

Twin Falls, Idaho
REGULAR MAY MEETING
May 27, 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 23, 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 Bob Beer, Facilities Director and Colby Ricks to discuss the Wright Ave. Jail Project.

Commissioners met with the Valley House Board and Manager for an annual program update.

Commissioners met with Sheriff Jack Johnson to discuss the Sheriff's Office budget needs.

In the Matter of INDIGENT

Commissioners considered County Assistance applications.

Commissioner Reinke made a MOTION to approve case number 104788 for rental assistance. Commissioner Matthews SECONDED. Discussion Commissioner Reinke recommended denial as the client has no plans for future rent payments. Commissioner Matthews concurred. 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 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 a tax cancellation for parcel #RP09S14E101230A in the amount of \$784.54 as requested by the Assessor; alcohol license numbers 2026-080 O-Ki Teppanyaki & Sushi Bar, 2026-081 Loong Hing, 2026-082 Walgreens #07277, 2026-083 Walgreens #12286, 2026-084 The GR, 2026-085 KB's, 2026-086 Mi Tierra Mexican Restaurant, 2026-087 Swensen's #6, and 2026-088 Fred Meyer #383. Motion Passed Unanimously.

In the Matter of ELECTIONS

Commissioners canvassed the election results from the May 20th election.

Kristina Glascock, Clerk and Valerie Varadi, Elections Supervisor reviewed the election results with the Board.

Commissioner Matthews made a MOTION to approve the canvass of the election results from the May 20, 2025 election. Commissioner Reinke SECONDED. Motion Passed Unanimously.

Buhl Highway District Commissioner Sub-District 1 (4-year term) Chuck

	Reinke	Neal D. Gier	OVER VOTES	UNDER
	VOTES			
BUHL 1	108	99	0	17
BUHL 2	80	114	0	18
BUHL 3	115	85	0	16
BUHL 4	76	52	0	13
BUHL 5	100	86	0	23
CASTLEFORD	29	102	0	12
DEEP CREEK	18	28	0	2
FILER 1	0	0	0	0
FILER 3	5	5	0	2
Total	531	571	0	103

Buhl Highway District Commissioner Sub-District 3 (4-year term) Tim

	E, Smalley	OVER VOTES	UNDER
	VOTES		
BUHL 1	192	0	32
BUHL 2	178	0	34
BUHL 3	194	0	22
BUHL 4	114	0	27
BUHL 5	175	0	34
CASTLEFORD	110	0	33
DEEP CREEK	44	0	4
FILER 1	0	0	0

FILER 3	7	0	5
Total	1,014	0	191

Buhl School District No. 412 Supplemental Levy (Combine results with Gooding County)

	IN FAVOR OF	AGAINS T	OVER VOTES	UNDER VOTES
BUHL 1	156	88	0	0
BUHL 2	142	70	0	0
BUHL 3	139	75	0	2
BUHL 4	89	52	0	0
BUHL 5	149	60	0	0
DEEP CREEK	40	21	0	0
Total	715	366	0	2

Castleford School District No. 417 Supplemental Levy (Combine results with Owyhee County)

	IN FAVOR OF	AGAINS T	OVER VOTES	UNDER VOTES
CASTLEFORD	105	38	0	4
Total	105	38	0	4

Filer School District No. 413 Bond

	IN FAVOR of	AGAINS T	OVER VOTES	UNDER VOTES
FILER 1	111	306	0	0
FILER 2	74	269	0	0
FILER 3	82	290	0	1
HOLLISTER	33	167	0	0
MAROA	31	155	0	0
Total	331	1,187	0	1

Voting Stats

Precincts	Total Number of Registered Voters at the cutoff	Number of Election Day Registrants	Total Number of Registered Voters (automatically generated)	Number of Ballots Cast	% of Registered Voters who Voted (automatically generated)
BUHL 1	811	4	815	244	30%
BUHL 2	950	11	961	212	22%
BUHL 3	844	11	855	216	25%
BUHL 4	655	6	661	141	21%
BUHL 5	710	10	720	209	29%
CASTLEFORD	562	3	565	147	26%
DEEP CREEK	410	3	413	61	15%
FILER 1	1072	36	1108	417	38%
FILER 2	1013	13	1026	343	33%
FILER 3	936	16	952	373	39%
HOLLISTER	624	11	635	200	31%
MAROA	487	12	499	186	37%
Total:	9074	136	9210	2749	30%

In the Matter of PUBLIC ASSEMBLIES

Commissioners considered an application for a Public Assembly Permit on June 21, 2025 for Legacy Fields/Austin Rea.

