

Speaker 1 ([00:02](#)):

Good morning. I'm Chairman Brad Holton. It is now 10:32 on this 12th day of August, and it's time for today's Canyon County Board of Commissioner's public hearing. This would be regarding a case CU2025-0002-APL. I'm Chairman Brad Holton. To my left is Commissioner Zach Brooks and Commissioner Leslie Van Beek. The DSD staff and any additional exhibits received by the established materials deadline have been posted on the county's website on the land use hearing page for anyone to review. Potential conflicts of interest. Before we begin testimony, are there any declarations pertaining to this application, such as conversations or meeting outside of this hearing received by any commissioner?

Speaker 2 ([00:51](#)):

Thank you, Chairman. No.

Speaker 3 ([00:52](#)):

No, Mr. Chairman.

Speaker 1 ([00:54](#)):

And no for myself. Is there any commissioner who, for reasons of conflict of interest, request to be excused from participating from this specific decision?

Speaker 2 ([01:03](#)):

Thank you, Chairman. No.

Speaker 3 ([01:04](#)):

No, Mr. Chairman.

Speaker 1 ([01:06](#)):

Okay. I think I recognize several of you. Is there anybody new here that hasn't been to a public hearing before? All right. I hate to call you frequent flyers, but if you're more than once, then you're a frequent flyer in some cases. That of, that, , that's true for today. So as chairman, I'll maintain order by restricting inappropriate discussion or disorderly conduct. At this time, I'll explain that the rules and procedures for today's hearing are consistent with Canyon County Ordinances Chapter one, Article 17, and Chapter seven, Article one. The applicant has the burden of proof. The applicant or the representatives will go first today, followed by testimony limited to 10 minutes. The board may have additional questions for the applicant, which won't count against their time. , The staff, , is, is today going to give us an update before we start anything. , The staff may have a report after that.

([02:06](#)):

And then following that, we will have testimony from those who have signed up. When you come up to testify, just have a chair, speak loudly into the microphone so we can hear, , what you want to be put on the record. We will not be accepting any documents or other written materials at this hearing. All materials to relied upon. As part of the record, we're required to be submitted by the advertised deadline, which is a minimum of 10 days ago. Materials received by that deadline have automatically been included in the record and we have received them. This deadline is to provide ample time for inclusion into the staff report packet, hearing body review, and full transparency and access for the

public. The submission of late documents or other materials does not allow all parties time to address the material or allow sufficient time for public review.

(03:01):

If in your testimony you refer to an exhibit, we will receive your specific verbal descriptions of what you're referring to so we can have that in the written record. We are ready for the oath of affirmation for those who are wanting to testify.

Speaker 4 (03:17):

Arby Josh Johnson, Carl Anderson, Jeff Bancroft, Renee Kelly, Tina DeBoer, Patty Frazier, Connor Gray. I can everybody raise your right hand. Do you swear or affirm that the testimony you give will be the truth, the whole truth, nothing but the truth, so help you God? I do. Thank

Speaker 1 (03:32):

You. All right. So, Arbai, part of our DSD staff member is going to give us a, brief update where we find ourselves starting out this morning. And if you would do that, I'd appreciate it. Thank you.

Speaker 5 (03:47):

Good morning, commissioners and members of the public. My name is Arbai, and today I'll be presenting the Big Horn Traffic Services Appeal, case number CU2025-0002-APL. So first on background, the applicant submitted a conditional use permit, and the case was heard and denied by the Planning and Zoning Commission. The applicant submitted an appeal of that decision requesting the Board of County Commissioners overturn the Planning and Zoning Commission's decision. During the applicant's first hearing with the board, the applicant presented his evidence as to why the requested use met the hearing criteria, and the public gave their testimony as well. The board tabled the case and directed staff to provide modified conditions of approval. The modified conditions were presented during the second hearing on April 22nd, 2026, with the board where the applicant requested the case be tabled to discuss the conditions with neighbors to come to a consensus between both parties.

(04:48):

The case was tabled by the board once more to allow the applicant to collaborate with the neighbors on the conditions of approval. On May 8th, the applicant provided a neighborhood meeting sign-in sheet and stated that the two parties were not able to come to a consensus and the applicant is in agreement with the conditions outlined by the board on April 22nd. The sign-in sheet and email correspondence is added as an exhibit eight. The a - the property owners wanted to, submit some modified conditions. Those were not included in the reports as they were received after the deadline. So it'd be up to the board if they are wanting to include those in the record or not today.

Speaker 1 (05:34):

At what date were they received?

Speaker 5 (05:36):

They were received on August 10th.

Speaker 1 (05:41):

Just a few days ago. Okay.

Speaker 5 ([05:43](#)):

Correct. There

Speaker 6 ([05:45](#)):

Wasn't any communication.

