

JEROME COUNTY COMMISSIONERS

Monday, June 8, 2020

PRESENT: Charles Howell, Chairman
Ben Crouch, Vice Chairman
John Crozier, Commissioner
Jane White, Deputy Clerk

Meeting convened at 9:50 A.M.

COMMISSIONER REPORTS

Commissioner Crozier reported about a private broadband network for emergency services from a District Interoperability Governance Board (DIGB) meeting. He had also spoken with a property owner who was frustrated with rock chucks on his property near the transfer station.

Commissioner Crouch told of an Airport Advisory Board meeting in which members were vocal about moving forward on updating the Master Plan for the Jerome Airport. He had also attended a Region IV Economic Development meeting and had served on the Magistrates Commission, which had chosen a new judge.

❖ A Motion was made by Commissioner Crouch to amend the agenda to hear the South Central Public Health District at 4 P.M. It was seconded and carried with unanimous ayes.

Commissioner Howell reported from (1) a SIRCOMM (emergency communications) meeting in which directors had not approved a \$40,000 budget increase for the next fiscal year; (2) meeting with a dairy owner, Bureau of Land Management and Cassia County representatives, and the tri-county noxious weed supervisor about developing an organic weed-control plan; (3) attending Governor Little's address in Twin Falls regarding the coronavirus; (4) giving a radio interview; (5) hearing a mobile home complaint from a resident; and (6) attending the high school rodeo in Jerome and observing social distancing.

APPROVE TIME RECORDS

The Commissioners approved Time Records for Cody Cantrell, Brent Culbertson, Deserae Jones, Timothy Larson, Nancy Marshall, and Mario Umana for the May 24, 2020, through June 6, 2020, pay period.

SIGN CLAIMS

The Commissioners signed claims for the May 28, 2020, to June 9, 2020, claim cycle as follows.

BUDGET TOTALS

05/28/2020 TO 06/09/2020

#	DEPARTMENT	PAYROLL	ACCT PAY	GRAND TOTAL
1	CLERK	\$ 25,156.85	\$ 82.89	\$ 25,239.74
2	ASSESSOR	\$ 6,435.48		\$ 6,435.48
3	TREASURER	\$ 5,205.35		\$ 5,205.35
5	COMMISSIONERS	\$ 4,327.14	\$ 547.78	\$ 4,874.92
6	CORONER	\$ 407.10	\$ 500.00	\$ 907.10
10	BUILDING & GROUNDS MAINT	\$ 4,745.44	\$ 3,152.09	\$ 7,897.53
11	EMERGENCY MANAGEMENT	\$ 2,951.22	\$ 2,182.80	\$ 5,134.02
13	EXTENSION AGENT	\$ 2,941.61	\$ 221.50	\$ 3,163.11
14	DATA PROCESSING	\$ 1,264.50	\$ 11,171.44	\$ 12,435.94
15	ELECTIONS		\$ 1,254.79	\$ 1,254.79
18	GENERAL	\$ 12,437.38	\$ 15,459.48	\$ 27,896.86
21	PLANNING & ZONING	\$ 9,026.36	\$ 892.47	\$ 9,918.83
22	GIS	\$ 1,444.50		\$ 1,444.50
29	GENERAL FUND RESERVE			\$ -
30	VETERANS	\$ 703.84		\$ 703.84
	Sub Total (General Fund)	\$ 77,046.77	\$ 35,465.24	\$ 112,512.01
4	SHERIFF	\$ 55,027.36	\$ 2,084.49	\$ 57,111.85
5	SHERIFF-DETENTION	\$ 49,630.01	\$ 3,596.70	\$ 53,226.71
6	ADULT PROBATION	\$ 6,954.16	\$ 235.00	\$ 7,189.16
7	PROSECUTOR	\$ 18,505.86	\$ 441.36	\$ 18,947.22
8	PUBLIC DEFENDERS		\$ 14,506.19	\$ 14,506.19
9	JUVENILE PROBATION	\$ 8,149.70	\$ 14,595.93	\$ 22,745.63
18	GENERAL JUSTICE	\$ 27,251.02	\$ 10,847.06	\$ 38,098.08
	Sub Total (Justice Fund)	\$ 165,518.11	\$ 46,306.73	\$ 211,824.84
3	AIRPORT	\$ 3,262.85	\$ 14,110.37	\$ 17,373.22
6	DISTRICT COURT	\$ 4,724.90	5008.24	\$ 9,733.14
7	FAIR	\$ 3,801.94		\$ 3,801.94
9	CAPITAL FAIR			\$ -
11	HEALTH DISTRICT		\$ 10,987.29	\$ 10,987.29
15	ELECTION CONSOLIDATION	\$ 1,734.65		\$ 1,734.65
16	INDIGENT	\$ 3,268.54	\$ 52,820.61	\$ 56,089.15
20	REVALUATION	\$ 12,857.79	\$ 211.22	\$ 13,069.01
23	SOLID WASTE		\$ 476,427.50	\$ 476,427.50
24	TORT			\$ -
27	WEED			\$ -
29	AMBULANCE			\$ -
38	WATERWAYS BOARD			\$ -
38	WATERWAYS SHERIFF			\$ -
41	BOND REDEMPTION			\$ -
	GRAND TOTAL	\$ 272,215.55	\$ 641,337.20	\$ 913,552.75

BUSINESS AND/OR ADMINISTRATIVE MATTERS

The Board signed leave requests for Brent Culbertson and Mario Umana.

