

Twin Falls, Idaho
REGULAR NOVEMBER MEETING
November 13, 2023, 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 November 9, 2023.

PRESENT: Commissioner Jack Johnson, and Commissioner Don Hall.

ABSENT: Commissioner Brent Reinke.

STAFF: Deputy Clerk Shannon Carter.

The following proceedings were held to wit:

In the Matter of MEETINGS

Commissioner Hall attended an Urban Renewal Board meeting.

In the Matter of CONSENT AGENDA

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 Hall SECONDED. Discussion Commissioner Johnson reviewed the items in the Consent Agenda to include status sheets for the Sheriff's Office. Motion Passed Unanimously. (Reinke absent)

In the Matter of CONTRACTS

Commissioners considered a NAVIA Twin Falls County Health Reimbursement Arrangement Amendment.

Kristina Glascock, Clerk, reviewed the NAVIA Twin Falls County Health Reimbursement Arrangement Amendment with the Board. Ms. Glascock noted this document changes the RX and medical deductibles for the County Insurance.

Commissioner Johnson made a MOTION to approve the NAVIA Twin Falls County Health Reimbursement Arrangement Amendment and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Hall SECONDED. Discussion Commissioner Johnson noted that the Board approved the changes as part of the budget process. Motion Passed Unanimously. (Reinke absent)

Commissioners considered a Two Men and a Truck Agreement for the Clerk's Office.

Kristina Glascock, Clerk, reviewed the Two Men and a Truck Agreement with the Board. Ms. Glascock noted that the company will move furniture out of the courthouse in preparation for the remodel.

Commissioner Johnson made a MOTION to approve the Two Men and a Truck Agreement not to exceed \$850.00 and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Hall SECONDED. Motion Passed Unanimously. (Reinke absent)

Commissioners considered a Non-Binding Memorandum of Understanding to establish a Crisis Intervention Team Collaborative.

Jennifer Homberg, Adult Probation Manager, and Kevin Sandau, Juvenile Probation Director reviewed the Non-Binding Memorandum of Understanding to establish a Crisis Intervention Team Collaborative with the Board. Mr. Sandau noted the program has been in place for many years. The MOU is non-binding, however, Legal recommended not approving it due to concerns with the wording in the MOU. Commissioner Hall recommended further research on the MOU and discussion with the CIT.

No action was taken.

Commissioners considered a Lexipol Master Service Agreement.

Don Newman, Chief Deputy Sheriff reviewed the Lexipol Master Service Agreement with the Board. The agreement is for a program to help put Law Enforcement employees in contact with mental health resources. Commissioner Hall noted that the Commissioners did not budget for the agreement, but the Sheriff's Office was able to locate a grant to pay for the program.

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

In the Matter of LETTERS OF SUPPORT

Commissioners considered a Letter of Support for Magic Valley Paramedics.

Commissioner Johnson made a MOTION to approve the Letter of Support for the Magic Valley Paramedics. Commissioner Hall SECONDED. Motion Passed Unanimously. (Reinke absent)

In the Matter of ZONING

Commissioners considered Findings of Fact for the decision on the appeal of the Planning and Zoning Commission's denial of Conditional Use and Preliminary Plat Applications for Richard Pierson.

Commissioner Johnson reviewed the Findings of Fact and made a MOTION to approve the Findings of Fact for the decision on the appeal of the Planning and Zoning Commission's denial of Conditional Use and Preliminary Plat Applications for Richard and Bonnie Jo Pierson. Commissioner Hall SECONDED. Discussion Commissioner Johnson noted the Findings of Fact confirm the decision made by the Board. Motion Passed Unanimously. (Reinke absent)

Commissioners considered Findings of Fact for an appeal of the Planning and Zoning Commission's decision to deny a Conditional Use Permit and a Preliminary Plat to Patrick and Adele Fenderson.

Commissioner Johnson made a MOTION to approve the Findings of Fact for an appeal of the P&Z Commission's decision to deny a Conditional Use Permit and a Preliminary Plat to Patrick and Adele Fenderson. Commissioner Hall SECONDED. Discussion Commissioner Johnson noted the Findings of Fact confirm the decision made by the Board. Motion Passed Unanimously. (Reinke absent)

Commissioners conducted a public hearing to consider, deliberate, and issue a decision on an appeal of the Planning and Zoning Commission's decision to deny a Special Use Permit to Nancy Zebarth.

Commissioner Hall noted the hearing was a continuation of the Commissioners deliberation toward a decision.

Commissioner Hall reviewed the record on appeal and the documents that were considered as part of the record of the appeal. Commissioner Hall and Commissioner Johnson noted that they did receive an e-mail from Mr. Musser after the previous hearing, however they would not consider the information in that e-mail as part of their decision.

