

MINUTES FOR DECEMBER 17, 2025: PUBLIC HEARING AND REGULAR CITY COUNCIL MEETING

CALL TO ORDER: Mayor Jared Hillier called the Public Hearing and Regular City Council Meeting to order at 6:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Jared Hillier, Council President Nick Hainline, Council Member Wes Owsley, Council Member Erika Cornett, and City Attorney Tim Stover (via zoom) were present. Council member Nathan Kerbs was absent.

AGENDA AMENDMENTS: None.

CONSENT AGENDA: Nick Hainline made a motion to accept the consent agenda (Minutes for 12-3-2025 and Treasurer's Report) as written. The motion was seconded by Wes Owsley. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye
Nathan Kerbs: absent
Wes Owsley: aye
Erika Cornett: aye

Motion passed.

ANIMAL CONTROL/CODE OFFICER REPORT: Brenna McLean was not present to give the report, the report is on file.

LIBRARY REPORT: Library Director Geri Omohundro was present. The report is on file.

PUBLIC HEARING: Annexation Request of Idaho Department of Parks and Recreation Parcels RP07S13E133000, RP07S13E126374 and RP07S13E112176, 176.10 Acres, and Jim Herbert Parcels RP07S13E140006, RP07S13E140200 and RP07S13E140065, 17.02 Acres, in conjunction with a comprehensive plan map and zoning map amendment.

Mayor Hillier opened the Public Hearing at 6:06 PM.

No statements were given by the public.

Mayor Hillier closed the Public Hearing at 6:07 PM.

Mayor Hillier opened a Public Hearing for "Ordinance 1109: AN ORDINANCE OF THE CITY OF HAGERMAN, IDAHO, AMENDING HAGERMAN CITY CODE TITLE 10, ZONING REGULATIONS, CHAPTER 4, USE DISTRICT REGULATIONS, ARTICLE C, C COMMERCIAL DISTRICT, SECTION 5, HEIGHT REGULATIONS, BY MAKING CHANGES TO THE HEIGHT REGULATIONS IN THE C – COMMERCIAL DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW" at 6:09 PM.

No statements were given by the public.

Mayor Hillier closed the Public Hearing at 6:10 PM.

NEW BUSINESS:

- A. Ordinance 1109: AN ORDINANCE OF THE CITY OF HAGERMAN, IDAHO, AMENDING HAGERMAN CITY CODE TITLE 10, ZONING REGULATIONS, CHAPTER 4, USE DISTRICT REGULATIONS, ARTICLE C, C COMMERCIAL DISTRICT, SECTION 5, HEIGHT REGULATIONS, BY MAKING CHANGES TO THE HEIGHT REGULATIONS IN THE C-COMMERCIAL DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE UPON PASSAGE APPROVAL AND PUBLICATION ACCORDING TO LAW-
Action Item:

Nick Hainline made a motion that proposed Ordinance 1109 pass its first reading by Title only, and that the 2nd and 3rd reading rules be dispensed. Erika Cornett seconded the motion. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye
Nathan Kerbs: absent
Wes Owsley: aye
Erika Cornett: aye

Motion passed.

Nick Hainline made a motion that Ordinance 1109: AN ORDINANCE OF THE CITY OF HAGERMAN, IDAHO, AMENDING HAGERMAN CITY CODE TITLE 10, ZONING REGULATIONS, CHAPTER 4, USE DISTRICT REGULATIONS, ARTICLE C, C COMMERCIAL DISTRICT, SECTION 5, HEIGHT REGULATIONS, BY MAKING CHANGES TO THE HEIGHT REGULATIONS IN THE C-COMMERCIAL DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE UPON PASSAGE APPROVAL AND PUBLICATION ACCORDING TO LAW be formally adopted and the summary approved. Erika Cornett seconded the motion. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye
Nathan Kerbs: absent
Wes Owsley: aye
Erika Cornett: aye

Motion passed.

