

August 21, 2025
Public Hearing

The Board of County Commissioners of Washington County, Idaho, does hereby meet this 21st day of April, 2025.

Jim Harberd called the meeting to order at 4:08 p.m.

Donna White, Clerk, called roll call: Gordon Wilkerson, present; Jim Harberd, present; and Nate Marvin, present.

Jim Harberd led the Pledge of Allegiance. Nate Marvin gave the invocation.

Harberd read the Public Notice on the record as follows:

THE BOARD OF WASHINGTON COUNTY COMMISSIONERS of Washington County will hold a public hearing on August 21, 2025, at the hour of 4:00 p.m. to receive public comment upon the proposed Ordinance amending Title 1, Chapter 7, of Washington County Code regarding the Planning and Zoning Commission. The Ordinance in its entirety is available for review in the Clerk's Office or on the County Website.

The public is invited to comment on the proposed Ordinance changes at the Vendome, 309 State Street, Weiser, Idaho. Public comments will be limited to 3 (three) minutes. Written comment is to be received at the Clerk's Office by August 15, 2025, at 5:00 p.m. Any person needing special accommodations to participate in this hearing should contact the Clerk's Office seven (7) days prior to the meeting at 208-414-2092, 256 E. Court Street, Weiser, Idaho.

Jim Harberd, Chairman
Board of Washington County Commissioners
Attest: Donna White, Clerk

Harberd stated written comments had been received and will be will be available at the courthouse.

Citizens who submitted written comment opposed to the proposed changes to Title 1, Chapter 7 of Washington County Code were: Seth Matthews, Delton Walker, Tina Hopkins, Roger Watkins, Calvin Hickey, Anna Stark, Jeffery T. Williams, Harvey and Chris Braun, Royce Schwenkfelder, Russell and Peggy Mink, Brice Mosekian, Jon Mills, and Serena Mills.

No written comment was received supporting the proposed changes to Title 1, Chapter 7 of Washington County Code.

Harberd requested that those who had requested time to speak at the public hearing stay on track and stated there will be a limit of three minutes for public comment.

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Carolyn Kiesz addressed the Board. "I'm here to support the proposal of having only five members on the Planning and Zoning Board. Five members seems to be a very good, workable number for a small county. Two years' residence is also acceptable to me. Uh, by the time you lived in the county for two years, you should have a pretty good understanding in regard to the building and growth issues that your county has. But what I believe is most important, besides these proposed changes, is that you commissioners choose individuals who hold the law in high regard and will follow the legal counsel of our county prosecutor. We do not need people on the P & Z Board who think they're smarter than everyone else. Thank you."

Larry Markel declined to comment.

Blake Coats, "I'm here to speak against the proposal. Um, I don't know all the details of, um, how these commissions will work, but I see it as a bigger issue. Do we want our county to end up like Ada and Canyon County, and be filled with housing? As a resident here, my, practically my whole life, uh, I feel that our special rural atmosphere is so important and that we need to make sure that we take steps conscientiously to preserve the character of our county. We can't, uh, let the idea that our neighbors don't matter to us when we follow our own rights but, we have responsibilities to the whole county. And so, um, I think that this issue may just be sort of a cover for the kinds of changes that some would like to have within our particular county. And so, I would urge that we take care of our neighbors, we think more broadly for our future, and that we, we hope that our grandchildren will bless us for our actions today. Thank you."

Jeri Soulier, "I've had the honor of serving two separate times on the Planning and Zoning Commission. It takes a great deal of dedication, great deal of time, um, and I'm really proud that I got to serve with some incredible people. Um, I do have some minutes from the clerk's notes from July 10th regarding Mr. Marvin's comments. He said, these are just my opinions. The Board of County Commissioners is considering restructuring. Well, the Board of County Commissioners is three people, so I was concerned about that. Um, and then it said, um, we currently have a nine-member board, becoming difficult to manage. One example, meetings are longer due to more participants speaking. Participants speaking? I think that's what we're supposed to do. And asking and making sure everyone has all their questions answered by an applicant. Um, so I said, um, when did, I thought to myself, when did P & Z not come to a consensus? Um, also, there's a question about getting a quorum. I can't remember when we didn't have a quorum. I really can't. Um, one of the other comments was one of the disadvantages of our board, we pay 70 cents per mile for travel reimbursement. Someone said that came out of some other fund, and there's other costs for training. I don't remember the last training. We should have them. We've had them years ago, uh, Jerry Mason, and um, our former, uh, legal counsel, came around the counties of Idaho and trained Commissioners and Planning and Zoning. We haven't had that in years. And then, uh, Mr. Marvin said we would have more staff resources supporting longer meetings if we had shorter, more efficient meetings. And then it would be less costly for the county, because the Planning and Zoning Administrator and her associates also have to stay later. I confirmed that its earned comp time, there's no extra dollars spent. It's the same week with Planning and

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Zoning (inaudible). The other thing is, um, the entire commission was removed in mass without an identifying cause. That looks like an abuse of authority and a violation of principles outlined. If the members believe their rights are violated, we have the right to pursue in court, as others have, including a claim under US Courts, which is a federal issue. I think you have one right now in front of you. A 1983 Federal Rights Statute, seeking remedies such as reinstatement and justice relief, and potentially (inaudible). I don't want to be reinstated the way I was removed, that was obviously not correct. We're supposed to be removed for cause. That's all I have to say. Thank you for listening."