Commissioner Hall reviewed the statutes, ordinances and standards that the Board has considered:

- Title 8, Chapter 20 of Twin Falls County Code regarding appeals.
- TFCC 8-9-19-B regarding Twin Falls City Area of Impact
- Twin Falls City Code 10-4-3 R-1 VAR, Residential Single Household District
- Twin Falls City Code 10-7-17 Wireless Communication Facilities
- Twin Falls City Code 10-13-2-2D Standards Applicable to Special Uses
- Federal Telecommunications Act of 1996

The Board reviewed the issues for the appeal

a. Was this 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. Which code applies? Twin Falls City Code

b. Is conditional use allowed in the zone? No.

Commissioner Hall reviewed Twin Falls City Code 10-7-17A(1) which provides, "Use: The placement, use or modification of any wireless communication facility is subject to the provisions of this section. a. Residential zones: New freestanding towers are prohibited. Wireless communication facilities attached to utility poles, existing towers or

facades attached to nonresidential buildings are permitted subject to the provisions of this section.

- c. Did the CUP Application satisfy the express standards set forth in Twin Falls City Code 10-13-2-2D? **No, it doesn't satisfy the zoning regulations in that area.**
3. Decision of the Planning and Zoning Commission
 - a. Did the Planning and Zoning decision make findings of fact consistent with Idaho Code 67-6535? **Yes**
 - b. Was the decision based upon express standards set forth in Twin Falls City Code? **Yes**
 - c. Did the P&Z Commission review the particular facts and circumstances of the special use in terms of the standards outlined in Twin Falls City Code 10-13-2-2? **Yes**
4. Telecommunications Act of 1996
 - a. Does the Telecommunications Act of 1996 apply? **Yes.**
 - b. Did the Planning and Zoning Commission consider the Telecommunications Act of 1996 in making their decision? **Yes.**
 - c. Did the applicant demonstrate that there is a significant gap in wireless coverage?
Commissioner Johnson noted he thinks the term significant needs further discussion. Commissioner Johnson noted that the term significant is subjective. Commissioner Hall noted he did believe that there was a significant gap based upon the information presented in the hearing. Commissioner Johnson noted a gap was demonstrated, however the term significant was subjective based upon the 5G. The Board found there was a significant gap in coverage.
 - d. Did the P&Z Commission discuss whether there were alternative locations for the proposed tower? **Yes**
 - i. Were those alternative locations addressed by the Applicant?
 1. Multiple locations as an alternative? **Yes**
 2. Co-locating on existing towers? **Yes**
 3. Raising the height of existing towers? **Yes**
 4. Did they contact all landowners of land where tower could be built?
Commissioner Johnson noted that testimony, the mail service was used and whether everyone was contacted bears further discussion. Commissioner Hall noted they showed that they attempted but there may have been additional options. Commissioner Johnson noted there

may have been people who did not respond. Commissioner Hall noted the applicant did not contact all potential landowners.

- e. Did the P&Z Commission's denial of the application have the effect of prohibiting T-Mobile from providing personal wireless services? Commissioner Johnson and Commissioner Hall noted that they did not think the denial prohibited T-Mobile and there are potential other sites that were not completely vetted. Commissioner Johnson noted there was wireless service in that area, but may not rise to the level the carrier desires.

Commissioner Hall reviewed the decision options with the Board to affirm, reverse, or modify. Commissioner Hall noted he did not feel that remanding was an appropriate decision and the Board needed to issue a decision.

Commissioner Johnson noted that he felt mailing may be a legally accepted option, but when it is community affecting they should have tried to make more personal contact. Commissioner Hall noted that he felt that more assertive attempts to find alternate sites should have been made. The code needed to be followed and the City's code states no new free-standing wireless towers can be placed in residential areas, which this is, is a large part of his decision-making. The code does not deny the placement of towers, it just determines the zoning areas which allows for an alternative to putting up a new free-standing tower. Commissioner Johnson discussed the options of increasing the height of a current tower, and other existing resources that could have been looked at further as well as other land owners that could have been contacted. Commissioner Hall noted there is a section in the Telecommunications Act of 1996 section 7A which was read for the record. Commissioner Johnson noted that that section gives them leeway to determine where towers should be located. Commissioner Hall noted they have the ability to limit the locations as long as it doesn't have the effect of prohibiting T-Mobile from providing personal wireless services. There was a discussion on T-Mobile using other locations for the tower. Commissioner Johnson noted that he hasn't seen anything that states a single tower has to provide the service. Commissioner Hall expressed concern that the Act allows towers to be located anywhere. The Board discussed other options that may have been available.

Commissioner Johnson made a MOTION to affirm the decision of the Planning and Zoning Commission and find the application was properly denied. Commissioner Hall SECONDED. Discussion Commissioner Johnson noted that he felt there had been enough discussion on the issue. Motion Passed Unanimously. (Reinke absent)

Commissioner Hall read the right to appeal for the record.

There being no further business, the Board recessed until 8:00 a.m., November 14, 2023, 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 NOVEMBER MEETING
November 14, 2023, 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 November 13, 2023.

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

ABSENT: None.

STAFF: Deputy Clerk Jordan Cates.