Speaker 1 ([05:47](#)):

Whoa, whoa, whoa, whoa, whoa. Don't be out of order, please. Please don't be out of order. There's rules that have been set up for over two years.

Speaker 5 ([05:59](#)):

So due to -

Speaker 1 ([06:00](#)):

Last, last, last time. Or I'll ask you to vacate the room. You are frequent flyers. You know the rules. Stand down.

Speaker 5 ([06:17](#)):

So due to the lack of additional information, we are in the same spot as we were. , So the board, again, has the three options to approve the appeal of returning Planning and Zoning's Commission's denial. They may deny the appeal and uphold Planning and Zoning Commission's denial, or it can be tabled for additional information. Okay. I will now stand for any questions.

Speaker 1 ([06:39](#)):

Okay. Questions?

Speaker 2 ([06:42](#)):

Maybe Chairman, just to confirm in the applicant's presentation, there's a proposal to use Nampa's existing setbacks, even though this is a county application because the existing shop on the property does not meet Canyon County standards, correct?

Speaker 5 ([07:01](#)):

Chairman, Commissioner Van Beek, that is correct.

Speaker 2 ([07:04](#)):

Okay. And then, , there is. The reason that this is not currently annexed by the City of Nampa is that there is property in between that prohibits that, correct?

Speaker 5 ([07:20](#)):

Correct.

Speaker 2 ([07:21](#)):

Okay. And was there a look at what the. Because it's referenced in the staff report on what the overlay, the airport overlay requirements are for that. Was that analyzed and provided as information?

Speaker 5 ([07:40](#)):

Chairman, Commissioner Van Beek. So the City of Nampa has that area, I believe, for industrial in their comprehensive plan. , So that can be used to support the reasoning to, , approve this, because in the future, it might lead to that if they were to be annexed. With the conditional use permit, it being in the agricultural zone, , the county today does have the opportunity to approve it based off the conditional use permits and, of course, add conditions to mitigate any concerns.

Speaker 2 ([08:08](#)):

Understood. And so my, my question in that, Chairman, is that if the county were to approve something that is outside of potentially their industrial area, the, if we compared, , what their overlay standards looked like with mitigating, , conditions that are included for today's consideration.

Speaker 5 ([08:33](#)):

Chairman, Commissioner Rambik, again, you can include those conditions. , So with the City of Nampa in our ordinance, we do have a section that, you know, can analyze, , their city codes and apply, , city standards. And that would be up to you guys if you guys wanna include those or not. So the city might have higher standards in regards to maybe, like, landscaping or buffering. , We do not have that in our code currently. , But because it is in their area of impact, the commissioners, you guys can include those.

Speaker 2 ([09:07](#)):

Right. And, and just as a matter of statement for the record, the city standards are generally, , at a higher level than county standards.

Speaker 5 ([09:17](#)):

I believe that's correct, commissioner.

Speaker 2 ([09:18](#)):

Thank you. Okay. Thank you.

Speaker 1 ([09:24](#)):

Any questions?

Speaker 3 ([09:25](#)):

No questions, Mr. Chairman. All

Speaker 1 ([09:28](#)):

Right. Is the applicant interested in making any further presentation to the board this morning? State your name, please, and you have 10 minutes.

Speaker 7 ([09:43](#)):

, Yes. Connor Gray, 505 South 7th Avenue, , Caldwell, Idaho, 83605. , Apologies. I'm fighting a little, , food illness right now, so maybe a little bit shaky right now. <Laugh> , but yes, good morning, , chairman and commissioners. Again, my name is Connor Gray. I've been working as the owner's rep, , for the last two and a half years or so on this, , Big Horn Traffic Services application. , Because we've exhausted this application, I think, long enough over the last few hearings, , I do wanna keep, , my address fairly brief. , As you recall, , and also our, our, our by did a great job that this application was, , held, or heard by the board on two separate occasions over in April of this year, , after many hours of testimony and going through this application with a fine comb. , The chairman, commissioners worked with the, , with the staff, , to come up with these conditions for approval.

(10:31):

, Following the presentation of these conditions, I did write an email, , over to the county s - , over to the county staff addressing some of my concerns and just thoughts overall about the conditions. But more importantly, I had kind of wrote, , wrote a small excerpt, , based on a comment from Chairman Holton that he had wished we were able to work some of these conditions out with the neighbors. , I, I had said that we were ul- ultimately completely okay with the conditions I was, I was presented, , from the commission. , However, if that was something that the board wanted us to do is try to work with the neighbors one last time, give it a go, we'd be more than happy to. , From the very beginning, I've said, I, I've wanted to work with the neighbors and everything along those lines and figured, you know what, we can be able to, , give it one last shot.