Austin Rea, Applicant reviewed his event with the Board. Mr. Rea noted that his event has grown into a larger event which originally included a car show, and this year will now include a concert. The artists had previously been booked by Gordy's Hwy 30 event so they will be included in Mr. Rea's event this year. Commissioner Hall noted his concern with a large event relates to the egress and ingress and public safety.

Commissioner Reinke made a MOTION to approve the Public Assembly Permit on June 21, 2025 for Legacy Fields/Austin Rea pending the Sheriff's Office approval. Commissioner Matthews SECONDED. Discussion Commissioner Reinke noted it will be a good test for the property to have this initial event. Commissioner Matthews noted that his is in favor of the event. Commissioner Hall commended Mr. Rea for his support of the community and encouraged Mr. Rea to be aware of the public safety concerns. Motion Passed Unanimously.

In the Matter of GRANTS

Commissioners considered a FY2026 VOCA grant application.

Gary Anderson, R&D Supervisor reviewed the FY2026 VOCA grant application with the Board. Mr. Anderson noted that the grant will support the youth services programs within the Juvenile Probation Department. Commissioner Matthews commended Mr. Anderson for his work on the grant and his presentation.

Commissioner Reinke made a MOTION to approve the FY2026 VOCA grant application and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Matthews SECONDED. Motion Passed Unanimously.

Commissioners considered the FY2026 Rural Economic Development Professional Services Grant application.

Gary Anderson, R&D Supervisor reviewed the FY2026 Rural Economic Development Professional Services grant application with the Board. Mr. Anderson noted that the REDs Board has received the required match commitments. Commissioner Hall noted that this will be a challenging budget year for Twin Falls County and the Board will be looking at all expenditures.

Commissioner Reinke made a MOTION to approve the FY2026 Rural Economic Development Professional Services Grant application in the amount of \$35,000 and authorize Mr. Anderson to submit the application on behalf of the Board. Commissioner Matthews SECONDED. Discussion Commissioner Hall noted that the program supports the small communities within Twin Falls County that cannot support their own Economic Development program. Motion Passed Unanimously.

In the Matter of BUDGET

Becky Petersen, Treasurer presented the April Joint Report.

In the Matter of CONTRACTS

Commissioners considered an MOU with Jerome County for a Veterans Service Office Administrative Assistant.

Cody Cantrell, Veterans Service Director reviewed the need for an assistant with the Board. Mr. Cantrell noted that Jerome County lost their Veteran Service Officer and so now those veterans are coming to Twin Falls County. This assistant will help fill the gap to provide service to veterans from Jerome County. Commissioner Hall noted that Jerome County is very appreciative of the assistance and is willing to contribute to the cost for the new position. Commissioner Hall reviewed the specifics of the agreement with the Board.

Commissioner Reinke made a MOTION to approve the MOU with Jerome County for a Veterans Service Office Administrative Assistant. Commissioner Matthews SECONDED. Motion Passed Unanimously.

In the Matter of BOARDS

Commissioners considered the appointment of Art Watkins to the REDs Board.

Cheryl Viola, REDs Director, reviewed the request with the Board. Ms. Viola noted that the previous Jerome County representative, Steve Heuttig, resigned and she is requesting that Mr. Art Watkins be appointed to fill that open position.

Commissioner Matthews made a MOTION to approve the appointment of Art Watkins, representing Jerome County to the REDs Board as requested. Commissioner Reinke SECONDED. Motion Passed Unanimously.

In the Matter of AMBULANCE DISTRICT

Commissioners met as the Ambulance District Board.

Commissioner Matthews made a MOTION to leave session as the Board of County Commissioners and convene as the Ambulance District Board at 10:40 a.m. Commissioner Matthews SECONDED. Motion Passed Unanimously.

The Board discussed and considered proposed Resolution #2025-001 to withdrawal from URA Revenue Allocation Districts.