The Board signed Retail Alcoholic Beverage Licenses to the following: Larry Tucker dba Honkers, Jerome; Chloe Zie dba China Village, Jerome; Pauline Van Holland dba Caddy Shack Restaurant & Bar, LLC, Jerome; Bob L. Watts dba Jerome Bowl, Jerome; Suzette & Stephen Harper dba The Snug Bar & Grill, Eden; Summer Howard dba Eden Country Store, Eden; Valley Wide Cooperative dba Valley Country Store, Jerome; Valley Wide Cooperative dba Valley Country Store, Jerome; Alma Nieto dba Mi Pueblo, LLC, Jerome; Sharon Peterson dba 93 Golf Ranch, LLC, Jerome; Emilio Silva dba El Parralito Salon, Jerome; Feathered Winds Wine/Marg Janes dba Thousand Springs Winery, LLC, Jerome; Rosalinda H. Paiz dba El Sombrero, Jerome; and Gregory S. Dodson dba Diamondz Event Center, LLC, Jerome. The Board had also signed a Retail Alcoholic Beverage License to Candilee F. Winkler dba Wink's Highway 25 Bar & Grill, Eden, so that the establishment could sell alcohol the following weekend.

The Board signed an Employee Wage Change form for Jayden Stoddard to rehire her for fair office summer help.

The Board signed a Claims Approval Report for the Insurance Deductible Trust Fund, with a grand total of \$1,649.16.

PUBLIC HEARINGS—JEROME COUNTY URBAN RENEWAL AGENCY (recorded)

Present were Urban Renewal Agency (URA) representatives, to wit, Ryan Armbruster, attorney; Brent Tolman, Outwest policy advisor; Roger Morley, URA commissioner; and Arlen Crouch, ABC Agra developer.

Commissioner Howell opened a public hearing to consider an amendment to the Jerome County Urban Renewal Plan of the Jerome County Urban Renewal Agency.

Ryan Armbruster explained that the URA would like to de-annex approximately 200 acres from the boundaries of the existing Amended Crossroads District Project Area because the only development in the area since 2008 and 2010 has been the establishment of a warehouse.

Armbruster said the County Planning and Zoning Commission had recommended that opening another Urban Renewal District would be in conformance with the County Comprehensive Plan and asked Brent Tolman to offer more information regarding a proposed new District. He referred to paperwork submitted showing projected revenue and an increase in property valuation.

Commissioner Howell asked how property tax rebates would affect the URA funding stream, and Tolman said they would have a fairly significant impact. He answered further questions from Commissioners Howell and Crozier and then asked that the Commissioners approve an ordinance to de-annex an Urban Renewal District.

❖ A Motion was made by Commissioner Howell to pass Ordinance 2020-6 concerning the de-annexation of certain areas of the Crossroads Urban Renewal Project Area. It was seconded and carried with ayes with Commissioner Crouch recusing himself.

ORDINANCE NO. 2020-6

BY THE COMMISSION:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JEROME, IDAHO, APPROVING THE FIRST AMENDMENT TO THE AMENDED AND RESTATED JEROME COUNTY CROSSROADS URBAN RENEWAL PROJECT URBAN RENEWAL PLAN, WHICH FIRST AMENDMENT SEEKS TO DEANNEX CERTAIN PARCELS FROM THE EXISTING AMENDED AND RESTATED JEROME COUNTY CROSSROADS URBAN RENEWAL PROJECT AREA; WHICH FIRST AMENDMENT AMENDS A PLAN THAT INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE COUNTY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE COUNTY, AFFECTED TAXING ENTITIES, AND STATE OFFICIALS; PROVIDING SEVERABILITY; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Urban Renewal Agency of the county of Jerome, Idaho, also known as the Jerome County Urban Renewal Agency (“Agency”) is an independent public body, corporate and politic, an urban renewal agency created by and existing under the authority of and pursuant to the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended and supplemented (the “Law”) and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”);

WHEREAS, the County Commissioners of Jerome County, Idaho (“County”), on December 17, 2008, after notice duly published, conducted a public hearing on the Jerome County Crossroads Urban Renewal Project Urban Renewal Plan (the “Crossroads Plan”);

WHEREAS, following said public hearing, the County Commissioners adopted its Ordinance 2008-10 on December 17, 2008, approving the Crossroads Plan and making certain findings;

WHEREAS, the County Commissioners on December 6, 2010, after notice duly published, conducted a public hearing on the Amended and Restated Jerome County Crossroads Urban Renewal Project Urban Renewal Plan (the “Amended Crossroads Plan”);

WHEREAS, following said public hearing, the County Commissioners adopted its Ordinance 2010-12 on December 6, 2010, approving the Amended Crossroads Plan and making certain findings;

WHEREAS, the Amended Crossroads Plan project area is referred to herein as the “Existing Project Area”;

WHEREAS, the Agency has considered a request by the property owner of certain parcels within the Existing Project Area to deannex those parcels;

WHEREAS, the Agency seeks to amend the Amended Crossroads Plan to deannex certain parcels from the Existing Project Area as described in the First Amendment defined below;

WHEREAS, the Agency has reviewed the financial impact of the deannexation on its allocation of revenue and has concluded the remaining allocation of revenue is sufficient to pay its operations, obligations and to continue to implement the terms of the Amended Crossroads Plan;

WHEREAS, the Agency has also obtained written consent of the entity to which the Agency is obligated under that certain Limited Recourse Promissory Note dated August 1, 2013, which provides for repayment from revenue allocation generated from the Existing Project Area;