(11:10):

, First and fore - , first and foremost, I do wanna thank everyone who was able to attend that evening. , This was our third neighborhood meeting, , that we have held over the last several years. And at this point, I'm sure the neighbors are just thrilled for every chance they, , that they get to be able to see me. , That said, , I truly am thankful, , that the meeting was conducted in a very cordial and respectful manner, , amongst really everyone, , that was, , present there. , I completely understand. I, I hold a lot of these neighborhood meetings, and they can be very stressful for everyone involved, for all parties. , Most importantly, very emotional, , you know, on, on different ends of the spectrum. So it's not, it's not easy for everyone. , However, you know, despite, , everything being respectful, we were not able to find common ground on where we could be able to, , take these, , presented, , you know, as the conditions as they were presented.

(11:59):

, I don't think I'd be out of the line to say that the neighbors just simply don't want the project whatsoever. , Following kind of towards the end of the meeting, I had said, you know, "If there were any conditions present that you guys would want to be able to see, , where we could work on something, please let me know, you know, prior to the hearing, and I, you know, my phone's always open, my email's there. , Please let me know, and we can, we'll work through it." , I didn't receive any communication or anything along those lines, , so I, I, I think just, , their position is unequivocally no on it. , So that's kind of where it brings us today. , We just, , simply just have a fundamental disagreement on the practical matter of this use. , Despite several attempts to see if there was any ground that we could meet on over these last couple years, the, the neighbors believe that this area is suited for residential uses.

(12:47):

, But I cannot stress this enough, as I wrote in the, in the record, , we are absolutely confident that the Canyon, , Canyon County Code and Idaho Local Loose, , Idaho Local Land Use Planning Act, , are on our side in this matter. And to the extent that straying away from it, , would, I think would be an absolute

concern for, , to the property owner's rights. , Despite the opposition believing that this is a residential area, it, it simply is not. , This is currently zoned agricultural, , and was also recently voted on to remain agricultural with, , when adopting the new comprehensive plan. , That is stated as such in the record. , In addition, the staff and agencies have shown through their work, , over the last two and a half years that we meet every criteria in the code. , Because of this, landowner and applicant have, have vested rights in this property and, , and the project as well.

([13:34](#)):

And that allows them to exercise this use. , And that's what ultimately what this decision needs to be. , A decision based on land rights, , that an owner has when they purchase ground here in Idaho. Nothing else. , We have worked and done everything that the staff and agencies and commissioners have asked us to do, , despite it not being f - easy for us whatsoever in many of the circumstances. , In every way where the, , code requires us to check a box, we have done exactly that and the record reflects it. , What this decision comes down to is whether we meet the requirement in the code, as Arby had mentioned. , Based on the, , the evidence in the record, there's not one piece of evidence or information that says that we don't meet this. , We have staff's recommendation. We have no agency concerns, , that have not been addressed.

([14:15](#)):

, We have agreed to every condition, , presented to us, , to this point in order to minimize the impact as much as possible. , And just kind of just ultimately, this has been a long two and a half years, , I think for just everyone involved. , We just simply wanna be able to exercise our rights to this land. , Thus that we, we do ask the chairman and commissioners, , to approve this application with the presented conditions, , by staff and this board. , And the e- evidence in the record suggests that this is the correct and legal path to do so. Thank you. Okay.

Speaker 6 ([14:46](#)):

Any questions?

Speaker 2 ([14:47](#)):

Chairman, just one point of agreement. You've, you have mentioned several times that you met the code. I did ask Arby specifically the building that's on there, the shop does not meet Canyon County Code, so I want to make sure that there's a correct statement and a reflection of information. That building is not in conformance with County Code, which is why there was a proposal on the part of the applicant to use Nampa city setbacks and not the county setbacks.

Speaker 7 ([15:14](#)):

That, yes, commissioner. And then that's completely okay with me to be able to reflect that in the record. I, I, how I kind of view that is that we still, in order, , you could, whether it's read as a condition or, or not with the, with that building setback, if, when, when we do get the approval through the city of Nampa, we would be meeting code with it. But a- as of currently today, , then yes, that, that's fine with being in the record with me.

Speaker 2 ([15:36](#)):

Okay. Thank you for that. And then, , you alluded to that you had had conversations with Nampa. Have you talked, refreshed my memory on where you were at with being in Nampa's city limits and annexed?

Speaker 7 ([15:48](#)):

Yeah. So we, we've met with them, , several times back, you know, a couple years ago when we were trying to be able to decide what we wanted to be able to, you know, whether we go with the city with the annexation or, you know, whether we just kind of go with the county because it's obviously in there already. So we've had that conversation. , Everything that, , we, you know, that we've had, and I, I believe it's in the record as well, so it's part of our emails, is that the city of Nampa supports this. Again, it's in the, in their industrial zone. , They have told us multiple times we're not contiguous, so we would have to find some sort of path to be able to get in, which is, which is a lot more difficult to do because then you're entering multiple parties at, at that point.