Shannon Carter, Ambulance District Clerk, reviewed the request and the Resolution with the Board. Commissioner Hall discussed his concern with removing the Ambulance District from the URA, however he stated that he would be in support of the request in order to provide maximum funding for the Magic Valley Paramedics. Commissioner Reinke expressed concerns with unintended consequences of the code, but he would also be in support of the Resolution.

Commissioner Matthews made a MOTION to approve Resolution #2025-001 to withdrawal from URA Revenue Allocation Districts. Commissioner Reinke SECONDED. Discussion Commissioner Hall noted that this is the second stage of the process. Motion Passed Unanimously.

RESOLUTION NO. 2025-001

A RESOLUTION OF THE TWIN FALLS COUNTY AMBULANCE DISTRICT TO WITHDRAW FROM THE TWIN FALLS URBAN RENEWAL AGENCY REVENUE ALLOCATION DISTRICT

WHEREAS, Idaho Code § 50-2906(5)(a)(i) empowers ambulance service districts to withdraw from being subject to an urban renewal revenue allocation financing provision under an urban renewal plan if the urban renewal plan does not have any outstanding bonds, contractual obligations, or other indebtedness being funded by such revenue allocation financing provision greater than the amount of the revenue allocation proceeds that was attributable to the ambulance service district as of December 31 of the immediate prior tax year; and

WHEREAS, Idaho Code § 50-2906(2) provides that revenue allocation financing provisions are effective retroactively to January 1 of the year in which a governing body enacts such an ordinance; and

WHEREAS, the Twin Falls County Ambulance District, intends to withdraw the from the Twin Falls Urban Renewal Agency revenue allocation; and

WHEREAS, such withdrawal is permissible because the Twin Falls Urban Renewal Agency does not have any outstanding bonds, contractual obligations, or other indebtedness being funded by such revenue allocation financing provision greater than the amount of the revenue allocation proceeds that was attributable to the ambulance service district as of December 31 of the immediate prior tax year:

NOW, THEREFORE BE IT RESOLVED BY THE TWIN FALLS COUNTY AMBULANCE DISTRICT BOARD OF THE COUNTY OF TWIN FALLS, IDAHO, that:

Its intent for the Twin Falls County Ambulance District to be withdrawn from being subject to the Twin Falls Urban Renewal Agency plan is hereby proclaimed; and

That this action shall be retroactive to January 1, 2025; and

That a copy of this resolution and the relevant accounting shall be transmitted by the Twin Falls County Clerk to the Twin Falls County Assessor, to the Twin Falls Urban Renewal Agency, to any affected taxing districts, and to the State Tax Commission.

The Board also hereby requests that the Twin Falls Urban Renewal Agency hold a meeting within ten business days as required by Idaho Code § 50-2906(5)(c) to consider whether to approve the withdrawal and the accounting.

APPROVED by the TWIN FALLS AMBULANCE DISTRICT BOARD on this the 27th day of May, 2025.

/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

Commissioner Reinke made a MOTION to leave the Board of Ambulance District and return to session as Board of County Commissioners at 10:05 a.m. Commissioner Matthews SECONDED. 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.

Commissioners returned to session at 11:50 a.m. to consider an item missed in the earlier Consent Agenda.

Commissioner Matthews made a MOTION to approve the consent agenda with the additional item as presented. Commissioner Hall SECONDED. Discussion Commissioner Matthews reviewed the item which was a status sheet for the Assessor's Office. Motion Passed Unanimously. (Reinke absent)

There being no further business, the Board recessed until 8:00 a.m., May 28, 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 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 May 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

Commissioner Reinke attended a Southern Idaho Solid Waste Board meeting.
Commissioners Hall and Matthews attended a Southern Idaho Tourism Board meeting.

There being no further business, the Board recessed until 8:00 a.m., May 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 MAY MEETING
May 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 May 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

Commissioner Reinke attended a Kiwanis meeting.

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

Commissioners met with Bill Carberry, Airport Director and Shawn Barigar, City of Twin Falls, Economic Director, to discuss the Twin Falls Airport budget.

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 approve the Consent Agenda as presented. Commissioner Reinke SECONDED. Discussion Commissioner Reinke reviewed the items in the Consent Agenda to include a status sheet for Planning and Zoning; a security agreement for a rodeo at the Fairgrounds; and alcohol license numbers, 2026-089 The Lamphouse Theatre, 2026-090 Maverik #204, 2026-091 Walmart #3897 Fuel Station, 2026-092 Walmart #3897, 2026-093 Applebee's Neighborhood Grill & Bar, 2026-094 Sportsman River Resort, and 2026-095 Trouts Saloon. Motion Passed Unanimously.