Ron Jaeger, "So, back in January or February, when we were first meeting with the Prosecutor in Planning and Zoning, um, in conversation with him, and people asked questions about some of the stuff he said during his campaign. And so, he said, no, the Planning and Zoning is doing a good job, I think it's all fine. After the meeting, he spoke to a person, and he said uh, we gotta get rid of all these people and bring it down to five people. So, we fast forward to last month, and Mr. Marvin came up with the statement that he and his staff came up with, you know, that we need to make it less people. Of course, everybody knows it, he fired a whole bunch of us. The reasons were to make a, you know, make it more manageable. Is that more manageable or more controllable? This county is a very diverse county, and I've seen over the years that, the more people, the more diversity we have in the people on there as far as our backgrounds, and jobs, that kind of thing, we get a better, a better answer to the question we're working on. We have rarely ever, we almost always are unanimous. (inaudible) we keep getting shorter and shorter meetings. Um, as far as, you know, they said the amount of work costs and money, well, you know, the bulk of our mileage is paid by the fees charged by the applicants. To go to the two years from five years requirement, you know, my opinion is it takes more than two years just to get up to speed on, when they're on Planning and Zoning let alone just being in the county for that long. We need people to participate that have been out there a long time, and we think it's good. This couldn't come at a worse time in our county. We have disasters going on with the code, Planning and Zoning has been shut out of changing those codes and fixing those codes, which they should have been the first people. For us to..."

"Your time's up."

Karen Bailey, "I live out in District 2 by the airport. Thank you for entertaining me coming out here. So much is going on, in three minutes just can't get it. What I'd like to know is, why do we need a Planning and Zoning Committee in the first place. We have all the codes in place. You have a council that is wonderful and strong. They're appointed by the people. Voted in by the people. This committee is appointed, they, they serve at your request. They're not voted in, so I don't understand what's going on with the authority that they feel that they have, this group, although I do believe that it's important to have counsel about changes that may be imminent. Obviously, growth is big. Idaho is awesome, I absolutely love it, and I've watched California be ruined and ran here, because I love it. And I'd like to see it preserved. Um, there's so many things that could be changed with the way that people are appointed, the length of time. I think five should be plenty. People need to learn, four years seems appropriate, but if you're going to have

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four years with everybody coming in at the same time, then all your, all your learning is gone if they don't stay, because they have a choice for that second term. So, you might think about staggered time periods for people. That's an option. Um, I found in working with Procter & Gamble worldwide, well-known company. When you go into management, or you're working in some position like this three years is what your term is before you're changed, move to a different position. Because one year's learning, second year is really rolling, still being efficient, and your third year is a flat line, so you are moved. Not because you failed, but because it's what happens. People get to know you, they don't work as hard for you, people are jockeying for positions. That's all I wanted to say. Um, I think 5 is plenty, and I'd like to see something successful happen. It's been quite a mess. Thank you so much. Um, well, I think I've said it. I'm just giving you some other options, other ideas. And I think your codes, why are your codes insufficient? I've read many of them, they're very clear. I think your counsel, if he can consult with a real estate specialist, attorney, might be able to answer your questions and help you in that manner, too. Or you could have another process that occurs. You don't have to have this particular Committee. And I thank you for your time.”

Tony Edmondson, “Good afternoon, gentlemen, and thank you for the opportunity to offer my two cents on the proposed changes to County Ordinance 172. My name is Tony Edmondson, and I live at 598 Pioneer Road in Weiser. I'm addressing you today as a private citizen, in no way affiliated with my role as chairman of the Weiser Planning and Zoning Commission. I have a long history with this ordinance, dating back to my terms as a Washington County Commissioner and feel it served our county well for more than 25 years. The only change I would suggest would be to provide a couple of seats for residents of two years or longer. This said, it's unclear to me what your purpose is in modifying this ordinance in the first place. With all due respect, and I mean this sincerely, as colleagues and friends, the drama which has led to this day was not caused by our former Planning and Zoning Commission or Administrator, who were all doing what code and policy required them to do. For the 30 years since I was first elected to the Board of County Commissioners, our county has been blessed to have dedicated and passionate volunteers invest countless hours of research and education on which to make sound recommendations to our Board of County Commissioners in land use matters. That was their sole purpose. People like John Trail, Cecilia Sachtjen, Connie Rozar and Ron Jaeger, among many others who come to mind. Their combined experience, training, and institutional memory far exceed what the present board, or even those on which I served, come anywhere near to matching, and they deserve our respect and appreciation. Instead, the current commissioners were summarily discharged only days after public disciplining, with no explanation to the public, you are now seeking input from for changes to this ordinance. Will it really matter what we recommend today, or argue, again, just going through the motions to an already concluded outcome? This is not to say other boards, my own included, didn't have differences with our commissioners or administrators. We also had our share of disgruntled citizens who didn't agree with the land use regulations the other 95% of us supported. We worked through them because we have a shared understanding of the intent behind our code, backed up by legal counsel, who was there from the beginning, and not for just a few months. One of the greatest assets of any organization is its institutional memory. It's how we don't keep reinventing

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the wheel. Reducing the commission size shrinks that pool of resources and institutional memory. Perhaps that's your goal, because as elected officials come and go, we've been lucky to have tenured planning officials who pass on their skills and knowledge to those who succeed them. As a Weiser resident for 44 years, I have seen how the land use decisions in our county impact the vitality and quality of life beyond just those who live in the county. You were elected by every voter in this county. Am I out of time? And I... you were voted by every..."