- B. Ordinance 1110: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAGERMAN; STATE OF IDAHO, ANNEXING CERTAIN REAL PROPERTY DESCRIBED BELOW; PROVIDING THE ZONING CLASSIFICATION THEREOF, AND ORDERING THE NECESSARY AMENDMENTS TO THE ZONING AND COMPREHENSIVE PLAN MAP OF THE CITY OF HAGERMAN, IDAHO; PROVIDING FOR THE CITY CLERK TO FILE A CERTIFIED COPY OF THIS ORDINANCE WITH THE IDAHO STATE TAX COMMISSION AND WITH THE GOODING COUNTY ASSESSOR, AUDITOR, RECORDER, AND TREASURER IN ACCORDANCE WITH IDAHO CODE §§50-223 AND 63-215; AND PROVIDING FOR

THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW-Action Item:

Nick Hainline made a motion that proposed Ordinance 1110 pass its first reading by Title only, and that the 2nd and 3rd reading rules be dispensed. Wes Owsley seconded the motion. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye

Nathan Kerbs: absent

Wes Owsley: aye

Erika Cornett: aye

Motion passed.

Nick Hainline made a motion to adopt Ordinance 1110: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAGERMAN; STATE OF IDAHO, ANNEXING CERTAIN REAL PPROPERTY DESCRIBED BELOW; PROVIDING THE ZONING CLASSIFICATION THEREOF, AND ORDERING THE NECESSARY AMENDMENTS TO THE ZONING AND COMPREHENSIVE PLAN MAP OF THE CITY OF HAGERMAN, IDAHO; PROVIDING FOR THE CITY CLERK TO FILE A CERTIFIED COPY OF THIS ORDINANCE WITH THE IDAHO STATE TAX COMMISSION AND WITH THE GOODING COUNTY ASSESSOR, AUDITOR, RECORDER, AND TREASURER IN ACCORDANCE WITH IDAHO CODE §§50-223 AND 63-215; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW be formally adopted and the summary approved. The motion was seconded by Wes Owsley. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye

Nathan Kerbs: absent

Wes Owsley: aye

Erika Cornett: aye

Motion passed.

- C. Ordinance 1111: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAGERMAN; STATE OF IDAHO, ANNEXING CERTAIN REAL PROPERTY DESCRIBED BELOW, PROVIDING THE ZONING CLASSIFICATION THEREOF, AND ORDERING THE NECESSARY AMENDMENTS TO THE ZONING AND COMPREHENSIVE PLAN MAP OF THE CITY OF HAGERMAN, IDAHO; PROVIDING FOR THE CITY CLERK TO FILE A CERTIFIED COPY OF THIS ORDINANCE WITH THE IDAHO STATE TAX COMMISSION AND WITH THE GOODING COUNTY ASSESSOR, AUDITOR, RECORDER, AND TREASURER IN ACCORDANCE WITH IDAHO CODE §§ 50-223 AND 66-215 AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW-Action Item:

Nick Hainline made a motion that proposed Ordinance 1111 pass its first reading by title only, and that the 2nd and 3rd reading rules be dispensed. The motion was seconded by Wes Owsley. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye
Nathan Kerbs: absent
Wes Owsley: aye
Erika Cornett: aye

Motion passed.

Nick Hainline made a motion that AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAGERMAN; STATE OF IDAHO, ANNEXING CERTAIN REAL PROPERTY DESCRIBED BELOW, PROVIDING THE ZONING CLASSIFICATION THEREOF, AND ORDERING THE NECESSARY AMENDMENTS TO THE ZONING AND COMPREHENSIVE PLAN MAP OF THE CITY OF HAGERMAN, IDAHO; PROVIDING FOR THE CITY CLERK TO FILE A CERTIFIED COPY OF THIS ORDINANCE WITH THE IDAHO STATE TAX COMMISSION AND WITH THE GOODING COUNTY ASSESSOR, AUDITOR, RECORDER, AND TREASURER IN ACCORDANCE WITH IDAHO CODE §§ 50-223 AND 66-215 AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW be formally adopted and the summary approved. Wes Owsley seconded the motion. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye
Nathan Kerbs: absent
Wes Owsley: aye
Erika Cornett: aye

Motion passed.