WHEREAS, the Agency, in coordination with the County, has prepared the First Amendment to the Amended and Restated Jerome County Crossroads Urban Renewal Project Urban Renewal Plan (the “First Amendment”), as set forth in Exhibit 1 attached hereto, identifying the parcels to be deannexed from the Existing Project Area;

WHEREAS, the First Amendment amends the Amended Crossroads Plan, which contains provisions of revenue allocation financing as allowed by the Act;

WHEREAS, on April 16, 2020, the Agency Board passed Resolution No. 2020-4 proposing and recommending the approval of the First Amendment;

WHEREAS, the Agency submitted the First Amendment to the Chairman and Board of County Commissioners and County;

WHEREAS, the Chairman and Board of County Commissioners and County Clerk have taken the necessary action in good faith to process the First Amendment consistent with the requirements set forth in Idaho Code Sections 50-2906 and 50-2008;

WHEREAS, pursuant to the Law, at a meeting held on May 18, 2020, the Jerome County Planning and Zoning Commission considered the First Amendment and found that the First Amendment is in all respects in conformity with the County of Jerome Comprehensive Plan and forwarded its findings to the Board of County Commissioners, a copy of which is attached hereto as Exhibit 3;

WHEREAS, as of May 7, 2020, the First Amendment was submitted to the affected taxing entities, available to the public, and under consideration by the Board of County Commissioners;

WHEREAS, notice of the public hearing of the First Amendment was caused to be published by the County Clerk in the *Times News* on May 7 and 21, 2020, a copy of said notices are attached hereto as Exhibit 2;

WHEREAS, as required by Idaho Code Section 50-2906, the First Amendment was made available to the general public and all taxing districts at least thirty (30) days prior to the June 8, 2020, regular meeting of the Board of County Commissioners;

WHEREAS, appropriate notice of the First Amendment and the impact on the revenue allocation provision contained therein has been given to the taxing districts and to the public as required by Idaho Code Sections 50-2008 and 50-2906;

WHEREAS, the Board of County Commissioners, at its regular meeting held on June 8, 2020, held a public hearing and considered the First Amendment as proposed, and made certain comprehensive findings;

WHEREAS, it is necessary, and in the best interests of the citizens of the County to adopt the First Amendment;

WHEREAS, the First Amendment amends a pre-July 1, 2016, urban renewal plan containing a revenue allocation financing provision; and therefore, pursuant to Idaho Code Section 50-2903(4), there is no reset of the base assessment roll to the current values for the remaining Existing Project Area;

WHEREAS, the Board of County Commissioners finds that the equalized assessed valuation of the taxable property in the Existing Project Area is likely to increase, and continue to increase, as a result of initiation and continuation of urban renewal projects in accordance with the Amended Crossroads Plan and the First Amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JEROME:

SECTION 1: The First Amendment attached hereto as Exhibit 1 and made a part hereof, is hereby approved. As directed by the Board of County Commissioners, the County Clerk may make certain technical corrections or revisions in keeping with the information and testimony presented at the June 8, 2020, hearing, including, but not limited to, changes to the maps and legal descriptions contained in the First Amendment, and incorporate changes or modifications, if any.

SECTION 2: No direct or collateral action challenging the First Amendment shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the First Amendment.

SECTION 3: Upon the effective date of this Ordinance, the County Clerk is authorized and directed to transmit to the County Auditor and Jerome County Assessor, and to the appropriate officials of Jerome County Board of County Commissioners, Jerome Fire District, School District No. 261, Lifeline Ambulance, Jerome Highway District, Jerome Recreation District, Jerome Cemetery District, Jerome Water and Sewer District, College of Southern Idaho, and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundary of the deannexed area, and a map indicating the boundaries of the parcels to be deannexed from the Existing Project Area.

SECTION 4: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication, and shall be retroactive to January 1, 2020, to the extent permitted by the Law and the Act, with the remaining Existing Project Area maintaining its base assessment roll as of January 1, 2008, for the Crossroads Plan area and January 1, 2010 for the Amended Crossroads Plan area.

SECTION 5: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

SECTION 6: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

SECTION 7: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded, and annulled.

SECTION 8: SAVINGS CLAUSE: This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

PASSED by the Board of County Commissioners of Jerome County, Idaho, on this 8th day of June 2020.

APPROVED by the Chairman of the Board of County Commissioners of Jerome County, Idaho, on this 8th day of June 2020.

ATTEST:

/s/ Charles M. Howell
Charles Howell, Chairman

/s/ Jane White, deputy
Michelle Emerson, County Clerk

(S E A L)

Exhibit 1

FIRST AMENDMENT TO THE
AMENDED AND RESTATED JEROME COUNTY
CROSSROADS URBAN RENEWAL PROJECT
URBAN RENEWAL PLAN

Note: This exhibit can be read in the clerk's office or on the County Website at jeromecountyid.us.

Exhibit 2

NOTICE PUBLISHED IN THE
Times News on May 7 and 21, 2020

Note: This exhibit can be read in the clerk's office or on the County Website at jeromecountyid.us.

Exhibit 3

PLANNING AND ZONING COMMISSION
RECOMMENDATION FINDING THE FIRST AMENDMENT
IN CONFORMITY WITH THE COMPREHENSIVE PLAN

Note: This exhibit can be read in the clerk's office or on the County Website at jeromecountyid.us.