In the Matter of GRANTS

Commissioners considered a BLM Idaho Invasive & Noxious Weed grant application.

Kali Sherrill, Weeds Director reviewed the grant application with the Board. Ms. Sherrill noted that the county has received this grant for many years. The grant helps support weed control on BLM ground.

Commissioner Reinke made a MOTION to approve the BLM Idaho Invasive & Noxious Weed grant application and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Matthews SECONDED. Commissioner Reinke noted that the grant is in the amount of \$41,000.00. Motion Passed Unanimously.

In the Matter of CONTRACTS

Commissioners considered a Tutoring Agreement with the Twin Falls School District #411.

Commissioner Matthews reviewed the agreement and noted that it is for tutoring at the Safe House.

Commissioner Matthews made a MOTION to approve the Tutoring Agreement with the Twin Falls School District #411. Commissioner Reinke SECONDED. Motion Passed Unanimously.

Commissioners considered an education agreement with Twin Falls School District #411.

Neil Nakamura, Juvenile Detention Supervisor reviewed the education agreement with the Board. Mr. Nakamura noted that the agreement provides teachers to juveniles that are incarcerated in the detention center.

Commissioner Reinke made a MOTION to approve the education agreement with Twin Falls School District #411 for the Juvenile Detention Center. Commissioner Matthews SECONDED. Discussion Commissioner Reinke noted that the agreement provides teachers to the juveniles to keep them from getting behind while they are in the detention center. Motion Passed Unanimously.

There being no further business, the Board recessed until 8:00 a.m., May 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 MAY MEETING
May 30, 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 29, 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 Matthews attended a Crisis Center Advisory Board meeting.

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 CONTRACTS

Commissioners considered a Shoshone Basin CWMA Agreement.

Kali Sherrill, Weeds Director, reviewed the Shoshone Basin CWMA Agreement with the Board.

Commissioner Reinke made a MOTION to approve the Shoshone Basin CWMA Agreement as presented and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Matthews SECONDED. Discussion Commissioner Reinke expressed his appreciation for the partnership with the state for weed management. Motion Passed Unanimously.

In the Matter of ZONING

Commissioners conducted a public hearing to deliberate and issue a decision on 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 Matthews recused himself from the discussion, deliberation and decision due to his participation in the original P&Z hearing.

Commissioner Hall reviewed the matter on appeal, the process to be followed for the hearing, the procedural history of the applications, the record on appeal and the laws considered. Commissioner Hall then gave a summary of the Court's Decision.

Commissioner Hall and Commissioner Reinke deliberated and answered the following questions;

1. The Appeal

- a. Was the 2023 decision of the Planning and Zoning Commission an Appealable Final Decision of the Planning and Zoning Commission? (yes)
- b. Was the application properly filed? (yes)
 - i. Was the appeal Complete? (yes)
 - ii. Was the appeal Timely? (yes)
 - iii. Did all required parties receive notice? (yes)

2. Conditional Use Permit

- a. Is this a permitted use in the zone? [Yes. TFCC 8-6D-3]
- b. Did the Conditional Use Permit Application satisfy the express standards set forth in TFCC 8-7-7? (This question needs further the discussion which will be done later in the hearing.)

3. Preliminary Plat Application

- a. Was the application complete? (yes)
- b. Did any agencies object to the application? (no)

4. Decision of the Planning and Zoning Commission

- a. Did the decision make findings of fact? (Yes, but not adequate written findings according to Idaho law)
- b. Was the decision based upon express standards set forth in TFCC? Commissioner Hall reviewed code 8-7-7 which states that the P&Z Commission may either approve, condition, modify or deny the application after hearing the evidence presented at the

public hearing, giving consideration to the following:

- ✓ *The location of the proposed use is compatible to other land uses in the general neighborhood and does not place undue burden on existing transportation and service facilities in the vicinity.*
- ✓ *The site is of sufficient size to accommodate the proposed use and all yards, open spaces, walls, and fences, parking, loading, landscaping and such other features as are required by this title and other county ordinances that may apply have been met.*
- ✓ *The site will be served by streets of sufficient capacity to carry the traffic generated by the proposed use.*
- ✓ *The proposed use, including any conditions required by the planning and zoning commission, will not adversely affect other property in the vicinity.*
- ✓ *The proposed use necessitates higher standards of site development than listed specifically in this title in order for the proposed use to be compatible with other property uses in the vicinity. If such determination is made, the commission may specify all such standards so determined to be necessary conditions to the conditional use and/or building permit. No occupancy of any part of the site or facilities shall occur until all those conditions have been complied with. (Ord. 164, 11-12-2003)*

(This question needs further the discussion.)