The following proceedings were held to wit:

In the Matter of MEETINGS

Commissioner Reinke attended a Greater Twin Falls Area Transportation Committee meeting. Commissioners met with Elaine Molignoni, HR Director, for a weekly department update. Commissioner Reinke attended a Twin Falls Canal Company meeting.

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 9:10 a.m.

In the Matter of INDIGENT

Commissioners considered County Assistance applications.

Commissioner Johnson made a MOTION to approve case number 104688 for cremation at Rosenau Funeral Home in the amount of \$950.00. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted the applicant was a Twin Falls County resident and was indigent. Motion Passed Unanimously.

In the Matter of CONSENT AGENDA

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 Clerk's Office; and status sheets for Elections, Sheriff's Office, and misdemeanor probation. Motion Passed Unanimously.

In the Matter of ELECTIONS

Commissioners canvased the November 7th election.

Kristina Glascock, Clerk, and Valerie Varadi, Elections Director, reviewed the November 7th election results with the Board.

Commissioner Johnson made a MOTION to approve the November 7th election canvas. Commissioner Reinke SECONDED. Discussion Commissioner Johnson expressed his appreciation to Mrs. Glascock and Mrs. Varadi for their work to make the elections run as smoothly as possible. Motion Passed Unanimously.

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2023 ELECTION**

Precinct	VOTING STATS				
	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Buhl 1	57	0	57	18	31.6%
Buhl 3	488	16	504	118	23.4%
Buhl 4	634	16	650	141	21.7%
Buhl 5	705	12	717	211	29.4%
Filer 1	1,002	9	1,011	197	19.5%
Filer 2	981	7	988	144	14.6%
Filer 3	926	3	929	135	14.5%
Hansen	887	6	893	191	21.4%
Hollister	595	6	601	149	24.8%
Kimberly 1	1,211	22	1,233	270	21.9%
Kimberly 2	1,008	19	1,027	315	30.7%
Kimberly 3	1,346	9	1,355	225	16.6%
Kimberly 4	815	11	826	217	26.3%
Maroa	446	2	448	81	18.1%
Murtaugh	60	0	60	22	36.7%
Twin Falls 1	997	11	1,008	123	12.2%
Twin Falls 2	922	3	925	108	11.7%
Twin Falls 3	891	5	896	121	13.5%
Twin Falls 4	862	8	870	111	12.8%
Twin Falls 5	868	8	876	146	16.7%
Twin Falls 6	1,028	10	1,038	223	21.5%
Twin Falls 7	945	11	956	140	14.6%
Twin Falls 8	993	7	1,000	171	17.1%
Twin Falls 9	1,060	9	1,069	166	15.5%

Twin Falls 10	1,028	6	1,034	147	14.2%
Twin Falls 11	1,157	3	1,160	164	14.1%
Twin Falls 12	938	7	945	219	23.2%
Twin Falls 13	1,189	10	1,199	99	8.3%
Twin Falls 14	1,280	15	1,295	137	10.6%
Twin Falls 15	598	8	606	67	11.1%
Twin Falls 16	935	11	946	117	12.4%
Twin Falls 17	1,020	8	1,028	110	10.7%
Twin Falls 18	1,086	10	1,096	185	16.9%
Twin Falls 19	964	14	978	151	15.4%
Twin Falls 20	1,414	8	1,422	209	14.7%
Twin Falls 21	726	5	731	110	15.0%
Twin Falls 22	732	4	736	128	17.4%
Twin Falls 24	359	5	364	60	16.5%
Twin Falls 25	114	0	114	7	6.1%
Twin Falls 26	1,010	4	1,014	83	8.2%
CO. TOTAL	34,277	328	34,605	5,736	16.6%

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2023 ELECTION**

CITY OF BUHL						
CITY COUNCIL (4 year term) VOTE FOR 2						
Precinct	Menno L. deRijk	Tim Miner	William Nungester	Denny O'Brien	Kelly Peterson	Marla Sisson
Buhl 3	18	32	31	11	62	71
Buhl 4	30	44	44	25	59	70
Buhl 5	40	35	78	21	106	117
CO. TOTAL	88	111	153	57	227	258

VOTING STATISTICS

Precinct	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Buhl 3	485	13	498	118	23.7%
Buhl 4	634	16	650	141	21.7%
Buhl 5	678	12	690	205	29.7%
CO. TOTAL	1,797	41	1,838	464	25.2%

	CITY OF HANSEN					
	MAYOR		CITY COUNCIL (4 year term) VOTE FOR 2			
Precinct	Tony Bohrn	Todd Stimpson	Tim Geerdes	Krystal Ray	Lena Ray	Andres (Andy) West
Hansen	37	93	37	98	33	53
CO. TOTAL	37	93	37	98	33	53

	VOTING STATS				
Precinct	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Hansen	462	6	468	133	28.4%
CO. TOTAL	462	6	468	133	28.4%