Jeff Williams, "So, I, uh, come from a background of County Planning and Zoning in Payette County, and City Government with the City of Payette. Um, I have some challenges about the comment that you don't need an advisory board for Planning and Zoning. I guess if the commissioners want to have a lot longer meeting, and they don't want the input from the zoning board, I guess that's what you can choose to do, but I don't think any one of us know everything. And having advisors is probably pretty important. Another issue that I've observed as a realtor is that, and with my background in government is, executive sessions for zoning issues makes no sense whatsoever. Executive sessions are for contracts, personnel, litigation, and, yeah, what I just said, uh, how a zoning issue fixed, fixes, uh, comes into that way, I have no idea. Um, transparency in government, I think it's vitally important, and having the executive sessions for zoning issues seems like it's not really transparent to your constituents. Thank you very much."

Jodie Mink, "Good afternoon, my name is Jody Mink. I am a rancher in Cambridge. Thank you to the commissioners for allowing this open forum for residents of our county to express concerns regarding your recent decisions. I really do appreciate your time today. I oppose the proposed ordinance changes in its entirety. By decreasing the number of voting members from nine to five, you are simply deciding to not listen to key stakeholders in our county. A minimum of nine members is a must to ensure that when decisions are made, there is adequate representation from all walks of life in Washington County. Our county is way too diverse to simply pick five individuals for such a critical segment as a part of our county government. By keeping nine voting members, it will ensure that all voices are heard, and that we are meeting the needs of all of our residents in our county. I urge you also to maintain the five-year requirement. I truly believe this is the minimum number of years that would allow an individual enough exposure to understand the economic, social, and historical makeup of our entire county. This also helps build strong roots in our community to ensure that there is a true drive to make the county better for generations to come. I wasn't born in this county, but I got here as soon as I could, about twenty-five years ago. I love economics, and I saw the value of all facets of Washington County that was linked to agriculture. I grew up in Twin Falls County that has been handed down a huge hits to all ag industries by not having a strong Planning and Zoning Commission that was backed by the commissioners. I don't want our county to endure those hits. I have always, we have always been a county that was progressive by maintaining a strong awareness of our four fathers' insights to the preservation of agricultural land and the importance of ag cash receipts and how they play a role in our economic health of our county. Please don't hastily disregard history or make decisions that could impact our next generation of farm and ranch owners, as well as

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agribusinessmen in a negative way. My generation, my kids, and now my grandkids, are trusting that elected leaders of Washington County continue to make sound decisions that are for the betterment of our entire community. Thanks for your time.”

Mark Mora, “Good afternoon. My name is Mark Mora. My wife and I, Cody, were able to move home fifteen years ago to work and live on our family ranch. We're both fifth-generation farmers and ranchers, and our kids are going to be 6th grade, 6th generation agriculturists. I grew up in Nevada on a farm and ranch, and coming to U of I in '99. Ever since, I've called Idaho home. Since moving to Washington County in 2010, I've had the privilege to be able to volunteer my time on many boards and community organizations that make Washington County so strong, special, and a great place to raise a family. Including coaching youth baseball, high school, middle school, and youth wrestling. Cambridge Volunteer Fire and EMT, Washington County Farm Bureau, Little Weiser Irrigation, and last but not least, a past member of Washington County Planning and Zoning. The structure and importance of Planning and Zoning commissions should have nine members to ensure a balanced and efficient decision-making process. This number is large enough to represent a variety of perspectives within a community but not so large that it becomes unwieldy or difficult to manage. A larger board, for instance, can lead to quorum issues and make it challenging to reach consensus. While a smaller board may not adequately represent the diverse interests of a community, a nine-board member structure is a common standard that strikes a balance, allowing for robust discussion, a broad range of viewpoints on land use and development issues. The importance of a diverse board. A diverse board is crucial for any organization's success. A diverse board is composed of individuals from different backgrounds including varied ethnicities, genders, ages, professional expertise, the diversity brings a multitude of benefits, including enhanced decision-making. A diverse group is less prone to group think. Different life and perspective lead to a more thorough analysis of problems and a wider range of potential solutions, better risk management. A diverse board can identify and mitigate events that a small board might overlook. Different backgrounds and expertise can help the county anticipate a wider range of challenges from social to regulatory. Changes. Stronger County Governance. A diverse board is more likely to challenge status quo and ensure accountability, leading to more robust county and ethical processes. Enhanced county reputation. Having a diverse team signals to residents you are committed to fairness, which can boost its reputation and attract top talent. As far as changing code to the current board number, I strongly disagree with changing of nine to five. I strongly believe the number of years that you must be a resident from five to two is for one reason. There's somebody in the community that the board must really want to drop that number so low. I assume that you already have a board member in mind, and that individual hasn't lived in Washington County that long. There are plenty of great community members that have lived here for more than five years. Thank you for your time.”

Frank Schwartz, “Good afternoon. Um, I'm Frank Schwartz, I'm from Cambridge, and I appreciate the opportunity to speak this afternoon. I oppose the proposed changes to membership and residency requirements and improvements. Please leave Ordinance 1-7-2 unchanged with nine P & Z members and a five-year residency requirement. Nine