([16:24](#)):

, But as far as all conversations I've had with the city, they've been, , positive in support of this.

Speaker 2 ([16:31](#)):

Thank you. And do we, , Chairman, one more, one last question. We also agree that the property that you're on is a residence with a shop, that there's a desire to change that use to a commercial use.

Speaker 7 ([16:47](#)):

, Commissioner, Chairman, Commissioner, you know, it, a- as far as kind of the, the legal standard as far what you would consider that, because I mean, there, there's been a COP that has been on that property. It hasn't been used as a primary residence in 20 years or so. I, I don't know the exact date. So it, there has been a kind of a commercial, , COP use for that. , So I, I don't. It hasn't been used as a residential use in quite some time, especially when the owners haven't used it. So I, I don't know how to be able to, , what, what you would call it.

Speaker 2 ([17:21](#)):

Thank you. Thank

Speaker 7 ([17:22](#)):

You.

Speaker 1 ([17:28](#)):

Arboy, would you agree with that statement?

Speaker 5 ([17:34](#)):

Chairman, commissioners, , there was previously an assisted living facility, , on that site that was used. And similar to the applicant, I don't remember the years, but I wanna say up until 2016. , But I could getting that, those dates wrong.

Speaker 1 ([17:51](#)):

Needless to say, it hasn't been used as a primary R1 residence.

Speaker 5 ([17:55](#)):

Correct.

Speaker 1 ([17:56](#)):

Okay. All right. Other questions for the applicant?

Speaker 2 ([18:02](#)):

Not right now.

Speaker 1 ([18:03](#)):

Okay. All right. , Let's hear from the members of the public who -

Speaker 7 ([18:08](#)):

Thank you.

Speaker 1 ([18:08](#)):

Signed up. Thank you. Hope you get better. <Laugh>

Speaker 7 ([18:11](#)):

I appreciate it.

Speaker 4 ([18:14](#)):

Renee Kelly.

Speaker 1 ([18:31](#)):

All right. Okay.

Speaker 8 ([18:32](#)):

Do I need to say my name and address? Is that what I - Please.

Speaker 1 ([18:34](#)):

Yes.

Speaker 8 ([18:36](#)):

Rene Kelly, 5416 East Victory Road.

Speaker 1 ([18:39](#)):

Thank you.

Speaker 8 ([18:39](#)):

Okay, really quickly, because I don't have a lot of time, I wanna clarify when he said that none of the neighbors emailed him. , I didn't think that it was their

Speaker 1 ([18:49](#)):

Right to - Whoa, whoa, whoa. Testimony and this hearing today has -

Speaker 8 ([18:52](#)):

This is about this. It

Speaker 1 ([18:53](#)):

Has been continued about the conditions.

Speaker 8 ([18:56](#)):

Yes. So I'm saying what we were talking about, about the conditions at the neighborhood meeting. And he said that we didn't email him about what conditions we wanted as neighbors, and I didn't think it was their right to know what our conditions were that we wanted to place on that. I just wanted to clarify that. Does that make sense? It's not Big Horn's right. It's your guys' rights as commissioners to know what we want as neighbors. We don't owe them anything. Does that make sense? That's what I'm getting at.

Speaker 3 ([19:25](#)):

Mr. Chairman, it makes sense, but the whole point of continuing this was so that the two parties could communicate

Speaker 8 ([19:32](#)):

With us. We didn't want that. We wanted you guys to have them be annexed into the city. But we feel like we're being forced into agreeing on conditions. I think the city route is the best route. They have better code enforcement, police, and laws. You guys aren't saving us by putting conditions on it. I would rather have the city put their stricter conditions on it. , So if you guys are gonna allow this, I would like you to consider what the city would require, not the limited county's conditions. Does that make sense? 'Cause Like Ms. Van Beek said, city has stronger codes, stronger requirements. If you drive up and down Happy Valley, those businesses have nice vinyl fences. They have sidewalks. , So I'd like to see a seven-foot vinyl fence around their working area. No use of outside lighting after 6:00 PM. If they need it for security, maybe they're, , attracting the wrong people in our area.

([20:33](#)):

Only use of the east driveway because the re - west conflicts with the driveway across the street. Sidewalks, Monday through Friday, operating hours, absolutely no weekends. Seven to six operating hours means seven to six, no coming later for personal vehicles. Operating in a closed shop. They've been doing it for two years and admitted to it at the neighborhood meeting that they are currently working out of it because they have to. They don't have anywhere else to go. Having a closed facility would mitigate the noise. , Quarterly compliance checks from code enforcement. Otherwise, these conditions will not be able to be enforced. Code enforcement's hands get tied very quickly with state laws. Limit employees to the original application request, not the add-on that they did later. , No expanding the building or building without city annexation. No backup beepers. And paving all drivable areas to mitigate dust.