5. Does the Board have a sufficient record to make a decision today? (Yes)

Commissioner Hall reviewed the items that he considered relevant from his review of the record, testimony and evidence received at the May 12, 2022 hearing.

Ann Armitage expressed concerns of an additional 23 wells depleting an already low water table. She also expressed concern and gave testimony regarding the 8% grade of the road with a blind hill and traffic safety due to farm trucks slowly coming out of a field onto the hill. Ms. Armitage provided testimony that she had knowledge of 4 deaths at the corner of 4500 N and 1600 E.

Pam Blenderman also expressed safety concerns with the hill and traffic providing testimony that her driveway is in a very dangerous spot, and the proposed entrance and exit to the subdivision is even worse. Ms. Blenderman stated that truck traffic is dangerous, with farm equipment, narrow roads and the 8% grade.

Denise Fuller also expressed concerns with the safety of additional residents due to the canyon and hunters that regularly hunt the canyon.

All three are affected persons and have lived in the area for many years.

Exhibits A&B from the May 12, 2022 hearing show pictures of accidents with Life Flight.

Exhibit C shows the blind hill.

Exhibit D shows a farm truck on the blind hill.

Exhibit E shows a large tractor with a disc covering most of the road.
Exhibit F shows a large tractor covering $\frac{3}{4}$ of the road.

The applicant Richard Pierson addressed the road safety issue and the water issue at the May 12, 2022 hearing. Mr. Pierson testified that the highway district is considering putting in a 4 way stop at the intersection of 4500 N. 1600 E and lowering the speed limits if the subdivision is approved. Mr. Pierson also testified that he had moved the entry to the proposed subdivision per the Highway Districts instructions to address the concerns of trucks pulling out. Mr. Pierson testified that he intends to remove Russian Olive trees which drink hundreds of gallons of water per day impacting water availability. Mr. Pierson also stated he intended to put drain tiles in if the permits are approved.

Trent McBride with EHM Engineers testified that they had an approval from IDWR. The letter from IDWR stated that IDWR does not have any concerns with the proposed subdivision. The letter did not address the availability of water.

Commissioner Hall reviewed the items that he considered relevant from his review of the record, testimony and evidence received at the October 4, 2023 hearing.

George Blenderman provided testimony on the water table dropping and stated that they had to drop their well another 20 feet 3 years ago.

Pam Blenderman provided testimony that she lives across from the proposed development and has had near misses many times due to the downhill slope and the blind hill. Ms. Blenderman also provided testimony that they had to drop their well another 20 feet 3 years ago. Ms. Blenderman also expressed concerns with 23 septic being added to the area and drainage toward the Armitage's property and the impact to their wells.

Denise Fuller provided testimony of the water table dropping from 100 feet to 220 feet. Ms. Fuller testified that she had to put in a new well in 2021 at 280 feet. She also expressed concerns for the safety of additional children to the area, which has a canyon, hunters and a canal. Ms. Fuller also expressed concerns about potential complaints from the proposed subdivision residents regarding farming noise.

Commissioner Hall reviewed the items that he considered relevant from his review of the record, testimony and evidence received at the April 13, 2023 hearing.

Debra Richards and Ed Richards expressed support for the proposed subdivision.

Commissioner Reinke reviewed the items that he considered relevant from his review of the record, testimony and evidence received at the May 12, 2022 hearing.

The photos provided by Ann Armitage were compelling as was the testimony regarding the water quality and quantity. Ms. Armitage also testified to the blind hill with an 8% grade and safety concerns with the narrow road and school busses for the proposed subdivision.

The testimony provided by Pam Blenderman regarding the blind hill and the narrow roads was also compelling because Ms. Blenderman lives in that area, and has experienced the close calls.