Exhibit 4

SUMMARY OF ORDINANCE NO. 2020-6

Note: This exhibit can be read in the clerk's office or on the County Website at jeromecountyid.us.

Commissioner Howell closed the public hearing and opened a second public hearing to consider adopting a proposed Urban Renewal Plan for Crossroads Point Phase 2 to undertake urban renewal projects.

Present were Urban Renewal Agency (URA) representatives, to wit, Ryan Armbruster, attorney; Brent Tolman, Outwest policy advisor; Roger Morley, URA commissioner; and Arlen Crouch, ABC Agra developer.

Ryan Armbruster stated the same deteriorating conditions exist for a Phase 2 Urban Renewal Project Area as exist in Phase 1 first adopted in 2008.

Blair Crouch, ABC Agra developer, was present.

Armbruster continued to say that the proposed Urban Renewal area lacks infrastructure and that the URA board was anticipating infrastructure improvements of \$6.5 million.

Commissioner Howell asked a question about the property with only a warehouse on it, and Armbruster explained it would be included in the new UR district.

Brent Tolman referred to a feasibility study including significant County and job growth within the previous ten years. He said large and expanding businesses had contributed to more

employment opportunities. He said the proposed UR District would terminate in July of 2039 but could terminate earlier with the completion of infrastructure improvements.

Armbruster asked that the Board approve the Phase 2 Plan by passing an ordinance.

❖ A Motion was made by Commissioner Crozier to approve Ordinance 2020-7 approving the Urban Renewal Plan for Crossroads Point Phase 2. It was seconded, with no discussion, and carried with Commissioner Crouch recusing himself.

ORDINANCE NO. 2020-7

BY THE COMMISSION:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JEROME, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE CROSSROADS POINT PHASE 2 URBAN RENEWAL PROJECT AREA, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE COUNTY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE COUNTY, AFFECTED TAXING ENTITIES, AND STATE OFFICIALS; PROVIDING SEVERABILITY; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Urban Renewal Agency of the county of Jerome, Idaho, also known as the Jerome County Urban Renewal Agency (“Agency”) is an independent public body, corporate and politic, an urban renewal agency created by and existing under the authority of and pursuant to the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended and supplemented (the “Law”) and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”);

WHEREAS, the County Commissioners of Jerome County, Idaho (“County”), on December 17, 2008, after notice duly published, conducted a public hearing on the Jerome County Crossroads Urban Renewal Project Urban Renewal Plan (the “Crossroads Plan”);

WHEREAS, following said public hearing, the County Commissioners adopted its Ordinance 2008-10 on December 17, 2008, approving the Crossroads Plan and making certain findings;

WHEREAS, the County Commissioners on December 6, 2010, after notice duly published, conducted a public hearing on the Amended and Restated Jerome County Crossroads Urban Renewal Project Urban Renewal Plan (the “Amended Crossroads Plan”);

WHEREAS, following said public hearing, the County Commissioners adopted its Ordinance 2010-12 on December 6, 2010, approving the Amended Crossroads Plan and making certain findings;

WHEREAS, the Amended Crossroads Plan project area is referred to herein as the “Existing Project Area”;

WHEREAS, pursuant to Idaho Code§ 50-2008, an urban renewal project may not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or deteriorating area, or combination thereof, and designated such area as appropriate for an urban renewal project;

WHEREAS, an urban renewal plan shall (a) conform to the general plan for the municipality as a whole, except as provided in§ 50-2008(g), Idaho Code; and (b) shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the

urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions;

WHEREAS, Idaho Code Section 50-2906, also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must make a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

WHEREAS, based on inquiries and information presented by certain interested parties and property owners, the Agency commenced certain discussion concerning re-examination of an area currently within the Existing Project Area as appropriate for an urban renewal project;

WHEREAS, the Agency, at its board meeting on February 6, 2020, authorized Brent Tolman of Outwest Policy Advisors (“Consultant”), to re-examine an area in Jerome County known as Crossroads Point Phase 2 Project Area currently within the Existing Project Area and to prepare an eligibility report for an area about 234 acres in size and currently located within the boundaries of the Amended Crossroads Plan, which area may be subject to deannexation. The area is generally west of a line of longitude at approximately 114°.27’.15.00” W and east of 300 E and is bounded on the south by Interstate 84 and properties owned by ABC Agra considered as common areas for Phase 1 of Crossroads Point. The subject property is bounded on the north by adjacent properties owned by Kelly Sheldon, Manuel Avila, and Thomas Peters. The eligibility study area is commonly referred to as the Crossroads Point Phase 2 Area;

WHEREAS, the Agency obtained the Crossroads Point Phase 2 Eligibility Report, dated March 4, 2020 (the “Report”), which examined the Crossroads Point Phase 2 Area for the purpose of determining whether such area was a deteriorating area and/or a deteriorated area as defined by Idaho Code Sections 50-2018(9) and 50-2903(8);

WHEREAS, pursuant to Idaho Code §§ 50-2018(9) and 50-2903(8), which define a deteriorating area and a deteriorated area, many of the conditions necessary to be present in such an area are found in the Crossroads Point Phase 2 Area, *i.e.*;

- a. predominance of defective or inadequate street layout;
- b. outmoded street patterns;
- c. faulty lot layout in relation to size, adequacy, accessibility, or usefulness/obsolete platting;
- d. insanitary or unsafe conditions;
- e. deterioration of site and other improvements; and
- f. existence of conditions which endanger life or property by fire and other causes.

