

Twin Falls, Idaho
REGULAR OCTOBER MEETING
October 28, 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 October 25, 2024.

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

Commissioners met with office staff for a weekly department meeting.

Commissioners met with Legal for a weekly department meeting.

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

Commissioners conducted a Public Hearing to consider the Filer Area of Impact Agreement.

Commissioners attended a Southern Idaho Republican Women's meeting.

In the Matter of COMMISSIONER PROCEEDINGS

Commissioner Johnson made a MOTION to go into executive session at 9:10 a.m. pursuant to Idaho Code §74-206 (B) records exempt from disclosure – evaluation, dismissal or discipline of staff. Commissioner Hall SECONDED. Motion passed after roll call vote. (Hall yes, Johnson yes, Reinke absent)

Commissioners returned to regular session at 9:16 a.m.

In the Matter of CONSENT AGENDA

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

Commissioner Johnson made a MOTION to approve the Consent Agenda as presented. Commissioner Hall SECONDED. Discussion Commissioner Johnson reviewed the items in the Consent Agenda to include Commissioner minutes for September 30, 2024 – October 4, 2024 and October 7, 2024 – October 11, 2024; status sheets for Maintenance, Juvenile Probation, Sheriff's Office, and TARC. Motion Passed Unanimously. (Reinke absent)

In the Matter of ZONING

Commissioners considered an appeal of the Community Development Director's decision to deny a Building Permit to Gerald Hays.

Commissioner Hall noted that the appeal is for a building permit on land (of approximately 113.809 acres) located at approximately Section 35, Township 9 South Range 16 East Boise Meridian in Twin Falls County filed by Gerald Hays. Commissioner Hall also reviewed the record on appeal and the laws considered.

Record on Appeal:

- Appeal Application Packet including: Staff Report; the appeal application.

Laws Considered:

The Board will consider the following statutes, ordinances and standards:

- Title 8, Chapter 20 of Twin Falls County Code regarding appeals.
- Twin Falls County Code 8-6B Agricultural Zone
- Twin Falls County Code 8-6B-2 Principal Permitted Uses
- Twin Falls County Code 8-9-1 Nonconforming Use
- Twin Falls County Code 8-9-2 Conformity Required

Commissioner Hall swore in all parties giving testimony; Jon Laux, CDS Director, Gerald Hays, Applicant, and Ted Larson, Attorney for Applicant.

Jon Laux, CDS Director reviewed the application for a building permit and the process he followed in denying the application.

Commissioner Hall reviewed the following questions with Mr. Laux.

1. Was this matter a decision that may be appealed? Yes. TFCC 8-20-2
 - Was it a final decision of the CDS Director? Yes
 - When was that decision made? 9.16.24
 - When was the Appellant given notice of the Director's decision? 9.16.24
Decision Letter
2. Did you receive an appeal application in this matter? Yes
 - Who filed the appeal? Gerald Hays
 - Are they a person who may file an appeal? Yes
3. When did you receive the Notice of Appeal? 9.30.24
 - Was the appeal application timely filed? Yes
 - Was the appeal application complete? [No.] The Brief was not filed.
4. Did the Applicant provide any documentation in support of their application? No, only the appeal application was received.

A. Nonconforming Parcel

1. Is this property a nonconforming property? Yes
 - Why is it nonconforming? [The property has two dwellings on a single parcel]
2. Can the building permit application be approved on this nonconforming parcel? No
 - Why not? The property is not conforming per County Code TFCC 8-9-2.
3. Can the property be brought into compliance? Yes
 - How? The applicant can go through the land division process and divide the property which would then make it conforming.

There was further discussion regarding the land division process and how many acres are needed per dwelling. As well as the appeal process that requires the appellant to submit a written statement as part of the appeal process.

Gerald Hays, Appellant and Ted Larson, Attorney for Appellant spoke with the Board. Mr. Hays stated that he filled out the application for appeal and was unaware that he needed to submit an additional statement. Mr. Hays stated that he is getting older with medical issues and would like to add an attached garage, rather than using the old home as a garage as they have been doing. Mr. Hays reviewed a map of the property that showed the location of the tenant house and the house that is currently being used as the garage. Ted Larson, Attorney for the Appellant - Mr. Larson reviewed 8-9-1 section of County Code and disputed the property being designated as nonconforming and whether that applies to the land or the building. Mr. Larson stated that the home that Mr. Hays lives in is conforming, while the tenant house is the nonconforming house which they are not trying to change. Mr. Larson stated that because the building permit is for the conforming house, it should be allowed.