At the November 10, 2022 Planning and Zoning Commission hearing, the Commission tabled the matter until the April 11th and April 13th 2023 session in order for the applicant to provide a traffic study to demonstrate the ability of the surrounding roads to service the development. The applicant provided a traffic study which was done by EHM Engineers in February of 2023. David Thibault testified at the April 13, 2023 hearing that scope of the study studied the stretch of 1600 and the two intersections created by the proposed development. Mr. Thibault also acknowledged that they were “probably not capturing the seasonal or the highest volumes on the road” Per Mr. Thibault, the analysis reviewed the existing conditions of the 1600 East Road at the p.m. Peak Hour. The analysis did not contain any information on the surrounding roads including the intersection of 4500 N. and 1600 E., which, in previous testimony provided by Ann Armitage, has been the site of numerous accidents including 4 fatalities.

Commissioner Hall then revisited the question of, Did the Conditional Use Permit Application satisfy the express standards set forth in TFCC 8-7-7?

Commissioner Hall and Commissioner Hall reviewed the following issues and discussed the concerns and findings on each issue.

Water Issues –

The Board received testimony at the October 4, 2023 hearing from both George and Pam Blenderman that they have experienced water issues and had to drop their well in the last 3 years. The Board also received testimony from Denise Fuller that she had to put in a new well in 2021 at 280 feet which previously had been 100 feet.

Commissioner Hall stated that he felt that the Board should find the testimony from the Blendermans and Ms. Fuller credible because they both had to drill deeper wells due to dropping water levels in the 3 years prior to the application. Commissioner Reinke concurred with the finding. The Board so found.

The Board received testimony from Richard Pierson at the May 12, 2022 hearing that he intended to remove Russian Olive trees to preserve the water in the area however, there was nothing in the permit approval process to require Mr. Pierson to do that. Commissioner Reinke noted that he felt that Mr. Pierson had admitted to there being existing water issues by that comment.

The Board reviewed the letter from Water Resources dated January 27, 2022. The letter stated that “as long as water use and construction activities comply with the above mentioned Idaho Codes, IDWR does not have any concerns with the proposed Paradise Ridge Estates Subdivision.” However, the letter did not provide any information on water levels in the area or how existing wells may be impacted by the additional wells from the proposed subdivision. Therefore, Commissioner Hall stated that he felt that the Board should give little weight to the letter from IDWR. Commissioner Reinke concurred and noted that he felt that the board, in

the future, will need to ask for more information from commenting agencies in order to make complete decisions.

Commissioner Hall stated that he felt because the surrounding neighbors had already experienced dropping water levels and impacts on their wells, and because the proposal would lead to approximately 23 new wells in the area, that the Board should find that granting the application would adversely affect other property in the vicinity. The Board should also find that granting the application would place an undue burden on existing service facilities in the vicinity. Commissioner Hall noted that the comments provided from people who live in the area and have experienced those issues are critical in the hearing process. Commissioner Reinke concurred with the findings. The Board so found.

Road Safety Issues –

Commissioner Hall reviewed the testimony from Ann Armitage at the May 12, 2022 hearing regarding accidents in the area. Ms. Armitage testified that there is a blind hill with an 8% grade that obstructs driver's vision of traffic. Ms. Armitage testified that there had been 4 fatal accidents at the intersection of 4500 N. 1600 E. Ms. Armitage also provided picture evidence of the accidents as well as pictures of ag equipment that clearly shows the equipment taking up a majority of the roadway as they traverse the blind hill. Commissioner Reinke discussed impactful that the pictures were in his consideration and decision process.

Commissioner Hall reviewed the testimony from Pam Blenderman at the May 12, 2022 hearing, where she stated that she had experienced several near misses pulling out of her driveway, which is directly across from the proposed subdivision entrance, due to the blind hill. Ms. Blenderman also testified at the October 4, 2023 hearing that there was no farming being done in February when the road study was done so the study did not account for the agricultural impact on traffic.

Commissioner Hall stated that he felt that the Board should find that the testimony regarding the road safety issues from both Ann Armitage and Pam Blenderman credible because they live in the area. And that Ms. Armitage had also provided compelling pictures showing accidents in the area and ag equipment taking up a majority of the roadway. Commissioner Reinke concurred.