	CITY OF HOLLISTER
	CITY COUNCIL (4 year term) VOTE FOR 3

Precinct	Lynn Ginder	David A. Grosshans	Jennifer Hyde	Gloria Rorison
Hollister	41	42	39	43
CO. TOTAL	41	42	39	43

Precinct	VOTING STATS				
	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Hollister	128	5	133	59	44.4%
CO. TOTAL	128	5	133	59	44.4%

Precinct	CITY OF KIMBERLY		
	CITY COUNCIL(4 year term) VOTE FOR 2		
	Tim Daniels	Burke Richman	Stephanie D. Snarr
Kimberly 1	74	120	141
Kimberly 2	44	121	138
Kimberly 3	14	25	27
Kimberly 4	51	73	75
CO. TOTAL	183	339	381

	VOTING STATISTICS				
Precinct	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Kimberly 1	900	22	922	213	23.1%
Kimberly 2	488	15	503	184	36.6%
Kimberly 3	211	0	211	48	22.7%
Kimberly 4	467	10	477	136	28.5%
CO. TOTAL	2,066	47	2,113	581	27.5%

	CITY OF MURTAUGH		
	CITY COUNCIL(4 year term) VOTE FOR 2		
Precinct	Yale Bessire	Kendal Henderson	Kelly Roseborough
Murtaugh	16	9	12
CO. TOTAL	16	9	12

	VOTING STATISTICS				
Precinct	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Murtaugh	50	0	50	21	42.0%
CO. TOTAL	50	0	50	21	42.0%
	CITY OF TWIN FALLS				

Precinct	CITY COUNCIL SEAT 2 (4 year term) VOTE FOR 1		CITY COUNCIL SEAT 3 (4 year term) VOTE FOR 1		
	Gerardo "Tato" Munoz Bryand	Grayson Stone	Liyah Babayan	Dakota Cardinet	Cherie Vollmer
TF 1	45	71	40	23	56
TF 2	51	54	41	17	48
TF 3	31	83	40	12	63
TF 4	34	67	30	12	67
TF 5	65	74	52	17	73
TF 6	67	150	61	19	142
TF 7	41	91	42	26	69
TF 8	51	115	47	20	101
TF 9	61	97	57	36	72
TF 10	59	81	40	24	78
TF 11	49	102	38	25	96
TF 12	65	145	42	34	133
TF 13	31	56	29	19	44
TF 14	54	67	38	18	64
TF 15	8	25	8	9	16
TF 16	30	83	35	20	61
TF 17	33	71	27	23	58
TF 18	76	103	61	26	93
TF 19	54	87	48	25	72
TF 20	62	141	52	20	132
TF 21	30	76	19	7	79
TF 22	39	85	32	17	78
TF 24	35	24	20	4	34
TF 26	9	10	6	3	9
CO. TOTAL	1,080	1,958	905	456	1,738

Precinct	CITY OF TWIN FALLS CITY COUNCIL SEAT 7 (4 year term) VOTE FOR 1	
	Ruth Pierce	Connie M. Smith

TF 1	73	45
TF 2	73	31
TF 3	68	50
TF 4	77	28
TF 5	103	41
TF 6	168	51
TF 7	94	42
TF 8	110	58
TF 9	114	50
TF 10	98	43
TF 11	118	41
TF 12	158	59
TF 13	62	30
TF 14	83	37
TF 15	14	21
TF 16	78	38
TF 17	73	33
TF 18	121	61
TF 19	95	46
TF 20	155	49
TF 21	88	19
TF 22	97	30
TF 24	44	16
TF 26	10	11
CO. TOTAL	2,174	930

Precinct	VOTING STATISTICS				
	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
TF 1	997	11	1,008	123	12.2%
TF 2	922	3	925	108	11.7%
TF 3	891	5	896	121	13.5%
TF 4	862	8	870	111	12.8%
TF 5	868	8	876	146	16.7%
TF 6	1,028	10	1,038	223	21.5%
TF 7	945	11	956	140	14.6%
TF 8	993	7	1,000	171	17.1%
TF 9	1,060	9	1,069	166	15.5%
TF 10	1,028	6	1,034	147	14.2%
TF 11	1,157	3	1,160	164	14.1%
TF 12	938	7	945	219	23.2%

TF 13	1,125	10	1,135	96	8.5%
TF 14	1,105	15	1,120	121	10.8%
TF 15	273	5	278	36	12.9%
TF 16	911	11	922	117	12.7%
TF 17	1,020	8	1,028	110	10.7%
TF 18	1,086	10	1,096	185	16.9%
TF 19	917	14	931	147	15.8%
TF 20	1,414	8	1,422	209	14.7%
TF 21	726	5	731	110	15.0%
TF 22	732	4	736	128	17.4%
TF 24	359	5	364	60	16.5%
TF 26	162	2	164	22	13.4%
CO. TOTAL	21,519	185	21,704	3,180	14.7%