WHEREAS, the Crossroads Point Phase 2 Area includes open land or open area;

WHEREAS, under the Act, a deteriorated area includes any area which is predominantly open and which, because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. *See*, Idaho Code § 50- 2903(8)(c);

WHEREAS, Idaho Code §§ 50-2018(9), 50-2903(8) and 50-2008(d) list the additional conditions applicable to open areas, which are the same or similar to the conditions set forth in the definitions of “deteriorating area” and “deteriorated area;”

WHEREAS, such additional conditions regarding open areas are present and are found in the Crossroads Point Phase 2 Area;

WHEREAS, under the Law and Act, Idaho Code Sections 50-2018(9) and 50-2903(8)(f), the definition of a deteriorated area and a deteriorating area shall not apply to any agricultural operation, as defined in Idaho Code

Section 22-4502(2), absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive years;

WHEREAS, the Crossroads Point Phase 2 Area may include parcels subject to such consent;

WHEREAS, the effects of the listed conditions cited in the Report result in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare in its present condition or use;

WHEREAS, the Agency Board, on March 5, 2020, adopted Resolution No. 2020-2 accepting the Report and authorized the Agency Chair or Vice-Chair to transmit the Report to the County Commissioners requesting its consideration for designation of an urban renewal area and requesting the County Commissioners to direct the Agency to prepare an urban renewal plan for the Crossroads Point Phase 2 Area, which plan may include a revenue allocation area as allowed by the Act;

WHEREAS, the County Commissioners, by Resolution No. 2020-18, dated March 16, 2020, declared the Crossroads Point Phase 2 Area described in the Report to be a deteriorated area or a deteriorating area as defined by Chapters 20 and 29 of Title 50, Idaho Code, as amended, that such area is appropriate for an urban renewal project and directed the Agency to commence preparation of an urban renewal plan for the area designated;

WHEREAS, the Crossroads Point Phase 2 Area was located within the boundaries of the Existing Project Area;

WHEREAS, the County Commissioners, after notice duly published, conducted a public hearing on the First Amendment to the Amended and Restated Jerome County Crossroads Urban Renewal Project Urban Renewal Plan (“First Amendment”);

WHEREAS, following said public hearing, the County Commissioners adopted its Ordinance No. 2020-6 on June 8, 2020, approving the First Amendment deannexing the Crossroads Point Phase 2 Area and making certain findings;

WHEREAS, the current assessed taxable value of the deannexed parcels is on the tax rolls;

WHEREAS, in order to implement the provisions of the Act and the Law, either the Agency may prepare a plan or any person, public or private, may submit such plan to the Agency;

WHEREAS, the Agency and its consultants have undertaken the planning process during 2020;

WHEREAS, the Agency prepared the Urban Renewal Plan for the Crossroads Point Phase 2 Urban Renewal Project Area (the “Crossroads Point Phase 2 Plan”) and the urban renewal area referred to as the Crossroads Point Phase 2 Area (the “Project Area” or “Revenue Allocation Area”) for the area designated as eligible for urban renewal planning;

WHEREAS, the Project Area includes the parcels deannexed from the existing Project Area;

WHEREAS, the Act authorizes urban renewal agencies to adopt revenue allocation financing provisions as part of their urban renewal plans;

WHEREAS, the Crossroads Point Phase 2 Plan contains the provisions of revenue allocation financing as allowed by the Act;

WHEREAS, the Agency Board considered all comment and information submitted to the Agency during several earlier Board meetings throughout 2020, and the Board meeting held on April 16, 2020;

WHEREAS, on April 16, 2020, the Agency Board passed Resolution No. 2020-6 proposing and recommending the approval of the Crossroads Point Phase 2 Plan;

WHEREAS, the Agency submitted the Crossroads Point Phase 2 Plan to the Chairman and Board of County Commissioners and County Clerk;

WHEREAS, the Chairman and Board of County Commissioners and County Clerk have taken the necessary action in good faith to process the Crossroads Point Phase 2 Plan consistent with the requirements set forth in Idaho Code Sections 50-2906 and 50-2008;

WHEREAS, pursuant to the Law, at a meeting held on May 18, 2020, the Jerome County Planning and Zoning Commission considered the Crossroads Point Phase 2 Plan and found that the Crossroads Point Phase 2 Plan is in all respects in conformity with the County of Jerome Comprehensive Plan and forwarded its findings to the Board of County Commissioners, a copy of which is attached hereto as Exhibit 1;

WHEREAS, the notice of public hearing of the Crossroads Point Phase 2 Plan was caused to be published by the County Clerk in the *Times News* on May 7 and 21, 2020, a copy of said notice is attached hereto as Exhibit 2;

WHEREAS, as of May 7, 2020, the Crossroads Point Phase 2 Plan was submitted to the affected taxing entities, available to the public, and under consideration by the County Commissioners;

WHEREAS, the County Commissioners during its regular meeting of June 8, 2020, held such public hearing as noticed;

WHEREAS, as required by Idaho Code sections 50-2905 and 50-2906, the Crossroads Point Phase 2 Plan contains the following information with specificity which was made available to the general public and all taxing districts prior to the public hearing on June 8, 2020, the regular meeting of the County Commissioners, at least thirty (30) days but no more than sixty (60) days prior to the date set forth final reading of the ordinance: (1) a statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality; (2) the kind, number, and location of all proposed public works or improvements within the revenue allocation area; (3) an economic feasibility study; (4) a detailed list of estimated project costs; (5) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds, notes and/or other obligations are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; (6) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred; (7) a termination date for the plan and the revenue allocation area as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan shall recognize that the agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the urban renewal plan; and (8) a description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets;