([21:28](#)):

, Which these are a lot of the things that you guys had talked about. This is just making it fit in a residential area. 'Cause You guys had talked about front gates and the fence, but it's gonna be a crappy six-foot fence with the slats that deteriorate. , So you guys did cover a lot of that already. I just would like to see it fit more of a residential area, because that's what's around it. As a property owner adjacent, I would like to get clarity from you on your plan for this area. Speaking to Doug Critchfield at

City of Nampa, he did say that's industrial use because of the FAA in Nampa. He also confirmed though that the properties now adjacent for city future use can also choose to be industrial because we will have an impact because of that industrial across the street. So I wanna know, because right now you guys have it as residential.

(22:26):

Are you gonna start honoring CUPs then for those residential in the counties? 'Cause This quality of life is getting exhausting and sucks. We have illegal felons to the north of us running a landscaping business. We have Timmy's Tree Service running a CUP to the east of us, and now we'll have this CUP on the west of us. So we are getting surrounded by businesses. So as a property owner, I would like to know that I will be allowed to have CUPs too on my, what the county considers residential. So I just was looking for that clarification today too on what we'll be able to do, if that makes sense. 'Cause Personally, we kinda just wanna get out and sell because we're being surrounded by it. , But thank you for your time.

Speaker 4 (23:20):

Tina DeBoer.

Speaker 6 (23:28):

Good morning, Tina DeBoer. , Couple things really quickly that there was some confusion on these meetings here. There was no cl- clear communication - Mr. Chairman. To the community about submission and conditions. Mr. Chairman. And then I'd like to be very clear.

Speaker 3 (23:42):

Yeah, that means you're supposed to kinda stop.

Speaker 1 (23:45):

Could you state your name and address? Just -

Speaker 6 (23:47):

Tina DeBoer, 5925 East Victory Road, Nampa, Idaho, 83687. Thank you.

(23:51):

I wanna be very clear that our first and strongest request still remains a denial of the CUP. We believe the better course is to allow the normal annexation process. With the City of Nampa to occur rather than place an industrial type business in this rural residential area through a county CUP, we believe the city has stricter development standards and greater resources to oversee and enforce an industrial use. By contrast, our experiences cause a serious concern about relying on a county CUP and code enforcement to protect us after approval. County enforcement resources are limited. Our understanding is that enforcement officers cannot simply enter private property and buildings to inspect compliance. That can leave neighbors reporting violations and enforcement personnel trying to determine from the public right of way what is actually happening on the property. That is why if you approve the CUDP, despite our objections, the conditions cannot merely be suggestions followed by fines.

(24:34):

Complaints must be a condition of keeping the CUP. A document of violation should put the CUP at risk and trigger revocation proceedings with whatever notice and due process the law requires. We're also asking for conditions that protect the character of this neighborhood. Hours of operation cap on

employees and vehicles. No built-in expansion, no heavy equipment or alarms, manufacturing restrictions, no exterior grounds, lighting outside approved, , outside of approved operating hours, a seven-foot solid privacy fence, no chain link. One business driveway. And I believe they want it on the east side, not the west side. That was, , incorrect at first, , in our communication. Limited non-illuminated signage. No letter, no larger than two by four and the large shop door closed during operations. Traffic is a major concern. We specifically request flat top speed bumps or speed tables along East Victory. Two nearby cities use a style of traffic calming extensively, and I personally watch vehicles slow for them.

(25:24):

We need meaningful mitigation, not simply another study of a road we already know has speeding and safety problems. , We have sent a, a list of conditions. There was confusion on what, when we were allowed to send them and what happened. So, , it sounds like those will not be reviewed. , If you've seen the large massive industrial building on the roundabout near Happy Valley, you would understand our concerns because it has blocked off open sky view and natural light for the three homes around this monstrosity of a building at the roundabout. , This is part of the reason we're pushing back so hard. This decision is not only about whether a business can function on this parcel. It is also about the people who already live here. Their quality of life, the real beauty of the area, safety and property values. This land got listed as possible commercial when it should not have.

(26:08):

A buyer purchased it without a CUP approval. Now we are facing, , having to fight this and try to preserve our quality of life. Please uphold planning and zoning's denial. Allow the city annexation process to address future industrial development. If you nevertheless approve the CUP, we hope that you will adopt these protections, which we did discuss at the neighborhood meeting. , And that was discussed. So I was a little surprised that they said we did not. , And I think that's about it. Thank you for your time.

Speaker 4 (26:45):

Patty Frazier.