**TWIN FALLS COUNTY RESULTS
NOVEMBER 7, 2023 ELECTION**

Precinct	BALLOT QUESTIONS					
	FILER SCHOOL DISTRICT NO. 413		KIMBERLY SCHOOL DISTRICT NO. 414		HANSEN FREE LIBRARY DISTRICT	
	Supplemental Levy in the amount of \$500,000 per year for 2 years	Supplemental Levy in the amount of \$800,000 per year for 2 years	Permanent override levy to increase the levy by \$30,000.00 for new base budget of \$88,557		YES	NO
	YES	NO	YES	NO	YES	NO
Filer 1	150	47				
Filer 2	96	48				
Filer 3	97	38				
Hansen					136	52
Hollister	86	62				
Kimberly 1			136	133		
Kimberly 2			178	136		
Kimberly 3			137	87		
Kimberly 4			122	92		
Maroa	43	37				
CO. TOTAL	472	232	573	448	136	52
	passed with 67%		passed with 56%		passed with 72%	

	BUHL JOINT SCHOOL DISTRICT No. 412	VOTING STATISTICS BUHL JOINT SCHOOL DISTRICT No. 412 TRUSTEE ZONE 4
	TRUSTEE ZONE 4	

Precinct	Danielle Richardson	Jenny Hopkins	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Buhl 1	8	10	57	0	57	18	31.6%
Buhl 3	5	3	47	5	52	8	15.4%
Buhl 5	82	92	592	11	603	176	29.2%
CO. TOTAL	95	105	696	5	109	26	23.9%

Precinct	FILER SCHOOL DISTRICT No. 413 TRUSTEE ZONE 1		VOTING STATISTICS FILER SCHOOL DISTRICT No. 413 TRUSTEE ZONE 1				
	Tammy Kelly	Shelley Carson	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Filer 1	48	40	337	5	342	94	27.5%
Filer 2	2	0	7	1	8	2	25.0%
Filer 3	6	4	72	0	72	11	15.3%
Maroa	43	21	431	1	432	78	18.1%
CO. TOTAL	99	65	847	6	350	96	27.4%

Precinct	FILER SCHOOL DISTRICT No. 413 TRUSTEE ZONE 4		VOTING STATISTICS FILER SCHOOL DISTRICT No. 413 TRUSTEE ZONE 4				
	Jeni Taylor	Jeff Volle	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted

Filer 1	14	11	117	0	117	27	23.1%
Filer 2	35	56	729	5	734	107	14.6%
Filer 3	1	6	68	0	68	7	10.3%
Maroa	0	3	15	1	16	3	18.8%
CO. TOTAL	50	76	929	5	851	134	15.7%

	TWIN FALLS SCHOOL DISTRICT No. 411		VOTING STATISTICS TWIN FALLS SCHOOL DISTRICT No. 411				
	TRUSTEE ZONE 2		TRUSTEE ZONE 2				
Precinct	Brad Breland	Heidi Tubbs	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
TF 1	5	10	202	2	204	16	7.8%
TF 2	0	0	0	0	0	0	0.0%
TF 13	26	62	1,189	10	1,199	99	8.3%
TF 14	40	90	1,280	15	1,295	137	10.6%
TF 15	14	44	530	6	536	60	11.2%
TF 16	10	31	316	5	321	45	14.0%
TF 19	0	4	47	0	47	4	8.5%
TF 25	1	6	114	0	114	7	6.1%
TF 26	19	62	1,010	4	1,014	83	8.2%
CO. TOTAL	115	309	4,688	38	3,716	451	12.1%

	CASSIA JOINT SCHOOL DISTRICT No. 151		VOTING STATISTICS CASSIA JOINT SCHOOL DISTRICT No. 151				
	TRUSTEE ZONE 1		TRUSTEE ZONE 1				
Precinct	Brittney Murphy	Ryan Cranney	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
Murtaugh	1	0	10	0	10	1	10.0%
CO. TOTAL	1	0	10	0	10	1	10.00%

In the Matter of BUDGET

Commissioners considered the accounts' payables for October.

Kristina Glascock, Clerk, reviewed the accounts payables for October in the amount of \$5,926,124.94.

Commissioner Reinke made a MOTION to approve the accounts payables for October in the amount of \$5,926,124.94.

In the Matter of CONTRACTS

Commissioners considered an equitable Sharing Agreement and Certification for FY2023.

Captain Scott Bishop reviewed the equitable Sharing Agreement and Certification for FY2023 with the Board. Captain Bishop noted that the county will be receiving money the Sheriff's Office plans to use it for a narcotics investigation vehicle.

Commissioner Johnson made a MOTION to approve the equitable Sharing Agreement and Certification for FY2023 and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Reinke SECONDED. Motion Passed Unanimously.

In the Matter of BOARDS

Commissioners considered the appointment of William Ystueta, Jr as the Twin Falls County Resident Director on the St. Luke's Health System Board.