WHEREAS, the Crossroads Point Phase 2 Plan authorizes certain projects to be financed by revenue allocation bonds, or loans and proceeds from revenue allocation;

WHEREAS, appropriate notice of the Crossroads Point Phase 2 Plan and revenue allocation provision contained therein has been given to the taxing districts and to the public as required by Idaho Code §§ 50-2008 and 50-2906;

WHEREAS, it is necessary and in the best interest of the citizens of the County, to adopt the Crossroads Point Phase 2 Plan and to adopt, as part of the Crossroads Point Phase 2 Plan, revenue allocation financing provisions that will help finance urban renewal projects to be completed in accordance with the Crossroads Point Phase 2 Plan, in order to: encourage private development in the urban renewal area; prevent and arrest decay of the County due to the inability of existing financing methods to provide needed public improvements; encourage taxing districts to cooperate in the allocation of future tax revenues arising in the Project Area in order to facilitate the long-term growth of their common tax base; encourage private investment within the County; and to further the public purposes of the Agency;

WHEREAS, the County Commissioners finds that the equalized assessed valuation of the taxable property in the Project Area is likely to increase, and continue to increase, as a result of initiation and continuation of urban renewal projects in accordance with the Crossroads Point Phase 2 Plan;

WHEREAS, under the Law and Act any such plan should provide for (1) a feasible method for the location of families who will be displaced from the urban renewal area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan should conform to the general plan of the municipality as a whole; (3) the urban renewal plan should give due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of the children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan should afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise;

WHEREAS, if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall determine that a shortage of housing of sound standards and design which is decent, safe, and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe, and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in the Law, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area;

WHEREAS, under the Law and the Act (specifically §§ 50-2018(9) and 50-2903(8)(f)), a deteriorating area may not include an agricultural operation, as defined in Idaho Code § 22-4502(1), absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive years;

WHEREAS, the Agency obtained written consents concerning certain properties within the Project Area, which may have been deemed an agricultural operation, as stated above. A true and correct copy of the agricultural operation consents is included as Attachment 6 to the Crossroads Point Phase 2 Plan;

WHEREAS, the collective base assessment rolls of the Crossroads Point Phase 2 Project Area, together with the base assessment roll values of the Existing Project Area, cannot exceed ten percent (10%) of the current assessed values of all the taxable property in the County;

WHEREAS, the County Commissioners at its regular meeting held on June 8, 2020, considered the Crossroads Point Phase 2 Plan as proposed and made certain comprehensive findings.

NOW, THEREFORE, BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JEROME:

SECTION 1: It is hereby found and determined that:

- (a) The Project Area as defined in the Crossroads Point Phase 2 Plan is a deteriorated or a deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and Act.

- (b) The rehabilitation, conservation, development, and redevelopment of the urban renewal area pursuant to the Crossroads Point Phase 2 Plan are necessary in the interests of public health, safety, and welfare of the residents of the County.
- (c) There continues to be a need for the Agency to function in the County.
- (d) The Crossroads Point Phase 2 Plan conforms to the Jerome County Comprehensive Plan as a whole.
- (e) The Crossroads Point Phase 2 Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement (recognizing the mixed use components of the Crossroads Point Phase 2 Plan and the need for overall public improvements), and shows consideration for the health, safety, and welfare of any children, residents or businesses in the general vicinity of the urban renewal area covered by the Crossroads Point Phase 2 Plan.
- (f) The Crossroads Point Phase 2 Plan affords maximum opportunity consistent with the sound needs of the County as a whole for the rehabilitation and redevelopment of the urban renewal area by private enterprises.
- (g) Pursuant to Idaho Code §§ 50-2007(h) and 50-2008(d)(l), the Crossroads Point Phase 2 Plan provides a feasible method for relocation obligations of any displaced families residing within the Project Area and there is not anticipated to be any activity by the Agency that would result in relocation.
- (h) The collective base assessment rolls for the revenue allocation areas under the Existing Project Area and the Crossroads Point Phase 2 Project Area, do not exceed ten percent (10%) of the assessed values of all the taxable property in the County.
- (i) The Crossroads Point Phase 2 Plan includes the requirements set forth in Idaho Code § 50-2905 with specificity.
- (j) The Crossroads Point Phase 2 Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes (if any) land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions.
- (k) The urban renewal area, which includes the deteriorating area, as defined in Idaho Code section 50-2018(9) and Idaho Code section 50-2903(8), does not include any agricultural operation for which the Agency has not received a written consent, or has not been used for agricultural purposes for three (3) consecutive years.
- (l) The portion of the Project Area which is identified for non-residential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the County.

SECTION 2: The County Commissioners find that the Project Area does include a substantial portion of open land, that the Agency may acquire any open land within the Project Area, and that the Project Area is planned to be redeveloped in a manner that will include nonresidential uses. Provided, however, the County Commissioners finds that for the portions of the Project Area deemed to be “open land,” the criteria set forth in the Law and Act have been met.

SECTION 3: The County Commissioners find that the portion of the Project Area which is identified for nonresidential uses is necessary and appropriate to facilitate the proper growth and development standards in

accordance with the objectives of County's Comprehensive Plan, to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the County.