Speaker 9 (26:57):

My name is Patty Frazier. I live at 5903 East Victory Road. I've not spoken before. So, , some of the things that are concerns personally, , several years ago, we had a death on the road right outside of the roundabout on Robinson and Victory. Our neighbor three houses down was turning left into their own driveway. And someone chose to pass them. There are no solid lines in front of our homes. You can still pass. , We walk across the street and we visit with our neighbors. This isn't, , a subdivision like what everybody is approving and living in these days. This is still an old-fashioned residence with acreage property. We love our neighbors. We support our neighbors. We've had trees falling down in the middle of the road. We've all come together just within the last three months. Cut up limbs, dealt with traffic. We're that kind of neighborhood.

(28:16):

I used to live in a subdivision. We have more community camaraderie with our neighbors where I live today than I did in the subdivision. I understand things change and our world is changing very rapidly here, but I don't feel like there's a lot of safety precautions that have been considered. We have a roundabout at Happy Valley with a business that is right on the very edge of the roundabout. There's no safety turns. How does, how does that get addressed? How do we as citizens know that you're thinking

of our well-being? And I just don't know that that's the reality. I could be wrong, but my perception is not that.

(29:04):

I think also of the trash. I've seen so many cigarette butts taking my garbage cans out front, people throwing their garbages out the window. I like our yard to look nice. I don't wanna have to put up a six-foot fence from the noise and the traffic and the garbage that goes into our yard. We still care about the way our property looks, the environment that we live in. We're very respectful of our property and our neighbors. And I worry that with that many people coming in, parking vehicles, the traffic that's gonna come and go in addition on our road, I just don't feel that it's ready for that. We haven't taken the precautions in advance to support that kind of activity. The other thing is, is that that property, when we moved in there, it was an assisted living facility. If many of you have Ever visited a small residential home assisted living facility?

(30:04):

There might have been four employees at one time. Very seldom, unfortunately, do people get visited by their family members or friends? So the amount of traffic that that had was very, very small in comparison to what we're talking about today. So I know things change, but I would like to know that you have our wellbeing in mind.

Speaker 1 (30:33):

So I'm, I'm gonna ask you a question because you, you perked my co - my curiosity.

Speaker 6 (30:40):

Yeah.

Speaker 1 (30:40):

You, you made a statement that would be understood as you didn't think the board has heard the public or done anything to mitigate this application. What do you think the proposed conditions were from the board? Does, does, that's completely out of your concept of attempting to mitigate and address the neighborhood's concerns? I'm, I'm confused by your statement.

Speaker 9 (31:09):

Well, I'm sorry that you're confused, but originally I think there were only supposed to be maybe seven to 10 vehicles and employees. Now we're talking about 20 to 25. Those conditions have changed. I also stated that I don't feel that our roads are ready for that. Would you like to paint a solid line in front of our neighborhood so there's no passing allowed?

Speaker 1 (31:36):

We don't do anything with the roads. Right. That's the highway district. So I hear, I hear your concerns. Yeah. But it's the wrong entity to, to be. I mean, you're welcome to share your concerns, but if you wanted a painted line, you need to be going to the highway district board.

Speaker 9 (31:54):

And that's the frustration I think that we have is, unfortunately, you're responsible for your part and always doesn't seem that the right hand knows what the left hand is doing. And as citizens who live

there every day, these are our concerns. And I think it's important that you hear our concerns. You may or may not be able to make that change, but you might help advocate us for that opinion. It's no different than. It's kind of, , it's our government and I understand that and our city government and our canyon government. But some of the things that are concerns of ours, I think it's important to respect all of those. Will we go to the county and address that? Absolutely. Have we addressed the speeds in our neighborhood? Absolutely we have. Have we asked for more sheriffs to come out? Absolutely we have. We're a very involved neighborhood because we care about where we live.

(33:01):

But I think it's important that you also understand that these things that we have concerns of, you may or may not be able to control, but it's difficult living there and hearing, "Well, that's not my responsibility. You have to go here." Help advocate that for us. Thank you. Thank you.

Speaker 1 (33:21):

Any good questions?

Speaker 2 (33:23):

I don't. Thank you for your testimony.

Speaker 4 (33:27):

Carl Anderson?

Speaker 5 (33:30):

I don't need to testify. Thank

Speaker 1 (33:32):

You. Okay.

Speaker 4 (33:34):

Thank you. Jeff Dancer.

Speaker 7 (33:36):

Yeah, maybe questions.

Speaker 10 (33:43):

, Jeff Dancer, 24245 Boise River Road in Parma. , I'm here, , just to answer questions if there's any concerns or questions. , I, I think in the previous hearings and stuff are, are the, the case has been, been submitted. , I apologize, it's taken so long. , <Laugh> as everybody said, this is, , been a two and a half, , year ordeal. , In all honesty, I know it was brought up in previous hearings. , Why did we didn't get this process done before purchasing the property? , We attempted, but like I said, the first year, , we were under due diligence and, and kept extending. , At, at one year we had to, you know, , we, we checked all the boxes. Everybody, , you know, had stated, , that the uses for the agricultural uses for a CUP, we checked all the boxes and at that time we had to make a decision, , on whether we ended up, , walking away from our earnest money and, and backing out of it or whether we proceeded forward, ,

considering that we, we checked all the boxes and reached all the, , you know, met all the conditions, , even with the city of Nampa into their future uses.