Commissioner Hall reviewed the appointment of William Ystueta, Jr as the Twin Falls County Resident Director on the St. Luke's Health System Board. William Ystueta, Jr noted his excitement to join the Board and believes he can be a great asset to the Board.

Commissioner Reinke made a MOTION to approve the appointment of William Ystueta, Jr as the Twin Falls County Resident Director on the St. Luke's Health System Board. Commissioner Johnson SECONDED. Discussion Commissioner Johnson noted he greatly appreciates Mr. Ystueta's willingness to volunteer his time to the St. Luke's Health System Board. Motion Passed Unanimously.

In the Matter of COMMISSIONER PROCEEDINGS

Commissioner Johnson made a MOTION to go into executive session at 11:00 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 11:20 a.m.

In the Matter of ZONING

Commissioners conducted a public hearing to consider a Special Use Permit Application for Idaho's Pebble Ponds Inc.

Commissioner Hall opened the public hearing at 1:30 p.m.

Commissioner Hall reviewed the record before the Board and the Laws Considered to include

- Idaho Constitution Article 12, Section 2.
- Idaho Code Section 67-6512.
- Twin Falls County Code 8-9-19C
- Filer City Code Chapter 9 Special Use and Variance

Commissioner Hall swore in staff, applicants and affected persons.

Laura Wilson, Community Development Services Planner, Jon Laux, Community Development Services Director, David Hamilton, Allison Hamilton, Applicants, Joel Merrill, Nolan Rice, Terry Kulik, David Herrmann, affected persons, Bob Templeman, Filer Mayor, Vera Pedro Nunez, Filer P&Z Director.

Laura Wilson, Community Development Planner, reviewed the property with the Board and the application that was received and processed. Ms. Wilson noted the Golf Course is an approved conditional use in the zone. Ms. Wilson reviewed the comments received.

Vera Pedro-Nunez recommended that the Board approve the permit and noted that the City of Filer, Planning, and Zoning Commission had previously approved the permit. Ms. Pedro-Nunez noted the golf course is an asset to the community and it is not unusual for golf courses to have additional events. Ms. Pedro-Nunez requested the Special Use Permit be applied to the property so if the property sells the permit would transfer with the property.

Commissioner Hall reviewed the application and the Filer City requirements with Ms. Pedro-Nunez. Filer City Planning and Zoning had no concerns with the permit application.

David and Allison Hamilton, Applicants, presented their application to the Board. Mr. Hamilton reviewed the history of the property and the proposed use of the property. Mr. Hamilton noted that the property holds family events and actively supports the community. Mr. Hamilton noted that events had been held at the facility in the past and they had not been able to hold events in the last year due to the application process. Mr. Hamilton noted that he would support a requirement of a public assembly permit for a music event with over 500 people but would request the facility not have to regulate the number of people on-site at any given time. Mrs. Hamilton noted they would like to have car shows and the like. Commissioner Reinke asked what the target participants would be for an event. Mr. Hamilton noted they generally max out at around 300 people for a large event. Mr. Hamilton noted that a car show could have over 1000 people on site. Parking is adequate for a large-scale event. Commissioner Hall noted that this type of venue is needed in the community. There was discussion on the anticipated hours of operation, number of participants, etc. Commissioner Hall noted that special use permits are only issued to the person, not the property, and any new owners would be required to apply for their own special use permit. There was a discussion on the special use permit and a public assembly permit process.

Joel Merrill spoke in support of the application.

David Herrmann spoke in support of the application.

Terry Kulik spoke in support of the application.

Nolan Rice spoke in support of the application.

Commissioner Hall noted there was a letter received that requested parameters be placed on the permit.

Commissioner Hall closed the public hearing at 2:40 p.m.

Commissioner Hall reviewed the Special Use Permit issues for discussion.

- a. Was the SUP application complete? **Yes**
- b. Did the persons entitled to get notice receive notice of this hearing? **Yes**
- c. Is this a listed conditional use in the Residential Agricultural District? **Yes with a Special Use Permit.**
- d. Did the Special Use Permit Application satisfy the express standards set forth in Filer City Code 9-9-4? **Yes**

Commissioner Hall reviewed the options for a decision to approve, conditionally approve, or disapprove the application.

Commissioner Reinke noted that he is leaning toward conditional approval with conditions that work for the neighbors and the applicant. Commissioner Hall noted that neighborhood golf courses and events are important to communities. This type of venue is supported by neighbors other than one neighbor, but conditions may help with that neighbor's concerns. Commissioner Hall noted he would be in support of hours of operation until 11:00 p.m. on weekends and holidays, weeknights until 10:00 p.m. for events with amplified music.