SECTION 4: The Crossroads Point Phase 2 Plan, a copy of which is attached hereto and marked as Exhibit 3 and made a part hereof by attachment, be, and the same hereby is, approved. As directed by the County Commissioners, the County Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the June 8, 2020, hearing, including, but not limited to, changes to the maps and legal descriptions contained in the Crossroads Point Phase 2 Plan, and incorporate changes or modifications, if any.

SECTION 5: No direct or collateral action challenging the Crossroads Point Phase 2 Plan shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the Crossroads Point Phase 2 Plan.

SECTION 6: Upon the effective date of this Ordinance, the County Clerk is authorized and directed to transmit to the County Auditor and Jerome County Assessor, and to the appropriate officials of Jerome County Board of County Commissioners, Jerome Fire District, School District No. 261, Lifeline Ambulance, Jerome Highway District, Jerome Recreation District, Jerome Cemetery District, Jerome Water and Sewer District, College of Southern Idaho, and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the Revenue Allocation Area, and a map or plat indicating the boundaries of the Project Area.

SECTION 7: The County Commissioners hereby finds and declares that the Revenue Allocation Area as defined in the ~~Crossroads Point Phase 2 Plan~~, the equalized assessed valuation of which the County Commissioners hereby determines is in and is part of the Crossroads Point Phase 2 Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the ~~Crossroads Point Phase 2 Plan~~.

SECTION 8: The County Commissioners hereby approves and adopts the following statement policy relating to the appointment of County Commissioners members as members of the Agency's Board of Commissioners: If any County Commissioners members are appointed to the Board, they are not acting in an ex officio capacity but, rather, as private citizens who, although they are also members of the County Commissioners, are exercising their independent judgment as private citizens when they sit on the Board. Except for the powers to appoint and terminate Board members and to adopt the Crossroads Point Phase 2 Plan, the County Commissioners recognizes that it has no power to control the powers or operations of the Agency.

SECTION 9: So long as any Agency bonds, notes or other obligations are outstanding, the County Commissioners will not exercise its power under Idaho Code section 50-2006 to designate itself as the Agency Board.

SECTION 10: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2020, to the extent permitted by the Act.

SECTION 11: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such determination shall not affect the validity of remaining portions of this Ordinance.

SECTION 12: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

SECTION 13: All ordinances, resolutions, orders, or parts thereof in conflict herewith are hereby repealed, rescinded, and annulled.

SECTION 14: Savings Clause. This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

PASSED by the Board of County Commissioners of Jerome County, Idaho, on this 8th day of June 2020.

APPROVED by the Chairman of the Board of County Commissioners of Jerome County, Idaho, on this 8th day of June 2020.

ATTEST:

/s/ Charles M. Howell
Charles Howell, Chairman

/s/ Jane White, deputy
Michelle Emerson, County Clerk

(S E A L)

Exhibit 1

PLANNING AND ZONING COMMISSION RECOMMENDATION
FINDING THE CROSSROADS POINT PHASE 2 PLAN
IN CONFORMITY WITH THE COMPREHENSIVE PLAN

Note: This exhibit can be read in the clerk's office or on the County Website at jeromecountyid.us.

Exhibit 2

NOTICE PUBLISHED IN THE *TIMES NEWS*

Note: This exhibit can be read in the clerk's office or on the County Website at jeromecountyid.us.

Exhibit 3

URBAN RENEWAL PLAN FOR THE CROSSROADS POINT
PHASE 2 URBAN RENEWAL PROJECT AREA

Note: This exhibit can be read in the clerk's office or on the County Website at jeromecountyid.us.

Roger Morley thanked the Commissioners on behalf of the URA board.

NANCY MARSHALL—PLANNING AND ZONING REPORT

Planning and Zoning Administrator Nancy Marshall was present.

Commissioner Howell was excused.

Nancy Marshall reviewed her written report with the Commissioners, including finances, building department inspections and projects, and code enforcement, telling of some complaints to her office.

Commissioner Howell was present.

Marshall continued with reports of activities in the mapping and zoning departments.

Marshall asked for the installation of a dutch door for the front of the planning and zoning office and said she would be requesting two more such doors for the FY 2020-21 budget. It was determined she would ask the maintenance supervisor to obtain quotes for the doors.

Marshall suggested that the veterans service officer close his door during interviews to protect the privacy of his clients because of zoning customers currently using the back hall to access her office.

Marshall discussed with the Board whether to schedule a hearing for the Planning and Zoning Commission. It was determined to schedule it in June but to ask those notified of the hearing if they plan to attend in order to arrange for social distancing.

Recreation Zone: Marshall said no progress had been made in creating a proposal for a recreation zone because of delays caused by the spread of the coronavirus.

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Meeting recessed at 12:10 P.M.

Meeting convened at 1:35 P.M. with Commissioners Crouch and Crozier present.

CY LOOTENS—CANVASS MAY 19 ELECTION RESULTS

Deputy Clerk/Elections Specialist Cy Lootens was present.

Cy Lootens presented for signature an Election Canvass Certification for the May 19, 2020, primary election. He said the mail-in-only election resulted in nearly double the number of ballots cast in the previous State and County Primary Election. He added that about 20 ballots were not counted because they arrived past the due date.