There was discussion on nonconforming property and County code and designating the entire property as nonconforming if any portion of the property is nonconforming. Commissioner Hall asked Mr. Hays to clarify his opposition to doing a land division to bring the property into conformity. Mr. Hays stated the property is a farm and he is concerned that it could cause his sons issues in the future. The tenant home shares a well with the primary home and uses the same irrigation system throughout the property. Mr. Hays stated that he does not want to do a split of the property. There was discussion on the impact of a land division and potential issues as well as the concerns of the Appellant. Mr. Laux stated that the CDS Department will work with Mr. Hays to allow them to begin the garage build if they have applied for a land division.

Commissioner Hall noted that he is struggling with the decision as Mr. Larson has brought up some issues in which the Board would need further consideration and discuss those issues with legal counsel. Commissioner Johnson stated that he would like some clarification as well. There are a lot of homesteads that are nonconforming and that puts those homeowners in a difficult position. Mr. Laux reviewed the portion of code that restricts the expansion of a structure, TFCC 8-9-2 a. Mr. Larson noted that the section of code referenced is unclear and he believes it includes

an implied waiver. Mr. Hays stated that if the building permit is denied, they will destroy the tenant home rather than go through the land division.

Commissioner Hall opened the public testimony portion of the meeting.
No public was present.

Commissioner Hall closed the public testimony portion of the meeting.

There was discussion on turning the tenant house to a storage facility. Mr. Laux reviewed the requirements to designate a building as a dwelling which would include a change of occupancy for the tenant house.

Commissioner Johnson noted that the building permit denial letter has a discrepancy in the home address. Commissioner Johnson stated that he would like to consult further with Legal. Commissioner Hall stated he would as well. There was discussion on tabling the issue for further review and legal clarification.

Commissioner Johnson made a MOTION to table the decision and meet on November 5, 2024, 10:00 a.m. to issue a decision. Commissioner Hall SECONDED. Discussion Commissioner Johnson noted there are some items that they would like to discuss with Legal prior to making a decision. Commissioner Hall concurred with Commissioner Johnson. Motion Passed Unanimously. (Reinke absent)

In the Matter of AREA OF IMPACT

Commissioners conducted a public hearing to consider the Filer Area of Impact agreement.

Commissioner Hall opened the public hearing to consider an ordinance amending Twin Falls County Code Title 8, Chapter 9, Section 19(C) regarding the Filer area of city impact.

The Board considered the following statutes, ordinances and standards:

- Twin Falls County Code Title 8, Chapter 9 General Provisions
- Idaho Code Section 67-6526 Areas of city impact – Negotiation procedure.

Commissioner Hall swore in all parties giving testimony;

Jon Laux, CDS Director, Laura Wilson, Planner, Vera Nunez, Filer P&Z Director, Bob Templeman, Filer City Mayor, and Rick Boepple, Filer City Council member.

Laura Wilson, Planner noted that the State legislature changed the laws that oversees the areas of impact and the proposed ordinance does not comply with the updated rules. Ms. Wilson recommended the Board deny the recommendation of the Planning and Zoning Commission.

Ms. Wilson noted that they will be working with the cities to updated the area of impact agreements and submit their recommendations. Once that is complete, the goal is to have one public hearing that addresses all the areas of impact and those agreements. Mayor Templeman stated that he felt that process would work best for their city.

Commissioner Hall opened the public hearing at 2:10 p.m.

No public present.

Commissioner Hall closed the public hearing at 2:10 p.m.

Commissioner Johnson noted that the Board has had significant review of the issue and hopes that the Board will be able to get through the new update next year. Commissioner Hall noted that Commissioner Johnson will be moving on to be the new Sheriff and the Board will have a new commissioner by the time the updated code and agreements are ready for consideration.

Commissioner Johnson made a MOTION to deny the recommendation of the Planning and Zoning Commission to amend the Twin Falls County Code and adopt the proposed ordinance. Commissioner Hall SECONDED. Motion Passed Unanimously. (Reinke absent)

There being no further business, the Board recessed until 8:00 a.m., October 29, 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 OCTOBER MEETING
October 29, 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 October 28, 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 department meeting.

Commissioners met with Jaci Urie, TARC Director for a department meeting.