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members allows the selection of a diverse and broad representation from across the county. The breadth of those perspectives will result in better decisions. A five-year residency allows people to gain at least a limited understanding and knowledge of the County and people, while two years is insufficient. Five years is 'at least' two years, so it meets the state law at 67-6504. At least 2 years is plain English, as seems to be important to the County Attorney. It's irresponsible to be wasting taxpayer time and money to pursue a change to this ordinance when there are big issues with the county code and multiple lawsuits. Don't fix what isn't broken. Did you know firing the P&Z Commission violates Idaho Statute 67-6509 and was illegal? The Commissioner's basis for firing was to reduce the P & Z numbers and increase efficiency. Commissioners implemented this action to reduce numbers without a change to Section 1-7-2 and without public hearings. Ordinance 1-7-2 requires P & Z assignments to be made by the Chairman and occur in March of each year, with an April beginning date, and that's in your second paragraph up there. Um, so if Commissioners remove, or the removal action's valid, no replacement P & Z members can be appointed until March of 2026, with an April 2026 start date. An Ordinance change is required to deviate from these dates. Our ordinances do not provide an alternate process for meeting the requirements without a P & Z commission. The lack of a P & Z Commission prevents Washington County Government from fulfilling its duties to the people. Many actions by our county commissioners are violating Code in Sections 1-7-3, 1-7-4, and 1-7-5. Um, without the P&Z Commission to work on needed changes to Titles 5 and 6, changes to County Ordinances must be put on hold and probably won't be completed until 12 months from now. The County is being sued over poor decisions on past and present implementation of the code. The need to immediately clarify the code and close loopholes is important. Please leave 1-7-2 unchanged. Thank you."

Mary Beth Schwartz, "Hi. I'm Mary Beth Schwartz and I live in Cambridge. And thank you for letting me speak today. I oppose the proposed changes to the ordinance. Please leave Ordinance 1-7-2 unchanged, with nine P & Z members and a 5-year residency requirement. In the last couple of months, two of our Washington County Commissioners have been stating that 'most' or 'many' counties in the state have Planning and Zoning Commissions limited to five members. I questioned whether this could be true, so I researched the numbers of Planning and Zoning Commission members in every county in our state. What I found for Planning, Zoning, and combined Planning and Zoning Commissions is as follows:

Only six out of 44 counties in the state are limited to 5 members.

Eight counties have nine members, like Washington County.

Nine counties allow up to twelve members.

Fourteen counties have 7 members.

One county, Lemhi, has at least six members.

One county, Camas, has four members.

One county, Lincoln, uses our three County Commissioners as their P & Z.

Idaho County does not do Planning or Zoning.

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I was unable to obtain the information for Custer, Gooding, and Jefferson Counties in a timely manner. Some counties have Planning Boards that are separate from their Zoning Boards. Some counties allow ranges of numbers of P & Z members rather than a fixed number. Some P & Z Boards are assigned by districts such as Bingham County with nine members, three from each district. Some P & Z Boards have current vacancies. The bottom line is that the prior Commissioner statements regarding counties having only five P & Z members is not accurate. Commissioners are elected to do the homework that is required in order to provide accurate information to the citizens and make sound decisions. One concern I have is that by decreasing our current number of P & Z members from nine to five, how do we assure a fair representation across the County? Having nine members allows for fair representation from all areas of the county. How would you propose to select a five-member P & Z Board? Another important fact for everyone to remember is that True Pearce campaigned on the authority of County Commissioners to dissolve Planning and Zoning Commissions. A video recording of this can be found online with a simple Google search of the Washington County “Meet the Candidate” forum held on April 17th, 2024, and posted by Living in the News. Um, you can hear True Pearce’s own assessment of the need for Planning and Zoning. Thank you very much.”

Deb Warren, “Gentlemen, as one of your commissioners was recently told, we are your neighbors, co-workers and friends. Many of us grew up with you. Attended the same schools. Met you at social functions. Worked together for the good of our community.

Today, I'm presenting petitions with 228 signatures of some of those neighbors, co-workers, and friends that strongly oppose the proposed code changes to the Planning and Zoning Commission. The reasons stated for reducing the number of commission members were simply untrue. Here are the untruths. It was difficult to have a quorum available. There was a dissension, and decisions were not reached easily. It cost the taxpayers too much money. This is the truth. There were only extremely rare instances where a quorum was not available. Never during the time when I was serving on the Planning and Zoning Board. There was not wide dissension among Commission members. They discussed, and yes, sometimes strongly disagreed with each other, looked at code together, and then often voted unanimously. More than half the mileage reimbursement, which all the commission members received, was collected from application fees. And it was true that each commission member served because they deeply care about Washington County. Something else that is true, this has been a plan that's been in the works since before the election. It has been planned and orchestrated. There. I said it. Gentlemen, again, I implore you to represent all the people of the county. After this is over, we will still be your neighbors. We will still be your co-laborers, and hopefully, still your friends. Please listen to all of those. And I present this to you, Mr. Harberd.” (Signed petitions).

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Tina Watkins, “Thank you, Commissioners. My name is Tina Watkins, and I have lived in Washington County since 1995. I appreciate the opportunity to share my concerns regarding the proposed Planning and Zoning code changes. Changes themselves are not necessarily troubling. My concern lies in the context surrounding them. Property splits have been a source of disagreement in Washington County for decades. Multiple commissions have debated this issue, and that process of deliberation and compromise is both normal and healthy in a Republican society. What is not normal is the unprecedented action to abruptly dismiss all nine members of the Planning and Zoning Commission. The Planning and Zoning Chairman and Administrator were threatened with civil and even criminal charges for expressing their views. Such actions give the appearance that dissent is being silenced rather than addressed through open dialogue. Now, the proposal is to reduce the commission in size and allow newly arrived residents greater influence raising even more questions. These decisions have taken place with very little public discussion. I have attended many meetings virtually. What I have observed are emotions prepared in advance, read aloud, and passed with not depth of discussion amongst you. There has been little transparent debate about alternatives, advantages, disadvantages, and concerns. Key questions remain unanswered to me, like the termination of all of them. What problem is a smaller commission meant to solve? What evidence shows this approach would improve outcomes? Without such discussion, it appears decisions are being made behind closed doors rather than through public collaboration. Now that eleven individuals have been removed, you are in a position to appoint a small select group to move forward. But forward to what? That has not been made clear by you. For citizens like myself, this raises serious red flags and suggests a process driven less by collaboration and more by control. I respectfully urge you to pause these amendments. I oppose them. Instead, I ask you to return to the work you committed to over a year ago, reviewing and updating property split policies in our Washington County Code. That is the real issue at hand. True leadership is measured not by the ability to silence opposition, but by a willingness to engage with it. Washington County deserves leaders who model transparency, embrace debate, and work towards solutions that reflect the will of the people they serve. I ask you to honor that responsibility and choose a path of openness, collaboration, and fairness. Thank you.”

