

Commissioner Minutes

November 20, 2024 - 3:01 p.m. to 3:57 p.m.

EXECUTIVE SESSION REGARDING PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206 (1)(B) - DEPARTMENT HEAD PERFORMANCE EVALUATION

Commissioners Leslie Van Beek, Brad Holton, and Zach Brooks

Director of Constituent Services Aaron Williams

COO Greg Rast

Deputy Clerk Jenen Ross_____

EXECUTIVE SESSION REGARDING PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206 (1)(B) - DEPARTMENT HEAD PERFORMANCE EVALUATION

The Board met today at 3:01 p.m. for executive session regarding personnel matter pursuant to Idaho code, section 74-206 (1)(b) - department head performance evaluation. Present were: Commissioners Leslie Van Beek, Brad Holton, and Zach Brooks, Director of Constituent Services Aaron Williams, COO Greg Rast and Deputy Clerk Jenen Ross.

Prior to entering into the executive session, the Board asked Mr. Williams to provide an update on the APA open house that was held last night. He said the turnout was significant with many people voicing their opinions about this issue. They still need to review the comments received but some of the high-level themes based on conversation included a lack of incentive to use the APA, didn't like that the BOCC has the final say and that the APA commission would only provide a recommendation, and expressed a desire for those actively involved in agriculture to write the ordinance. Mr. Williams and Mr. Gibbons were able to speak with the participants and give an overview on how the process progressed, compliance, and working within the parameters set forth by the state. Several people expressed concern regarding the impact areas, they didn't want that to be a barrier in utilizing the APA; they felt that if property met the criteria of being 5 contiguous acres the APA should be able to be utilized as it's a property right.

Based on a question from Commissioner Brooks, Mr. Williams explained that as the night went on and people were able to read the law and understand how it was incorporated into the ordinance there was a better understanding of why the county is doing this.

Although they did not have a sign-in sheet, Mr. Williams said the people he spoke with represented that they were in agriculture, they were farmers or ranchers. In regard to the 20-year time commitment, some attendees thought the 20 years was too long – Mr. Williams got a sense that people would be more favorable to a 10-year timespan.

In response to a question from Commissioner Van Beek, Mr. Williams said that even though legislators who drafted the ordinance were invited to attend the workshop, there were none in

attendance, nor did any political action groups or lobbyists attend. Additionally, Mr. Williams addressed Commissioner Van Beek's secondary questions about attendees having a better understanding once they were able to see the law in comparison to the ordinance, however, they thought there were areas the county was too in the weeds or too restrictive and wondered if there was any workaround; one specific area is the ½ mile radius from impact areas. He said the story map was helpful just due to the complexity of the bill and ordinance.

At approximately 3:12 p.m. Commissioner Holton made a motion to amend the agenda to include an update from Director Williams on the APA open house on the 19th. The motion was seconded by Commissioner Van Beek and carried unanimously.

Mr. Williams said that once the comments are more thoroughly reviewed by himself and Director Gibbons, they will provide a more in-depth update to the Board.

Commissioner Holton asked if there was any member of the Farm Bureau present for the open house last night, Director Williams was unsure but believes there may have been one gentleman.

Commissioner Holton said the BOCC is very interested in what the public has to say at the P&Z meeting happening this Thursday night. He noted for the record that the APA is not the Canyon County Commissioners' idea, this is the legislature's idea and if people have issues with it he suggests they talk with their state legislators. The county is trying to follow the statutes that have been put down, the county was not asked, it was just done. Commissioner Van Beek supported Commissioner Holton's comment and said for those who object to the BOCC, under Idaho State Statute Title 67 for the Land Use Planning Act – that is where land use decisions fall. The Board is elected officials, she feels this is a great board that is interested in long-range planning and development as well as looking at how to preserve what attracts people to this area. To assign that kind of power to a subsidiary group that is not elected by the people, in her opinion, is the wrong move. She would also not want the Idaho State Legislature overstepping into county business where they would be dictating what's happens with a farmer's land. She offered additional comments about generation farming and the dedication it takes from those families.

Commissioner Holton said that for the people listening to the record, he thanks them for trying to participate in government. He said the APA, as they've spoken disparagingly about it, is a one-off at the moment, it has land use rules and guidance that are contrary to the local land use and planning act. Until now, the State of Idaho had been pretty set in how to deal with land use and how you change characteristics of pieces or parcels. This is a one-off anomaly and in his personal opinion, it is half-baked and it is not well thought out. He hopes that the legislature has the fortitude to clarify and correct some of the nuances that they've put into this bill that are outside of the local land use planning act. With that said, he wants it on the record clearly that the consumption of agricultural ground in Canyon County is mostly being done in the municipality areas, not out in the county. He said the public has the right to be mad at the Canyon County Commissioners about land used

decisions, but said the facts show the total amount of active agricultural ground that is being consumed for growth is within the municipalities. He asked the public to keep that in mind as the county is going thru this noting that for whatever reason when the legislature made this new statute they included the areas of impact, although he doesn't understand the reasoning about that. He suggested people contact local legislators with concerns regarding the bill, that county government is doing what has been mandated by the state to do. we're doing the best we can with the position that we've been place.

Commissioner Van Beek spoke about how she feels this may be a way to protect farmers from being taken advantage of and that as far as she knows this legislation was targeted exclusively at counties. She feels the goal is to create areas that don't create a high service call outs in the future, to work together in that effort to create a beautiful county. In her mind, the job of the county commissioners is to ensure that what's being planned for the future is still a good place for kids to live that's safe and has unique features. If there is a land-grab happening, it's happening between the cities for the tax base, so the board is doing their best to hold the line and develop quality areas for people to live.

Commissioner Holton said he hears what Commissioner Van Beek is saying but being involved from a municipality side, he said it isn't about the tax base, it is about the need for growth, the need for housing and Idaho is just in a really unique time where there are multiple surrounding states that people are literally fleeing from and it's messing with the economy, the price of housing and it gives it an artificial bubble that is way high and it concerns him what it will end up doing for the residents that have lived here – what they're going do in the future. He said the growth issue, for the public record, there is growth in in the county, but the major lion share of the growth is within municipalities so this bill is close but no cigar.

In response to a question from Commissioner Van Beek, Mr. Williams said that he's met with the cities of Star and Caldwell and has a meeting scheduled with the City of Middleton to talk about what is happening in those cities and to strengthen the relationship between the cities and the county. Commissioner Holton suggested utilizing Steve Onofrei as a contact resource in the smaller cities.

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Commissioner Van Beek made a motion to go into Executive Session at 3:24 p.m. pursuant to Idaho Code, Section 74-206(1) (b) regarding personnel matters. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, and the Director of Constituent Services Aaron Williams. The Executive Session concluded at 3:57 p.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.