Commissioner Reinke made a MOTION that based upon the testimony presented and the record, the Board conditionally approves the special use application for Pebble Ponds with amplified music being approved until 11:00 p.m. on weekends, Friday and Saturdays, and holidays to include 4th of July, Memorial Day, Labor Day and New Year's Eve, and weekdays until 10:00 p.m.; events with over 1000 people and amplified music will require a public assembly permit. Commissioner Hall SECONDED. Discussion Commissioner Reinke noted that he felt the conditions would help the venue to be successful with events as well as the neighbors. Commissioner Hall noted that it is important to work well with the community partners like the City of Filer and he would be in support of the motion. Motion Passed Unanimously. (Johnson absent)

There being no further business, the Board recessed until 8:00 a.m., November 15, 2023, 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 NOVEMBER MEETING
November 15, 2023, 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 November 14, 2023.

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

ABSENT: None.

STAFF: Deputy Clerk Shannon Carter.

The following proceedings were held to wit:

In the Matter of MEETINGS

Commissioner Johnson attended a Twin Falls County Opioid Committee meeting.
Commissioner Reinke attended a Middle Snake Regional Water Resource Commission meeting.
Commissioner Hall attended a South Central Public Health Board meeting.
Commissioner Johnson attended a SIRCOMM meeting.
Commissioner Hall attended a Twin Falls County Health Initiatives Trust Board meeting.
Commissioner Hall attended a REDS Board meeting.

In the Matter of ZONING

Commissioners conducted a public hearing to consider the Preliminary Plat, Final Plat, and Rezone applications for Rubicon Holdings, LLC.

Commissioner Hall reviewed the record before the Board and the laws considered as part of the applications. Commissioner Hall noted the Board will be considering applications for a Rezone and a Subdivision application within the Filer Area of City Impact for land located at approximately 4147 Hwy 93, Filer, Idaho 83328 in Twin Falls County filed by Lonnie Brutke.

Laws considered:

- Idaho Constitution Article 12, Section 2.
- Idaho Code Section 67-6511.
- Idaho Code Section 67-6513.
- Idaho Code Section 67-6526.
- Title 8 of the Twin Falls County Code, Chapter 13.
- Filer City Code Title 10
- City of Filer Comprehensive Plan.
- City of Filer Zoning Map and City of Filer Comprehensive Land Use Map

Commissioner Hall swore in all parties to give testimony.

Laura Wilson, Twin Falls County Staff, Jon Laux, Twin Falls County Staff, Vera Pedro-Nunez, City of Filer P&Z Director, Heath Gardner and Lonnie Brutke, Applicants, Bob Templeman, Filer City Mayor, Steven Cook Filer AOI Board member.

Laura Wilson, Community Development Planner, and Vera Pedro-Nunez, City of Filer Planning and Zoning Director reviewed the applications for a Preliminary Plat, Final Plat, and Rezone applications for Rubicon Holdings, LLC with the Board as well as the hearing that the City of Filer held and their recommendations. Ms. Wilson noted that all of the requirements have been met by the applicant and it is adjacent to commercial property and would not be considered spot zoning and meets the City of Filer's comprehensive plan. Ms. Pedro-Nunez noted the area is appropriate to rezone and fits the area. Complaints received were from a subdivision that appears to be spot zoned many years ago. The applicant meets all the requirements for the City of Filer and they are seeing more commercial growth in the area so the rezone is appropriate.

Commissioner Hall noted that the Board knows the applicants and Commissioner Hall is friends with the applicant but is able to make an unbiased decision. Commissioner Johnson noted he has known the applicants for many years and believes he can be unbiased. Commissioner Reinke noted he also knows the applicant from living in Filer for 30 years.

Lonnie Brutke, reviewed his application and the area with the Board. Mr. Brutke provided the Board with a packet of information on the area with maps and statistics which he reviewed and noted that the change would support the area and businesses surrounding the property. Heath Gardner spoke and reviewed the access to the property. Commissioner Johnson asked the applicants what their long-term goals were for the property. Mr. Brutke noted he would like to see his business move from Filer in the long term as well as other businesses located on the property such as a convenience store or grocery store. Commissioner Reinke asked if the applicant was aware that they would not be granted further access points off of Highways 30 and 93. Mr. Brutke stated that they are aware of the access points. There was a discussion on the sanitation and water issues and access to the property. Commissioner Hall asked the City of Filer about the projections for water/sewer access east of Filer. Mayor Bob Templeman reviewed the sewer and water access and potential changes in the future.

Commissioner Hall closed the public hearing at 10:40 a.m.

Commissioner Hall reviewed the decision options for the board to approve, disapprove, remand back, or modify the recommendation of the Filer City Council.

Commissioner Reinke noted that based upon the growth of the area, the changes fit within that area and the surrounding property's zoning. Commissioner Johnson noted that growth is hard, but with the interchange on Hwy 93, the area changed which helped redefine the area. The surrounding zoning makes sense to move forward with a rezone. The applicant is working well with the City of Filer and it appears that water concerns can be addressed. Commissioner Hall noted that managed growth is key in order for communities to grow. Commissioner Hall noted that he felt the growth plan was well thought out by the City of Filer and it is a good location to encourage this type of growth.