Nancy Williams, “Good afternoon, Commissioners. My name is Nancy Williams. I live at 1627 Gentry Lane. Need I say more? I think that the Commissioners should stay the way they are, and I respectfully ask if you've read all completely what you have posted? And if you endeavored to follow them, exactly? Thank you.”

Jerome Grandi, “My name's Jerome Grandi. I live out on the end of Weiser River Road. We ranch out there. I, uh, I'm against changing the, making the changes here proposed, and I think that, uh, I think the importance of Planning and Zoning Commission is really important, and it's important to you, because they're here to advise you whether you agree with it or not. At least it exposes to the, what people think. Something that really bothers me about this whole deal, to be honest with you, is the part of litigating, or threatening litigation against people that are in these positions to help you. And I don't know codes, and I don't know how all this is going on. But I do know that somebody has to pay for

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this nonsense and I think it's me. And I think that needs a stop. And I think there's a better path to solving the situation than through litigation. Thank you."

Sabrina Young, "Thank you, Commissioners, for this opportunity to testify. My name is Sabrina Young. I come before you as a property owner and a citizen of Washington County. I respectfully, um, oppose these proposed changes. At a time when growth and land issues demand greater citizen involvement, I believe these revisions would do the exact opposite. It would be, um, reducing citizen participation. State law requires that a Planning and Zoning Commission consist of not less than three, and not more than twelve members. And must have at least two years of residency prior to appointment. Our county Planning and Zoning Commission is a critical part of our community. They assist in land use decision making. They guide comprehensive planning, they review zoning ordinances, conduct public hearings and ensure compliance with local and state laws. Because of this, a larger commission is not a burden. It is a safeguard. I believe a nine-member commission provides broader representation, more thorough deliberation, and greater accountability, while also reducing the risk of biases. Lowering the residency requirement from five to two diminishes the long-term local knowledge that is vital to the work of this commission. I believe five years allows a thorough understanding of our county's unique land use challenges, history, and community goals and priorities. Fair and transparent land use decisions require diverse and broad representation. Please reject these changes and protect the structure that's already in place. Thank you for your time."

Gilbert Ball, "Good afternoon, my name's Gilbert Ball. I live in Washington County up on Mann Creek. I'm a farmer, rancher, and I have a business related to agriculture in town. Thank God I came along late after everybody else had presented about everything I would like to discuss. My position is, I am in opposition to the changing ordinances. Um, can I, uh... I'd like to yield to Mr. Williams, if you're still here. Did you leave?"

Williams, "No."

Ball, "Payette Planning and Zoning, how many commissioners do they have? It's not unruly, and do you feel it's unwieldy, or do you feel it's (inaudible) That needs to be brought in here so that you can deliberate that. We have nine, you cut it to five, but you do not feel we're gonna have people who adequately represent the County and the interests in the different areas. (inaudible) If we look at more diversity. (inaudible) The requirement for the membership on the Commission of five years. I feel that to me, that shows someone's been here, they plan on stayin' here, they have a vested interest in the community. They will live with the consequences of the decisions they make. Thank you for your time."

Dan Warren, "Yes, I'm Dan Warren, Cambridge, Idaho. Most of it's been covered. I would just like to say I'm opposed to what you have up on the screen there. I believe the, uh, old boards should be reinstated, so to speak, your Planning and Zoning Board should be reinstated. And I think, uh, apologies made, even. Because I think they were dismissed, but they shouldn't have been. So, I'd like to see that happen. I guess I'll let it go at that."

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Marty Van Ness, "I'm Marty Van Ness, Weiser, Idaho. I oppose these changes. And I think everybody said it really well. I'm not going to tell you anything you haven't heard. You guys were elected in this position, and I just hope that you listen to what everybody's telling you. Thank you."

Chris Christopherson, "Good afternoon, Commissioners. Chris Christopherson, 354 Krause Road, just out by the airport. I live in Commissioner Marvin's district. And thank you for the opportunity to speak, and thank you for taking this opportunity during the day when a portion of the public could be here to present. As we talk about diversity, it's been mentioned many times, we don't have very much of a diverse crowd, and I think, unfortunately, that's because of the time of day and the demographics of this meeting, in which many people work and have livelihood. But I do want to thank you for this opportunity, um, to come here and speak. Uh, it's been mentioned through many of the blogs online and the discussions regarding, uh, this proposal, um, that, uh, we don't need to fix something that's not broken. Or we don't need change, for change's sake. Well, we never plant a tree without ever trimming it, and pruning it back, and expecting it to give fruit every year. I know a few of the commissioners on this, on this board have been farming. Do you guys farm in the exact same way that was always done 40 years ago without ever changing? Is there, are many people in this room that actually drive the same vehicle that they drove 40 years ago? Most people can't say yes to any one of those questions. We evolved. We've changed. Our environment is changing around us. People that have moved here have changed. People that move here bring in outside experiences and input, and knowledge that may be an asset to prevent what is, the concerns that are happening in this county. I am in support of this proposed change. I would like to see it redo up to five from nine to not do away with the claim of diversity. They'll make it a smaller, manageable board that goes back to the purpose of what a Planning and Zoning committee is supposed to be, and what some of their duties are. And get away from what our neighbors think but look at the codes and the statutes that we have to live by, but also ensuring that we're preventing overpopulation, we're preventing damage to our county, and we're preserving the way of life that we've all moved here to be. But I do want to add that it does feel that uh, we all have some form of... Um, I'll... I won't take that thought. Um. But if we don't manage growth in a, you know, in an adverse way, a way that benefits the way of life we have, growth will manage us. And unfortunately, because of lack of action, be it through the Planning and Zoning Commission or the Commissioners themselves of managing growth of the last twenty-five to thirty years. That is what has put us into this situation, and now we are, we are charged with lawsuits costing us as the taxpayers. Thank you."