Commissioners attended a work session for Twin Falls County Code, Title 8, Chapter 21, Energy Ordinance.

Commissioner Hall attended a SLMV/J Community Board meeting.

In the Matter of INDIGENT

Commissioners considered County Assistance applications.

Commissioner Reinke made a MOTION to approve case number 104749 for \$950.00 for cremation at Wilks Magic Valley Funeral Home. Commissioner Reinke SECONDED.

Commissioner Johnson SECONDED. Discussion Commissioner Reinke noted the individual was indigent and was a Twin Falls County resident. Motion Passed Unanimously.

Commissioner Johnson made a MOTION to approve case number 104750 for rent assistance in the amount of \$750.00 with \$25.00 per month pay back and 50% of future tax refund. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted client has a plan to pay future rent. 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.

No items to consider.

In the Matter of BUDGET

Becky Petersen, Treasurer presented the August Joint Report.

In the Matter of RESOLUTIONS

Commissioners considered the proposed Resolution #2025-010, granting a surplus vehicle to the Filer Fire District.

Commissioner Reinke reviewed the proposed Resolution #2025-010, granting a surplus vehicle to the Filer Fire District with the Board.

Commissioner Reinke made a MOTION to approve Resolution #2025-010, granting a surplus vehicle to the Filer Fire District. Commissioner Johnson SECONDED. Discussion Commissioner Reinke noted this is appropriate. Motion Passed Unanimously.

RESOLUTION NO. 2025-010

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

WHEREAS, Idaho Code §31-808 states the Commissioners may at their discretion, grant to or exchange with the federal government, the state of Idaho, any political subdivision or taxing district of the state of Idaho, any real or personal property or any interest in such property owned by the county; and

WHEREAS, Twin Falls County has determined that the below listed 2011 Chevrolet Tahoe is surplus property, and is not necessary for County use; and

WHEREAS, the Filer Fire District has requested a grant of the below listed vehicle for use in the public interest; and

WHEREAS, The Twin Falls County Commissioners has determined that the grant or exchange of the below listed vehicle is in the public interest;

NOW, THEREFORE, BE IT RESOLVED by the Twin Falls County Board of Commissioners that the following vehicle is declared surplus and shall be granted to the Filer fire District.

2001 Chevrolet Tahoe Vin #1GNLC2E00BR377703

DATED this 29th day of October, 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
Kristina Glascock, Clerk

There being no further business, the Board recessed until 8:00 a.m., October 30, 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 OCTOBER MEETING
October 30, 2024, 8:00 a.m.

Chairman Hall called the Board of County Commissioners to order at 8:00 a.m. in regular session, pursuant to the recess of October 29, 2024.

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

ABSENT: None.

STAFF: Deputy Clerk Shannon Carter.

The following proceedings were held to wit:

In the Matter of MEETINGS

Commissioners met with Kevin Bradshaw, Twin Falls Rotary President for a Frontier Park Restroom Project update.

Commissioners met with Bob Beer, Facilities Director and Doug Hughes, Jail Administrator to discuss Wright Ave. project.

Commissioner Reinke attended a Southern Idaho Solid Waste Board training.

There being no further business, the Board recessed until 8:00 a.m., October 31, 2024, at the Commissioners Chambers, second floor of the Twin Falls County West Facility, 630 Addison Ave West, Twin Falls, Idaho, for the transaction of further business of the Board.

Twin Falls, Idaho
REGULAR OCTOBER MEETING
October 31, 2024, 8:00 a.m.

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

Commissioner Johnson attended an Optimist meeting.

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

Commissioner Reinke attended a Middle Snake WAG monthly meeting via Teams.

In the Matter of CONSENT AGENDA

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

Commissioner Reinke made a MOTION to approve the Consent Agenda as presented. Commissioner Johnson SECONDED. Discussion Commissioner Reinke reviewed the items in the Consent Agenda to include a status sheet for the Assessor's Office, Parks and Waterways, and Clerk-Auditor; an employee requisition for TARC and Traffic Clerk; and a tax cancellation in the amount of \$16.78 for parcel #RPO6S12E369030A as requested by the Assessor. Motion Passed Unanimously.

In the Matter of BUDGET

Commissioners considered the September accounts payables.

Kristina Glascock, Clerk reviewed the September accounts payables in the amount of \$7,992,648.10 with the Board. Ms. Glascock noted that the amount closed out FY2024 spending.