- D. LSRARD Presentation, Frank Erwin-Action Item: Frank Erwin gave the public and council the following history of the Lower Snake River Aquifer Recharge District:

The LSRARD is the only legislative approved recharge district in the state of Idaho. Mr. Erwin is the president of the board for the LSRARD. The water right in question filed for in 1980 and was permitted but never licensed. It eventually became in direct conflict with the water right for Idaho Power at the Milner point of diversion. In order to protect the water right, the water rights were appropriated to the Big and Little Wood Rivers and one on the snake river. The Snake River water right was originally for 1200 CFS but permitted around 750 CFS and the Big and Little Wood River water right was originally permitted at 1,000 CFS but permitted for around 450 CFS. Mr. Erwin told the LSRARD board that if no control was to be maintained over those water rights they needed to obtain another. Approximately a year ago Mr. Erwin discovered there was approximately 450 CFS through Milner that was unclaimed. The application was submitted a year ago and has been declared satisfactory and complete by Corey Skinner with IDWR. Once applications are complete and approved, they are publicized statewide to allow for petitions of protest. Mr. Erwin is expecting a lot of protest, but in order to be able to successfully protest the application you have to be able to prove that the water right transfer will injure you personally. There will likely be an assessment in the coming year. In the LSRARD the eastern boundary is the Perrine Bridge which includes the City of Twin Falls but they are not very involved. The City of Hagerman Mayor is typically on the board for LSRARD but Mayor Hillier has entrusted this to Mr. Erwin, given his longstanding history and knowledge of the LSRARD.

- E. 2026 Annual Liquor License: Fast Stop LLC, Los Potrillos, DG Retail LLC, Snake River Grill, Francesca West LLC, & Swensens Market-Action Item: made a motion approve the 2026 Annual Liquor License applications for Fast Stop LLC, Los Potrillos, DG Retail LLC, Snake River Grill, Francesca West LLC, & Swensens Market. The motion was seconded by Erika Cornett. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye

Nathan Kerbs: absent

Wes Owsley: aye

Erika Cornett: aye

Motion passed.

- F. DW2321AP Pay Request #16-Action Item: made a motion approve DW2321AP Pay Request #16 in the amount of \$110,701.00. The motion was seconded by Wes Owsley. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye

Nathan Kerbs: absent

Wes Owsley: aye

Erika Cornett: aye

Motion passed.

- G. ICDBG-24-IV-06-PF Pay Request #2-Action Item: made a motion approve ICDBG-24-IV-06-PF Pay Request #2 in the amount of \$57,460.00. The motion was seconded Wes Owsley. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye

Nathan Kerbs: absent

Wes Owsley: aye

Erika Cornett: aye

Motion passed.

- H. Findings of Fact & Conclusions of Law-James Brown Special Use Permit Application-Action Item: made a motion to accept the Findings of Fact and Conclusions of Law for the Special Use Permit Application. The motion was seconded by Erika Cornett. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye

Nathan Kerbs: absent

Wes Owsley: aye

Erika Cornett: aye

Motion passed.

- I. Area of Impact-Discussion-Action Item: City Attorney Tim Stover and Mayor Hillier informed the council and public that the County Prosecutors Office is handling this matter, and the City is essentially losing control of the impact zone but can still offer input to the county. The City of Hagerman could/should have passed its own ordinance 5-6 years ago, but it is too late to handle at this point in time. The City of Hagerman is going to wait until the County updates their ordinance before proceeding.

OLD BUSINESS: None.

CITIZEN'S COMMENT: Justin Scoresby asked Mr. Erwin if he is able to secure the additional 450 CFS, when would the water be available? Mr. Erwin responded that it would be available at the flood stage.

MAYOR'S COMMENT: Mayor Jared Hillier stated that there is a lot going on in town, it has been a good year and a lot has been accomplished. He then presented Wes Owsley with a gift for his time on the Council.

CLOSE: Council President Nick Hainline made a motion to close the City Council Meeting for December 17, 2025. The motion was seconded by Erika Cornett.

ADJOURNED: 6:48 PM.

Jared Hillier, Mayor

Ashley Cook, City Clerk/Treasurer