Rich Brooke, "My name's Rich Brooke, 50 Hill Road. Lived here for about twenty-seven years. Um, we, uh, grow tree fruit, we're farmers and have been the whole time. You know, I'm opposed to the changes. I think the reorganization of P & Z should be stopped now. And all former members and policy let stand. I'm sitting here listening and thinking about all of this, and I'm going, really? You guys, all three of you got together and just said, let's fire them all? You know, I've seen a bit of planning, P & Z, Um, I'm had to come to you guys sometimes for final approval, but it always seemed to work pretty

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good. And I'm wondering - Why are we changing? What is the motivation? Um, you know, I didn't, I don't see the issues that seem to be talked about that, you know, that somehow they're not getting it done. I found when I went before them not only as someone commenting, I found them to be very responsive, and helpful. In all of their ways, and, and, you know, I can't imagine that, that, uh, all nine of them didn't have input that you guys, and former, uh, Board Members, Commissioners valued. I just, you know, I've come and watched you guys uh, with your deliberations, too, and I'm going, what's, there's something that I'm not getting, because it, and I'm really disappointed in what I'm hearing and reading in the newspaper over the last how many, um, months and. Since some of this new stuff has been going on, this newfound legal opinions that go against years of precedence, they don't need to be followed, they need to be countermanded by legislation and codes that reflect what the people that elected you, um, support. We don't, you know, this thing of you can just go out and create a twenty-acre lot and have it buildable. Has anybody checked if they have water? Or are we just gonna, and the easements are in, there's no review. It's just like, okay, it just was to make twenty-acre building sites all over the place. And then people come in and go, buy these and they think they can do whatever they want, and they just find that they don't have easements, they don't have. You know, it's..."

Harberd, "Your time's up."

Brooke, "Then I oppose the changes."

Cecelia Sachtjen, "Good afternoon, Commissioners. I am Cecilia Sachtjen. Based on my personal experience of being a past member of Washington County Planning and Zoning Commission, I believe that reducing this membership down to five would handicap it from adequately giving the County Commissioners good, sound recommendations in land use issues. The purpose of Planning and Zoning Commission is to do research for the County Commissioners and give them recommendations based on findings in three different land use areas. First, applications for subdivisions, special use permits, and variances. They must comply with all ordinances and regulations. Not only those found in our county laws, but other state and district laws regulations. Second, zone request changes. Any zoning changes must be in compliance with the County's Comprehensive Plan which identifies priority areas for change. And third, making changes or updating current County Ordinances or the Comprehensive Plan. Again, restrictions placed by the state and other districts must be adhered to. The county can adopt stricter regulations, but they cannot be more lenient. The responsibilities of Planning and Zoning is no small task. As fact finders, they have a lot of research to do. They also need to have a broad familiarity of the county. P & Z isn't about being popular or liked. They are supposed to be neutral, open to other points of view. The Board needs a well-rounded in, roundedness in different areas of education, experience, and land use issues. They expect opposition so they need to listen, discern, and be thorough. Planning and Zoning isn't supposed to judge the worthiness, need, or popularity of land use issues. Only that all regulations are being satisfied. Planning and Zoning members are heavies for you. They are the first to investigate gathering of missed information. They are also the first opportunity for the general public to express their opinions on the record. The final decisions on land use

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issues are the sole responsibility of you, the County Commissioners. You have the right on all issues, and the requirement by state law on some issues, to hold the second public hearing where both sides of an issue have another chance to provide evidence before making your decision. We need more, not less, people evaluating the land use proposals to help prevent something being overlooked. The residents deserve the thoroughness that can be achieved with a larger Planning and Zoning Commission. Please let the tool of the State be given to you to help negotiate your land use rules. Be the sharpest knife in the drawer, for the benefit of the citizens.”

Kirk Chandler, “Commissioners, thank you for this opportunity. I'd like to just start out by uh, saying that we live in a republic based on laws. You were elected by the people to uphold those laws, and you take an oath to uphold the Constitution. And part of that is, uh, the State Code is what counties are organized under. And so the, the two-year provision in the code change is to bring our County Code in compliance with State Code that we're organized under. And then the other part of the nine representatives. They can go on to five. The purpose, like was stated in the last testimony, the purpose of Planning and Zoning is to review with an applicant as to whether or not they have complied with everything in the code. And so, you know, like was stated, the law needs to be followed. And I think, you know, you understand, because of the lawsuits and everything, that we're against now, the recommendations and the actions of the Planning and Zoning Committee, and refusing to listen to our prosecutor, who we're taught in our meetings that we need to follow, put us in a position that we're in now. So, five representatives on that board, appointed by you, would be ample to decide whether or not an applicant has complied with the code, and to give you a recommendation. Not a decision as to whether to approve or to deny, but a recommendation as to whether they have complied with the code. So, I think a lot of what is going on is misunderstanding of the Commission's responsibilities. They're not there to decide whether or not something is good for the county or bad for the county, they're there to determine whether or not the code is being followed. So, thank you.”