Re-elected were US Senator Jim Risch and US Representative Mike Simpson. Idaho Supreme Court Justices Gregory Moeller and John Stegner were reinstated as well as Appellate Court Judge Amanda Brailsford. Unopposed and re-elected were State Senator Jim Patrick and State Representatives Laurie Lickley and Clark Kauffman. Jerome County Commissioners Ben Crouch and Charles Howell as well as Sheriff George Oppedyk and Prosecutor Michael Seib were all re-elected, unopposed.

Republican Precinct Committeemen elected were Daniel Haney, Del Kohtz, Roy Prescott, Katherine Brune, Mike Dahmer, Mike Praegitzer, Brenda Haberman, and Michelle Emerson.

A Special Bond Election for Jerome Joint School District No. 261 failed to obtain a supermajority vote, with 1,663 in favor and 1,041 against.

❖ A Motion was made by Commissioner Crozier to approve the canvas of the May 19 election. It was seconded and carried with unanimous ayes.

TIM LARSON—AIRPORTS REPORT

Airports Manager Tim Larson was present.

Report: Tim Larson reported he was waiting for a response from a sprinkler company to do repairs on the sprinkler system at the Jerome Airport. He stated he was preparing a list of duties to be covered while he planned to be on vacation.

Fuel Island Cover: Larson said Vanden Bosh Welding had been too busy to meet with him about its design for a fuel island cover.

Apron Refurbishing: Larson said he was doing measurements for designing the apron where the former terminal was located before seeking a quote.

New Tractor: Larson said he was doing more tests on a potential tractor for the Jerome Airport. He said it had 8,000 hours on it and would cost \$15,000.

2:07 P.M. - Commissioner Howell was present.

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The Board discussed the smaller tractor in need of repair. Larson said it could be used to mow in tighter areas and that possibly the Fairgrounds would have a use for it.

BRENT CULBERTSON—MAINTENANCE REPORT

Maintenance Supervisor Brent Culbertson was present.

Brent Culbertson reported the installation of 12 new windows in the Courthouse was completed.

He showed the Board a wooden cover he had constructed for a Time Capsule to be hung in the Commissioners' boardroom. He listed current projects as lighting, a door modification, access to the sally port at the jail, blinds for the break room and the clerk's office, and servicing the heating and cooling system at the ambulance building.

RICK HABERMAN—TAX EXEMPT PROPERTIES

Assessor Rick Haberman and Treasurer Tevian Ekren-Kober were present. Also present was Brenda Haberman.

Rick Haberman informed the Board that the University of Idaho had purchased some property at Crossroads Point Business Center. He said the previous owner had paid the pro-rated taxes and that the University would be tax-exempt.

- The Board asked that he create a paper trail of the transaction.

EXECUTIVE SESSION

Present were Jerome 20/20 Executive Director Larry Hall, Joe Davidson, and Arlen Crouch.

❖ 3:30 P.M. - A Motion was made by Commissioner Howell to go into executive session per Idaho Code 74-206(1)(e) regarding trade or commerce. It was seconded and carried with a unanimous roll call vote.

4:00 - Return to open session.

HEALTH DISTRICT UPDATE

Emergency Management Director Tanya Stitt was present by speakerphone. Also present by phone were City of Jerome Mayor Dave Davis; and South Central Public Health District representatives Melody Bowyer, director; Josh Jensen, operations manager; and Linda Montgomery, board chairman.

Melody Bowyer reported nine employees at a food processing facility in Jerome had tested positive for the coronavirus. She also said a Jerome long-term care facility had three residents and staff with positive virus cases.

Bowyer said she had e-mailed guidance to the Commissioners for curbing the spread of the virus during the summer.

Mayor Davis asked if the processing facility had done mass testing, and Bowyer said only sick employees were tested. She said the Health District had talked with the company about measures to help check the spread of the virus.

Bowyer reported Jerome County had 167 confirmed coronavirus cases and 27 probable cases. She stated the virus would not be contained until scientists create a vaccine.

Josh Jensen stated the Health District was monitoring 86 of the Jerome County cases. He said the current burden of the virus on the health care system is minimal.

MIKE SEIB

Attorney Mike Seib was present.

❖ 4:30 P.M. - A Motion was made by Commissioner Howell to go into executive session per Idaho Code Section 74-206(1)(b), personnel. It was seconded and carried with a unanimous roll call vote.

5:35 P.M. - Return to open session.

Seib advised the Board on personnel decisions.

APPROVE CLAIMS

❖ A Motion was made by Commissioner Howell to approve the claims as presented. It was seconded and carried with unanimous ayes.

The Board signed a Claims Approval Report dated June 5, 2020, for the Indigent Fund, with a grand total of \$4,799.33.

The Board signed a Claims Approval Report dated June 5, 2020, for the Restitution-Courts Fund, with a grand total of \$8,652.11.

The Board signed a Claims Approval Report dated June 5, 2020, with a grand total of \$595,542.64 for the following funds: General, Airport, District Court II, Justice, Health District, Indigent, Revaluation, and Solid Waste.

READ AND APPROVE MINUTES

❖ A Motion was made by Commissioner Crozier to approve the minutes of May 26 as read. It was seconded and carried with unanimous ayes.

INDIGENT MATTERS

❖ A Motion was made by Commissioner Crozier to follow staff recommendations for indigent matters. It was seconded and carried with unanimous ayes. Approved were Case Nos. 1920-009 and 1819-133. Dismissed was Case No. 1920-013.

Meeting adjourned at 6:10 P.M.

Respectively submitted:

Jane White, Deputy Clerk

Charles M. Howell, Chairman

A. Ben Crouch, Vice Chairman

John Crozier, Commissioner