(35:01):

, We got approvals there. , Highway districts, everybody, all the approvals. , We, we proceeded forward with it. , And, and that's why we're sitting here today. But, , , in, in no, , world did we think it was gonna take two and a half years to get through this process. , But, , , you know, I can armchair quarterback this thingy to death. <Laugh> So I'm, I'm here for c - any, , any questions or, or concerns, , to answer those. But, , other than that, I, I leave the decision up to you guys, so.

Speaker 1 (35:34):

Okay. I, I have a question. Arbit, did, did they receive the, , those other commission, , conditions that were sent in late? Did the applicant, did you forward those to the applicant?

Speaker 5 (35:48):

Commissioner, I did forward the conditions to the applicant, , via email, but they are also posted on the agenda on the website.

Speaker 1 (35:58):

Okay. All right. Did you, did you review those?

Speaker 10 (36:04):

I, I have not seen any of the conditions that, the, the most recent conditions. , The original 13 are the only conditions I've seen. Okay. , and I, I know, and I will be, , it was brought up, , during our public t-the, at the library that we met with the community, , about a, a different fence. And I did tell them that, , I will entertain, like I said, , I, I'm not, we're not going in here to be bad neighbors. I mean, they mentioned about, you know, trees falling in the road. We'll be the first ones out there, I mean, seeing what we could do to lend a hand. , As, , the one neighbor is mentioning he, he, you know, his frustrations with some of the other neighbors about gravel and driveways, and I said, "Hey, that's the benefit of us being a good neighbor in the area." I said, "We have resources to help you spread the gravel." I mean, heck, you know, because he's saying he's having to.

(36:55):

I mean, we're going in to be good neighbors, , and, and work with them. , So like I say, , , they did, they did mention about a different type of fence, and I'm, I'm all ears. I mean, you know, , are we talking about a, a fence that's gonna cost, you know, \$500,000 more? I mean, I, you know, that's one thing. But, but I'm, I'm there to be a good neighbor. We're go - we're going in to be respectful of theirs and, and work with them. So, like I say, , , that, that did get brought up in the library thing. Had, I have not seen anything on it where they were requesting that, but, , by all means, I have all full intentions. , You know, I have no problem to reach out to, , to her and, and make sure that, , like I said, what we're doing is, , is, is within, within reason in, in that, so.

Speaker 1 (37:48):

Okay. Other questions?

Speaker 3 (37:53):

Mr. Chairman, , I need some clarification. The - Okay. The statement was made that your original application stated you wanted 8:00 AM to 6:00 PM. The proposed conditions say 7:00 AM to 6:00 PM. Does somebody wanna give me some clarification if the original application said 8:00 and then why do our conditions say 7:00, please? And Mr. Dancer, I guess you could, you could answer if you care either way. I mean, I, I would imagine

Speaker 10 ([38:33](#)):

You would prefer

Speaker 3 ([38:34](#)):

Earlier, but -

Speaker 10 ([38:34](#)):

To, to mine, I am not aware of an 8:00 AM, honestly. I mean, we're, we're construction, and that's why I, you know, there had been, , asking on the, you know, note, the emergency services and all this. And we are, we're fully, , intending to run emergency services out of, of, of, and keep a few vehicles designated for that to run out of our, our Karcher location over off of Delta, , to, to meet to those conditions and stuff. As far as our hours of operation, we are construction. We, I mean, we run from 7:00 AM to, to 6:00 PM, , in the office as far as the office staff and that. , But the field personnel, we're, we're at the mercy of, of, you know, , the emergencies and, and that. But we do fully intend to have, , the emergency, if there's an, an after hours emergency call out, that they respond and come out of the Delta office, , rather than coming out of this location.

([39:32](#)):

So, , yeah.

Speaker 6 ([39:37](#)):

Okay.

Speaker 1 ([39:42](#)):

So is that the late submittal?

Speaker 3 ([39:44](#)):

Yeah, Mr. Chairman, so I guess if I need to put that on the record, , I got that email yesterday and printed it off so I could sit here and compare the, , two differences. And so I guess this is where I'm pretty frustrated with the continuance of this, so the two parties, or three part, whatever, could talk about these conditions, and then we get a set of conditions that in large part mirrors what we've already put out there. So that was, that was one of the differences, so I asked the question.

Speaker 1 ([40:19](#)):

So I'm, I'm concerned for procedure. And so we are referring verbally to a document that has it. Is it in our packet, Arby?

Speaker 5 ([40:32](#)):

Chairman, it is not in the packet, but if you guys would like to include it, I do have extra copies here.