Clarence Stark, “Good afternoon, Commissioners. Clarence Stark, 1203 County Road 70. I speak before you today regarding Washington County Planning and Zoning Commission. While I don't agree with your decision to clean house and start over with the Commission, I believe I understand why you did it. The proposal to reduce the commission membership to five, it changed the efficacy requirement to a minimum of two years. These work. Working with a nine-member Commission might be difficult at times, however I have not directly observed a discourse in the past commission. They appeared to me to support the interests of the county. Our system offers a pathway to maneuver through the zoning process. There are always a few who don't want to navigate the process and take shortcuts. In my opinion, the five-member commission does not give adequate representation to the majority of the county. The minimum, minimum of seven members to support good representation. The residency requirement of two years in the county to qualify for employment is just too short. I believe that it takes more time than that, and understanding of the culture of an area, and as to why the current codes and regulations have that limit in place. A minimum of five years of residency is needed to learn the ropes, so to speak. Whatever your decision, we, the residents of the County, will

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survive. Some of those who don't want to live with it will bring lawsuits. That is their right, as permitted by our current form of government. As a final note, I find it very sad that oftentimes our county employees have found themselves as the target of a select few. Those who may get their way by being a bully. The loudest voice in the room is seldom the smartest. You gentlemen are the gladiators in the arena. Thank you for your service.”

Rick Kiesz, “Rick Kiesz, Midvale, Idaho. We came to Washington County from a little larger county. And they had their land use code so clean, including a separate subdivision code, that it did not need interpretation. Anyone could understand it. And it respected every property owner's rights. No favors could be used at all. Consequently, the Planning and Zoning Board, decades ago, disbanded themselves, because they were not needed. The code solved every problem. And I think here, I doubt if code changes are gonna work. I think it needs to be scrapped and start from scratch, respecting every property owner equally. Thank you.”

Creed Noah, “Thank you for the hearing. Seems good. The Planning and Zoning Commission, is, it's a treasure. And I can't, I can't exaggerate how important it is to keep that diversity, nine members. The minimum of five years, that's a really good idea. I've heard a lot of excellent points made. I'll keep it simple. It's, it's, it's a treasure that you have that many people willing to serve, and listen, listen to the issues and hope you make good decisions on planning and zoning. So, I, I urge you to call them up, them to forgive you for firing them, and bring them all back on.”

Diane Merryman, “Thank you for the hearing. I'm a little bit nervous, so I'll apologize if my voice cracks. First, I want to tell you that I'm very much against the rule changes and the code changes that are being proposed. I'm really, really sorry to the people that lost their jobs so unceremoniously. Um, I think it's very inappropriate, and I'm really sad that through bullying tactics, they were treated that way. Some of us here enjoy the rules and the codes that are part of this county. It gives us some assurance that our property is protected from unwanted overdevelopment. Some of us bought here, because of the rules and the codes that were in place, not in spite of them. We like knowing that through the rules and the codes that are in place, we would have a voice before any permits are issued for variances to those codes. We live here because we enjoy rural life. We like knowing that limited building permits helps to keep our groundwater protected. It gives us a bit of peace of mind to know that before more sewage systems are going to be put into our area that there are going to be the correct permits, and the permit, uh, the correct codes are going to be followed in order to do that. Otherwise, we all have to deal with polluted groundwater. I do not agree with Mr. Pearce's interpretation of the split rules in this county. I don't believe that the interpretations of one person should be allowed to throw out a rule which has guided training and zoning for decades. The split rule on the twenty-acre properties has continued to protect Washington County from overdevelopment and to making certain that things are doing correctly. If people are not, to the, if the codes and rules are not to people's liking they should not assume that the rules will simply be changed or not enforced for their priorities because some of us have different priorities. We enjoy living in the country. We enjoy not looking at someone else's backyard. We enjoy our privacy, less noise, and fresh water, and clean air. Thank you.”

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Donna Lake. “Mr. Chairman, member of the Committee. I’m Donna Lake, 2307 Towell Road, Midvale Idaho, a long-time resident. When I was on P & Z, I had many questions that I asked how we got some of our code. No one can tell me. I think that P & Z does need reorganized. So, one day, I just, I thought, how did we get here? So, I did some history of Planning and Zoning in our county, if I'm allowed to go on. Zoning is a law that divides the jurisdiction's land into zones and limits how land can be used. Zoning uses various land use laws, enforced through police power to exercise authority over privately owned real property. The Standard State Zoning Enabling Act is a federal planning document drafted and published through the United States Commerce Department in 1922, which gives states a model to enact their own zoning enabling laws. The genius for this act is initiative of Herbert Hoover, while Secretary of Commerce, to increase home ownership in the United States. On April 5th, 1971. County Commissioner Elvin Craig called a meeting of the Council of Government together and introduced Howard Tankersley, who was the Extension Leader of Community and Resource Development from the University of Idaho. Tankersley explained there were seven different Federal Government Agencies loaning money on housing. President Nixon's Reorganization Plan is to have one responsible agency for housing loans. Tankersley stated Idaho was working with a District Council of Governments, plus Soil Conservation Districts from HUD 701. The direction of planning would have three functions: (1) Find out what you have; (2) Decide what you want to do with it; (3) Do it or implement it. This planning is no more than land use control. The City and County Planning Commission, under Comprehensive land use would have: (1) Police Power-zoning – This would have burden of proof on the owner or zone; (2) Subdivision regulations – Restrictive ordinances, streets, roads, sewers, etc.; (3) Fee simple – Purchase land. (4) Easements – Do not buy property or buy right-of-way into an area. Mr. Burrell explained how the Economic Development District is to act as an industrial and economic agent and provide technical advice on planning and zoning. It was decided by the Committee that their first order of business would be to set up a land use map of the county. It should be explained that the commissioners only accept the document from the committee. Final acceptance doesn't occur until the people approve it. January 24, 1972, Faye Mooney reported the Commissioners have not accepted the proposal ordinance until the land use map is complete. Tankersley mention...”