Commissioner Johnson made a MOTION to approve the September accounts payables in the amount of \$7,992,648.10. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted that this closes out FY2024 budget. Motion Passed Unanimously.

Commissioners considered the amended L1 certification of levies.

Kristina Glascock, Clerk reviewed amended L1 certification of levies with the Board.

Commissioner Reinke made a MOTION to approve the amended L1 Certification of Levies as presented and authorize the Clerk to sign the amended L1 certificate. Commissioner Johnson SECONDED. Motion Passed Unanimously.

Twin Falls County	0.002683757
City of Buhl	0.007573390
City of Castleford	0.001694679
City of Filer	0.006287247
City of Hansen	0.003417782
City of Hollister	0.002049740 **
City of Kimberly	0.004093250
City of Murtaugh	0.005051144
City of Twin Falls	0.004931725
Bliss School #234	0.000430540
Buhl School #412	0.000010113
Cassia School #151	0.001354137
Castleford School #417	0.000974830
Filer School #413	0.000462881
Hagerman School #233	0.000554745
Hansen School #415	0.001538502
Kimberly School #414	0.001037710
Murtaugh School #418	0.001031732
Three Creek School #416	0.000830999
Twin Falls School #411	0.001490168
Twin Falls Ambulance	0.000114905
Filer Cemetery	0.000093051
West End Cemetery	0.000086519
Bliss Fire	0.000432556
Buhl Fire	0.001429649
Castleford Fire	0.000752831
Filer Rural Fire	0.000578986
Hagerman Fire	0.000955849
Rock Creek Fire	0.001195956

Salmon Tract Fire	0.000612278 **
Twin Falls Rural Fire	0.000878436
Buhl Hwy	0.001158479
Filer Hwy	0.000879329
Murtaugh Hwy	0.001009057
Twin Falls Hwy	0.000725150
So. Id Jr. College	0.000725026
Hansen Library	0.000389809
Twin Falls Abatement	0.000067860
Castleford Recreation	0.000203009
Filer Recreation	0.000250821

Kristina Glascock, Clerk presented the quarterly statement.

Commissioners considered the non-utility generators NUGS for tax year 2024.

Becky Petersen, Treasurer reviewed the non-utility generators (NUGS) for tax year 2024 with the Board.

Commissioner Reinke made a MOTION to approve the non-utility generators (NUGS) as presented and authorize the Clerk to sign the report as presented. Commissioner Johnson SECONDED. Motion Passed Unanimously.

Twin Falls Rural Fire	\$3,272.20
Buhl Fire	\$4,664.48
Rock Creek Fire	\$8,250.40
Filer Rural Fire	<u>\$1,911.24</u>
Total	\$18,098.32

In the Matter of CONTRACTS

Commissioners considered the Food Service and Commissary Agreement with Summit Foods.

Doug Hughes, Jail Captain reviewed the Food Service and Commissary Agreement with Summit Foods with the Board.

Commissioner Johnson made a MOTION to approve the updated Food Service and Commissary Agreement with Summit Foods as presented and authorize the Chairman to sign the documents on behalf of the Board. Commissioner Reinke SECONDED. Discussion Commissioner Johnson noted the agreement replaces the supplemental agreement that was approved in August. This agreement was reviewed by Legal and the sections that were an issue had been removed. Motion Passed Unanimously.

In the Matter of ZONING

Commissioners considered the request to release lots in Phase 2 of the Evening Star No. 2 Subdivision.

Laura Wilson, CDS Planner reviewed the request to release lots in Phase 2 of the Evening Star No. 2 Subdivision with the Board. Ms. Wilson noted that all requirements have been met and improvements completed for the Subdivision. Ms. Wilson recommended that the Board approve the release.

Commissioner Reinke made a MOTION to approve the request to release lots in Phase 2 of the Evening Star No. 2 Subdivision. Commissioner Johnson SECONDED. Motion Passed Unanimously.

There being no further business, the Board recessed until 8:00 a.m., November 1, 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 NOVEMBER MEETING
November 1, 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 October 31, 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 Reinke attended a WEMA meeting.

Commissioner Reinke attended a Unity Alliance of Southern Idaho meeting.

Commissioner Reinke attended a Board of Community Guardians monthly meeting.

There being no further business, the Board recessed until 8:00 a.m., November 4, 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.