Speaker 3 ([40:38](#)):

So Mr. Chairman, I, I realize what, I've stepped in there. , And I might be willing to make the wager that somebody mentioned it in a previous hearing. So I don't know how much we wanna go through this dance, but.

Speaker 2 ([40:54](#)):

Chairman, I'm in favor of accepting them only because I think in, in the, if there was a misunderstanding of how this process works, I do think it was your suggestion as the board chairman to have them go back and work it out. The fact that there wasn't maybe a clear understanding of how that process worked. They did provide it, and I'm in favor of accepting it.

Speaker 3 ([41:21](#)):

Do you wanna accept them because of. Okay, Mr. Chairman, I move that we accept and add to the record the neighbors requested conditions of approval that we received two days ago.

Speaker 2 ([41:34](#)):

I second.

Speaker 1 ([41:36](#)):

Okay. So point, point of clarification for the record. , This has come up in, in, , verbal testimony to the point that the chair feels un, , comfortable to continue with the testimony verbally since there is a document available. , With that, motion's been made and seconded. All those in favor say aye.

Speaker 6 ([42:01](#)):

Aye. Aye.

Speaker 1 ([42:02](#)):

Aye. Motion carries. It'll, it shall be a part of the record. Okay. Do you guys have a copy of this? Do you have extra copies?

Speaker 7 ([42:15](#)):

If I may, I, we have, I received no email of this. I haven't received anything. I, I had called Arvi on the, the deadline date and asked specifically if there had been anything done. And I, this is the first time we're seeing any sort of communication.

Speaker 3 ([42:29](#)):

That makes sense, Mr. Chairman, with having received this two days ago and testimony being put on the record that it was intentional not to communicate with the applicant. So.

Speaker 2 ([42:38](#)):

Chairman, I think maybe letting Arbai answer on if she has the record on email.

Speaker 5 ([42:46](#)):

Chairman, commissioners, , I'm gonna backtrack a little bit. As far as the operation hours, , currently drafted, it is the seven to six. , In the application that they submitted back, , originally, the requested time was 8:00, , PM for, 8:00 AM for the start time. And I can look back in our email correspondence if that was something that the applicant had requested it be modified to the 7:00 AM. , But I'm not sure when that change, , happened. , As far as the conditions, , it is correct that they were received on August 10th. So that was two days, , before, , the hearing for today. , So it was not included in the application packet nor posted online. , But as you guys had motioned currently, , to now include those ones, so I can include that in the file as Exhibit nine.

Speaker 2 ([43:42](#)):

And Chairman, if I could, Arvi, do you have any email traffic showing that the applicant received these or that's not a part of the, what happened?

Speaker 5 ([43:53](#)):

Chairman, , the applicant did not receive these, , conditions provided from the public.

Speaker 2 ([43:59](#)):

Okay. Thank you.

Speaker 1 ([44:03](#)):

If we're gonna consider them, and they haven't had it, , given if I hate doing this, I would either. I've just looked at today's schedule, , unless we wanna reconvene at 4:30, , we might need to continue this to a different date.

Speaker 6 ([44:21](#)):

Agreed.

Speaker 1 ([44:21](#)):

, it's fair -

Speaker 3 ([44:22](#)):

Mr. Chairman, I, I'm sorry to cut you off.

Speaker 1 ([44:25](#)):

Okay, go ahead.

Speaker 3 ([44:26](#)):

, Again, reading through these, , I, I don't, I don't know if. There's not much difference. I think if we took a recess and allowed the applicant to look through and compare, like I did, I think they could come to a reasonable ba - I mean, almost essentially what, , staff presented as draft conditions is basically what they've asked for. - All

Speaker 1 ([45:00](#)):

Right.

Speaker 3 ([45:01](#)):

So

Speaker 1 ([45:02](#)):

I'm - Let's take a 10-minute break. , We have a, we need to start at another meeting at 11:30, so that may have to get bumped a few minutes later, but unless, -

Speaker 2 ([45:14](#)):

Chairman, can I ask one question for consideration? , There's been agreement to not having a backup paper. It's not illegal, but it could violate safety precautions. I'm not advocating for it, but I'm saying the juxtaposition of two differing interests is problematic. And so -

Speaker 1 ([45:37](#)):

It, the proposed draft that we have just approved to put into the record says, "To the extent legally permissible." So it's already addressed it. Number six, first sentence towards the end.

Speaker 6 ([45:53](#)):

Thank you.

Speaker 1 ([45:54](#)):

So that's been addressed. , Can you review it in five minutes? I'm trying to buy as much time as I can get. If you can't, we can do whatever we need to do. Five

Speaker 6 ([46:05](#)):

Minutes.

Speaker 1 ([46:06](#)):

All right. Let's break and reconvene at 11:23. We are in recess. You