Commissioner Hall reviewed the testimony from Richard Pierson at the May 12, 2022 hearing where he stated that he had spoken with the highway district and was told the highway district was considering putting in a 4-way stop in the area and lowering the speed limit if the subdivision gets approved.

Commissioner Hall also reviewed the testimony from Trent McBride – EHM who testified at the May 12, 2022 hearing that the Buhl Highway District approved the submittal package and the letter said the Buhl Highway District “has no objection to your request”.

Commissioner Hall stated that he felt that the Board should give little weight to Mr. Pierson's testimony regarding the Highway District considering a 4-way stop and lowering the speed limit because the letter from the Buhl Highway District dated January 25, 2022 stated they

“had no objection to the request”. The letter did not include any information on potential upgrades to the roadway. Commissioner Reinke concurred.

Commissioner Hall reviewed the testimony from David Thibault -EHM who testified at the April 13, 2023 hearing that the scope of the study studied the stretch of 1600 and the two intersections created by the proposed development. Mr. Thibault also acknowledged that they were “probably not capturing the seasonal or the highest volumes on the road”. Mr. Thibault also testified that the analysis reviewed the existing conditions of the 1600 East Road at the p.m. peak hour and the traffic counts were estimated at between 100 and 150 vehicles per day. The analysis did not contain any information on the surrounding roads which the P&Z Commission directed in their November 10, 2022 decision. Because the study did not capture seasonal or the highest volumes of the road, nor did it include information on the surrounding roads, Commissioner Hall recommended that the Board give the study little weight. Commissioner Reinke concurred.

Based on the findings about agricultural equipment on the roads, fatality accidents in the immediate area, and the hill that obstructs drivers’ views, the board concluded that the increased traffic associated with the proposed subdivision would strain the surrounding roads, placing an undue burden on existing transportation facilities in the vicinity. The Board found that the proposed site is not served by streets of sufficient capacity to carry the traffic generated by the proposed use.

Commissioner Hall then reviewed the express standards and the question of, Did the Conditional Use Permit Application satisfy the express standards set forth in TFCC 8-7-7?

- The express standards in 8-7-7 states that the P&Z Commission may either approve, condition, modify or deny the application after hearing the evidence presented at the public hearing giving consideration to the following:
 - ✓ *The location of the proposed use is compatible to other land uses in the general neighborhood and does not place undue burden on existing transportation and service facilities in the vicinity.*
 - ✓ *The site is of sufficient size to accommodate the proposed use and all yards, open spaces, walls, and fences, parking, loading, landscaping and such other features as are required by this title and other county ordinances that may apply have been met.*
 - ✓ *The site will be served by streets of sufficient capacity to carry the traffic generated by the proposed use.*

The Board found that there are road safety issues that will be increased by the proposed subdivision because testimony and picture received from Ann Armitage, the Blendermans and Ms. Fuller regarding road safety issues and therefore the Board finds that the roadway is not of sufficient capacity to safely carry the traffic generated by the proposed subdivision.

- ✓ *The proposed use, including any conditions required by the planning and zoning commission, will not adversely affect other property in the vicinity.*

The Board finds that there are water issues in the area that will be increased by the proposed subdivision because of the testimony received from the Blendermans and Ms. Fuller regarding well issues, therefore the Board finds that the proposed subdivision will have an adverse effect on other property in the vicinity.

The Board discussed how important it was for the public to participate in the process and provide information so good decisions can be made.

- ✓ *The proposed use necessitates higher standards of site development than listed specifically in this title in order for the proposed use to be compatible with other property uses in the vicinity. If such determination is made, the commission may specify all such standards so determined to be necessary conditions to the conditional use and/or building permit. No occupancy of any part of the site or facilities shall occur until all those conditions have been complied with. (Ord. 164, 11-12-2003)*
- Was the decision based upon express standards set forth in TFCC? (Yes, the Commission gave consideration to TFCC 8-7-7 C and D, however the written decision did not provide clear reasons for the decision.)

Commissioner Hall reviewed the decision options to affirm, reverse, modify or remand. Commissioner Hall stated that he did not intend to remand the decision as the process has gone on too long. Commissioner Reinke concurred. There was discussion on the information that was received throughout the process.