Rezone

Commissioner Johnson made a MOTION to approve the Rezone Application from the Agricultural District and General Business District to the General Business District for Rubicon Holdings LLC. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted the property is in the Filer City Area of Impact and the partners have to work together to manage future growth for the city. Commissioner Reinke noted the change fit the comprehensive plan and made sense within that corridor. Commissioner Hall noted that the application was complete, met the requirements in TF County Code, was properly noticed, and should be rezoned. The requirements were met and comply with the Filer Comprehensive plan, is compatible with surrounding uses, the need has been established, and is not spot zoning. The prelim plat app was complete, met TFCC code, and there were no agency objections. Motion Passed Unanimously.

Preliminary Plat

Commissioner Reinke made a MOTION to approve the preliminary plat application for Rubicon Holdings LLC. Commissioner Johnson SECONDED. Motion Passed Unanimously.

Final Plat

Commissioner Johnson made a MOTION to approve the final plat for Rubicon Holdings LLC. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted that as more plans develop for the property there may be conditions placed. Motion Passed Unanimously.

Commissioner Hall read the right to appeal for the record.

There being no further business, the Board recessed until 8:00 a.m., November 16, 2023, 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 NOVEMBER MEETING
November 16, 2023, 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 November 15, 2023.

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

ABSENT: None.

STAFF: Deputy Clerk Shannon Carter.

The following proceedings were held to wit:

In the Matter of MEETINGS

Commissioners met with Gary Anderson, Research and Development Supervisor, for a monthly department update.

Commissioner Reinke attended a SCCAP Board meeting.

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

Commissioners met with Bill Maikranz, President and CEO of United Way, for a United Way of Southern Idaho update.

Commissioners met with Gary Perron, and Rex Harding to discuss the Rock Creek bike path.

In the Matter of COMMISSIONER PROCEEDINGS

Commissioner Hall made a MOTION to go into executive session at 9:45 a.m. pursuant to Idaho Code §74-206 (B) records exempt from 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 9:50 a.m.

In the Matter of CONSENT AGENDA

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 Hall SECONDED. Discussion Commissioner Johnson reviewed the items in the Consent Agenda to include status sheets for the Sheriff's Office, Clerk's Office, and Prosecutor's Office. Motion Passed Unanimously.

In the Matter of RESOLUTIONS

Commissioners considered rescission of Resolution #2024-001 declaring a Quagga Mussel Emergency.

Commissioner Reinke made a MOTION to rescind Resolution #2024-00 declaring a Quagga Mussel Emergency. Commissioner Johnson SECONDED. Discussion Commissioner Reinke noted that it appears the emergency has passed and it is appropriate to rescind the resolution. Commissioner Hall noted the Board was waiting for costs from the Sheriff's Office which were minimal so it was time to close the emergency. Motion Passed Unanimously.

In the Matter of BUDGET

Commissioners considered a request to use ARPA funds for the Planning and Zoning ADA Parking Lot Upgrade project.

Bob Beer, Facilities Director, reviewed the project and noted that Idaho Materials and Construction was the low bidder and was awarded the project. Mr. Beer requested just over \$4,000.00 for contingencies. Commissioner Reinke noted the project was necessary to fix the parking lot area and make it more ADA compatible. Commissioner Johnson noted that the Board appreciates Mr. Beer's work on the project.

Commissioner Johnson made a MOTION to approve the use of ARPA funds for the Planning and Zoning ADA Parking Lot Upgrade project not to exceed \$127,000.00. Commissioner Reinke SECONDED. Motion Passed Unanimously.

In the Matter of CONTRACTS

Commissioners considered an Inmate Health Services Agreement with Ivy Medical.

Captain Doug Hughes reviewed the changes that were made to the Inmate Health Services Agreement with Ivy Medical with the Board. Captain Hughes noted that Legal did review the agreement and requested the Board approve the agreement. Commissioner Johnson noted that Ivy Medical has been good to work with in the past. The contract increase was surprising, but the service is necessary.

Commissioner Johnson made a MOTION to approve the Inmate Health Services Agreement with Ivy Medical and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Reinke SECONDED. Motion Passed Unanimously.

In the Matter of GRANTS

Lieutenant Daron Brown met with the Board to discuss grant applications with Idaho Parks and Recreation for a new boat and utility trailer for the Sheriff's Office.

Commissioner Johnson made a MOTION to support the grant application for the Sheriff's Office with the Idaho Parks and Recreation for a new boat and utility trailer for the Sheriff's Office. Commissioner Reinke SECONDED. Motion Passed Unanimously.

There being no further business, the Board recessed until 8:00 a.m., November 17, 2023, 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 NOVEMBER MEETING
November 17, 2023, 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 November 16, 2023.

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

ABSENT: None.

STAFF: Deputy Clerk Jordan Cates.

The following proceedings were held to wit:

In the Matter of MEETINGS

Commissioner Reinke attended a WEMA meeting.

Commissioner Hall attended a Crisis Center Advisory Board meeting.

There being no further business, the Board recessed until 8:00 a.m., November 20, 2023, 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.