

Subject: April 20 2026 BOCC Meeting

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Cc: Donna J. White <dwhite@washingtoncountyid.gov>

Dear Commissioners,

I know your April 20 meeting agenda includes a discussion of the 20 acre split chaos that has been created over the last 15 months. I also expect your discussions and decision making in this April 20 meeting will likely occur in executive session, consistent with your past practice. So, I am providing you with an input that you will hopefully read, investigate, and discuss as part of that meeting, and at some point share with the public. The citizens of the county deserve informed and honest decision making from our commissioners. I would hope that, in the spirit of transparency, you will include my input as an element of the April 20, 2026 BOCC meeting record..

Washington County deserves a clear answer about a major change in Prosecutor True Pearce's public position on 20-acre splits.

On April 13, 2026, Pearce told the commissioners in public: "There's some sort of a misconception that we allow unlimited 20-acre splits in the county... that is not what the code says. It is not what it's ever said. We don't allow it."

That sounds clear enough. The problem is that this is basically the same conclusion reached years earlier in the August 27, 2021 Meyer memo. That memo said county code does not allow "an unlimited number of 20-acre lots" with a house on each one, and that such a reading "is not permissible under the County's zoning ordinance."

But in 2025, Pearce took a different position. In his own April 7, 2025 memo, he wrote that owners of A1 parcels with 20 acres or more "are entitled to build one single-family residence." He then told the county to stop its old practice and follow his interpretation. After that, Pearce hired Holland & Hart, and on May 5, 2025, that firm backed him up, saying his interpretation was correct and that the code "clearly permits a single-family dwelling on A-1 parcels that are 20 acres or larger."

So the issue is not whether Pearce used the exact words "unlimited 20-acre splits" back then.. The issue is that he fought the Meyer memo, hired outside counsel to support a

different reading, and now is publicly saying, in substance, what the Meyer memo said all along.

The public deserves a direct explanation. Did Pearce's legal position change, or did it not? If it did, he should say so. If it did not, he should explain how his 2025 memo, the Holland & Hart opinion, and his 2026 public comments all fit together.

I am attaching my full letter to you which provides the details and references that substantiate my above summary and conclusions. Your constituents (the citizens of Washington County) deserve the facts, the truth, and some transparency on this matter.

Thank you.

Frank Schwartz