Commissioner Reinke made a MOTION that based on the prior evidence, testimony and the content of the appeal, the Board denies the applications for the Conditional Use Permit and Preliminary Plat. The Board acknowledge that the findings at the P&Z Commission and in the earlier decision were not clear enough, and the board has tried to remedy that today. The Board has based their decision on the express standards set forth in Twin Falls County Code and has made every effort to make sure that the applicants are aware of the reasons for the denial today. Commissioner Hall SECONDED. Discussion Commissioner Reinke stated that the decision is significant due to the land use issues and the board is using testimony of the residents that live in the area to make a decision. Commissioner Reinke noted that this process will help the Board do a better job of issuing decisions in the future. Commissioner Hall noted that this application was under the old zoning code which only allowed the Board to consider information heard in the original hearing. In the future the Board will be able to consider new information. Commissioner Hall stated he was in favor of the decision based upon the testimony provided and stated that the safety issue is of extreme concern. Commissioner Hall stated that public safety is the job of the

Commission. There was further discussion on future decisions and how the process that this application has gone through, will help the Board for future zoning appeals. Motion Passed Unanimously. (Hall yes, Reinke yes) Matthews recused.

Commissioner Hall read the Right to a Takings Analysis for the record.

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

In the Matter of ACCOUNTS PAYABLE

Expenditures by fund for May 2025:

Fund 100	Current Expense	2,257,380.11
Fund 102	Tort	5,371.00
Fund 104	Agricultural Fair District	0.00
Fund 106	Safehouse	47,311.14
Fund 108	Capital Projects Fund	2,307,809.07
Fund 113	Weeds	26,150.39
Fund 114	Parks and Recreation	56,823.48
Fund 115	Solid Waste	0.00
Fund 116	Ad Valorem	124,106.91
Fund 118	District Court	116,840.27
Fund 130	Indigent Fund	9,792.79
Fund 131	Public Health	83,839.00
Fund 132	Revenue Sharing	0.00
Fund 137	Election Consolidation	39,985.27
Fund 174	County Boat License Fund	5,685.46
Fund 175	Snowmobiles	3,646.81
Fund 196	Justice Fund	1,627,130.99
Fund 601	TARC Grants	1,460.00
Fund 602	IDJC Safe Teen FY25	2,150.00
Fund 604	Federal Drug Seizures	0.00
Fund 605	Byrne Jag-Car Cameras	0.00
Fund 607	IDJC Safe Teen Assessment Grant	14,558.84
Fund 608	Juvenile Correction Act Funds	18,313.55
Fund 609	Tobacco Tax Grant	23,257.00
Fund 610	Boat Grant Waterways Match	6,306.88
Fund 611	Adult Probation Grants	640.00
Fund 612	ASAT	1,450.21
Fund 613	R.S.A.T. Grant	26,231.89
Fund 614	ISDA – Invasive Centennial Park	0.00
Fund 615	S.U.D. Funds	4,095.24
Fund 616	SCAAP	0.00
Fund 617	OHV Law Enforcement	3,143.85
Fund 618	BCP Basic-Safehouse Grant	29,374.80
Fund 619	IDJC Equine Therapy Grant	960.00

Fund 621	DOE EECBG Aware	76,250.00
Fund 626	ARPA Recovery Fund	350.00
Fund 627	ARPA Revenue Sharing Fund	0.00
Fund 628	OPIOD Abatement Account	26,100.63
Fund 635	Parks-Grants	2,151.70
Fund 644	S.O.R. Sheriff	23,870.00
Fund 645	JAG Grant	0.00
Fund 651	Sheriff Donation Fund	0.00
Fund 652	Sheriff Drug Seizure Money	443.48
Fund 659	Prosecutor's Drug Seizure Money	0.00
Fund 660	CRT Facility Fund	0.00
Fund 663	Sheriff's Youth Plate	605.00
Fund 666	Sheriff-Vests	0.00
Fund 667	Prosecutor Drug Reimb	12,857.39
Fund 671	TF Co Sheriff Search & Rescue	1,048.49
Fund 673	Juvenile Probation Misc.	1,199.39
Fund 676	VOCA/ICDVVA Grant	5,392.36
Fund 681	Treatment Courts	52,112.01
Fund 682	District Court-Juvenile	0.00
Fund 683	District Court-CAO	352.00
Fund 684	District Court-FCS	12,647.59
Fund 687	Sheriff's Grants	1,853.06
TOTAL		<u>\$7,061,392.86</u>