Harberd, “Time.”

Robert Bennatts, “Thank you, Commissioners and neighbors in Washington County. Thank you for coming out tonight. My name's Robert Bennatts, Um, I moved here more than five years ago. So, uh, I guess I'm kind of entrenched as much as you're supposed to be. Um, I paid attention to the commissioners, and um, on this matter. I don't think it's that important. I think complying with the state's requirement of two years is satisfactory. Um, we're all in the same boat, whether you're here one year, you're a resident, you're going to be impacted, and it's time to learn. How better to learn than to get involved? So, as far as the amount of commissioners, I'm for the twelve. I think the more involvement, the better. Um, as far as the past, um, Commission, Planning and Zoning Commission, I give them in respect for their time, their involvement, their effort, the toil they put into

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the process. But the facts are that, uh, as I was sitting there watching this all develop, they're the ones that pushed this whole event with the moratorium, which ultimately ended up with a huge lawsuit. And I don't blame the Commissioners. I don't believe they're responsible, I don't think they have a choice. That's my opinion. I don't know if it's true or not, but that's my opinion. I don't think they had a choice. If they had a choice, they might all kept the same conditions. But it's not (inaudible) of the Planning and Zoning Commissioners, I think, is the issue. It's who they are as people, what they're about, what their priorities are, um, that's the important thing. And, uh, also, when they take training, will they, uh, conform to the, uh, the laws and ordinances. Can they come up like others have said, go by the ordinances. My opinion, by watching, we haven't been running this county by the ordinances. The big thing is saving A1 ag land. And the reality of it is, there's no further development in any of the cities that doesn't infringe on the A1 land. So, every permit is coming up against the A1 issue. If we want to continue with, uh, to hold that, we should go by the 5-4-1 ag zoning that says. Number one, there shouldn't be subdivisions of the A1 ground. And two, the twenty acres is all that's necessary for a home. That would simplify things, everybody would understand, and it wouldn't be a, uh, a Commissioner's investigation to figure out whether you can build a house on the land you bought. So, I'm tired of the mother hanging of every building for that going through the planning and zoning.”

Mike Keach, “Mike Keach, Midvale Idaho. Thank you, Commissioners, for letting us talk and go through this. I would like Washington County to adopt state code, whatever we do, if we'll follow down from the State. The previous P & Z Board was dissolved and should remain so. There was a unanimous vote at a meeting recently where the people present voted unanimously a vote of No Confidence in our Washington County Prosecutor, True Pearce. He was elected by 63% of the citizens of this county. He is our choice. We do not want outside counsel. He is trained to advise on these matters. And, you know, it, uh, and I don't know how the P & Z, there was 63% of the people in the county voted for him, but the P&Z, the people present, voted unanimously, if there wasn't following one person, or they didn't take a lead, someone should have voted confidence in True Pearce. There's something going on there, because they all voted the same way. That's a sign that they're following one person. I would be in favor of a five-member board, considering the citizens that have lived in a county for two or more years., and start out fresh. A lot of people, they just put, they quit taking advice from new people. The P & Z Board, they did as they pleased, they didn't follow you guys' directions. Insanity is doing the same thing over and over again and expecting different results. Thank you.”

Harberd, “If I haven't missed anyone else this evening, this will conclude our hearing.”

Odo Grandi, “Odo Grandi, Lower Crane, Weiser. I oppose your decision to go from a 9 panel to a 5-panel, uh, and taking it from, uh, 2 or 5 years to 2 years. I've been through the Planning and Zoning process for a special use permit twice. Uh, it was simple. There were a diverse group of people on that panel. Uh, the \$600 fee, I did not feel was out of line. I was happy to pay their mileage. I feel today that this meeting is a technicality. P & Z Board was fired, and much of the Planning and Zoning staff has been released.

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Planning and Zoning decisions need to be transparent, transparent and held out of executive session going forward. As Commissioners, be true leaders, and do what's right for this county today, and for its future generations. Allow core splits on original parcel. Keep the Planning and Zoning Commission at nine people, five years. And don't let litigation and lawyers scare you into poor decisions.”

Harberd, “This is my third stab at this. This is the conclusion of this hearing. We're not making any decisions this evening. When we meet in the future, we'll do our deliberation, and we'll come to a conclusion then. I want to thank everyone for coming this evening, showing up, I think they had a good showing. And I appreciate all the information and the time.”

Hearing closed at 5:30 p.m.

Motion by Jim Harberd, seconded by Gordon Wilkerson and unanimously carried to recess at 5:30 p.m. until August 25, 2025, at 8:45 a.m.

Chairman, Board of County Commissioners

ATTEST:

Clerk

A full audio recording of the Commissioner Meeting is available at the Clerk's Office upon request.