the proposed Energy Production Code with the changes as read. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted that the Board has made a commitment to revisit the proposed changes and concerns that were brought up today. Commissioner Reinke noted each of the Commissioners have items they would like to review but it is important to get an ordinance in place. Motion Passed Unanimously.

ORDINANCE NO. 282
TWIN FALLS COUNTY, STATE OF IDAHO

AN ORDINANCE OF THE COUNTY OF TWIN FALLS, A POLITICAL SUBDIVISION OF IDAHO, AMENDING TWIN FALLS COUNTY CODE TITLE 8, ESTABLISHING CHAPTER 21 REGARDING THE REGULATION OF WIND AND SOLAR ENERGY PRODUCTION.

WHEREAS, the Board of Twin Falls County Commissioners (Board) is tasked with providing for the health, safety and general welfare of the citizens of Twin Falls County; and

WHEREAS, one of the primary and essential services provided by Twin Fall County is the power to enact zoning ordinances; and

WHEREAS, unregulated wind and solar energy projects present an imminent peril to the public health, safety, and welfare of the citizens of Twin Falls County; and

WHEREAS, pursuant to Idaho Code § 67-6523, the Board adopted an emergency moratorium upon the receipt, processing, and approval of applications for large scale energy projects; and

WHEREAS, during the moratorium, the County and its personnel drafted a proposed amendment to Twin Falls County Code to address the health, safety, and welfare issues identified in the emergency moratorium.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE COUNTY OF TWIN FALLS AS FOLLOWS:

Section 1: Amendment to Twin Falls County Code, Title 8 Zoning
Twin Falls County Code Title 8 Zoning, is hereby amended to include Chapter 21 Energy Production Code. The provisions of Chapter 21, Title 8, Twin Falls County Code are hereby adopted as set forth in the attached Exhibit "A."

Section 2: REPEALING CLAUSE:
All other Ordinances and parts of Ordinances in conflict herewith shall be and the same hereby repealed.

Section 3: SEVERABILITY:
If any word, phrase, section, subsection, provision, clause or paragraph of this Ordinance shall be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity of the remaining portions of this Ordinance; and it is hereby expressly declared that every other word, phrase, section, subsection, provision, clause or paragraph of the Ordinance enacted, regardless of the enactment or validity of the portion thereof declared to be unconstitutional or invalid, is valid.

Section 9: EFFECTIVE DATE:
This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

DATED this 8th day of March, 2024.

TWIN FALLS COUNTY BOARD OF COMMISSIONERS

/s/ Don Hall

Don Hall, Chairman

/s/ Jack Johnson

Jack Johnson, Commissioner

/s/ Brent Reinke

Brent Reinke, Commissioner

ATTEST:

/s/ Jame Archibald for

Kristina Glascock, Clerk

There being no further business, the Board recessed until 8:00 a.m., March 11, 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.