# CITY OF RATHDRUM
# REGULAR COUNCIL MEETING AGENDA

Tuesday November 10, 2026 – 5:30 PM ♦ City Hall – 8047 W. Main Street ♦ Rathdrum, ID

**1.) CALL TO ORDER**

**2.) PLEDGE OF ALLEGIANCE**

**3.) ROLL CALL**

**4.) AMENDMENTS TO THE AGENDA AND DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS** The declaration and justification of an amendment must be approved by motion of the Council.

**5.) ACTION ITEM: CONSENT CALENDAR APPROVAL**

**A)** Special Council Meeting Minutes of September 30, 2026
**B)** Regular Council Meeting Minutes of October 28, 2026
**C)** Regular and Special Bills as presented

**6.) VISITORS COMMENTS – This is an opportunity for the public to share your thoughts with the Mayor and Council (3 minutes per topic). No formal action is taken; items may be added to a future agenda for further discussion or action. Comments are not permitted on land-use items (any matter involving a special land-use application or process under state code).**

**7.) CEREMONIES AND REPORTS**

**A)** KMPO Presentation

**8.) PUBLIC HEARING**

**A)** Community Development Block Grant Project Close-Out

**9.) NEW BUSINESS**

**A) ACTION ITEM:** Consideration of Little Leaf administrative appeal of interpretation of Rathdrum City Code
**B) ACTION ITEM:** Consideration of authorizing the Mayor to execute a contract amendment with Inland Forest Management

**Rathdrum City Hall is an ADA accessible building. Assistance for persons with disabilities will be provided upon 24-hours' notice prior to the meeting.**

C) **ACTION ITEM:** Consideration of adopting questions for a Rathdrum Comprehensive Plan Citizen Survey
D) **ACTION ITEM:** Consideration of adopting an ordinance amending Title 8: Water and Sewer, Chapter1: Water System, of the Rathdrum City Code
E) **DISCUSSION ITEM:** Staff Update on Software Issues with Water Master Plan

**10.) STAFF REPORTS:**

**A)** Park and Recreation Reporting
- i. Recreation Activities
- ii. Parks/Cemetery
- iii. Upcoming events and Programs

**B)** Police Reporting
- i. Police Department Activities
- ii. Calls for Service

**C)** Public Works/Engineering Reporting
- i. Current City, Commercial and Residential Projects
- ii. Public Works Staff Activities

**11.) VISITORS COMMENTS – - This is an opportunity for the public to share your thoughts with the Mayor and Council (3 minutes per topic). No formal action is taken; items may be added to a future agenda for further discussion or action. Comments are not permitted on land-use items (any matter involving a special land-use application or process under state code).**

**12.) MAYOR AND COUNCIL ANNOUNCEMENTS – This section of the agenda is provided to allow the Mayor and City Councilors to make announcements and general comments relevant to City business and to request that items be added to future agendas for discussion. No final action or in-depth discussion of issues will occur.**

**13.) MAYOR'S REPORT/APPOINTMENTS**

**A)** Veteran's Day Proclamation

**14.) ADJOURN**

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# CITY OF RATHDRUM
# REGULAR COUNCIL MEETING MINUTES

Wednesday September 23, 2026 – 5:30 PM ♦ City Hall – 8047 W. Main Street ♦ Rathdrum, ID

DRAFT

**1.) CALL TO ORDER**

Meeting called to order at 5:30 pm

**2.) PLEDGE OF ALLEGIANCE**

**3.) ROLL CALL**

**PRESENT:** Councilor Owens, Councilor Suhr, Councilor Sanders and Councilor Fuller
**STAFF:** City Administrator Duce
**ABSENT:** Mayor Hodgkins

**4.) EXECUTIVE SESSION**

**A) ACTION ITEM:** Idaho Code Section 74-206 (1) (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student

Councilor Owens made a motion to enter into executive session per Idaho Code. Motion seconded by Councilor Suhr.

**AYES:** Councilor Sanders
Councilor Owens
Councilor Suhr
Councilor Fuller
**NAYES:** None
**ABSENT:** None

**4.) ADJOURN**

Meeting Adjourned at 6:18 pm.

**Rathdrum City Hall is an ADA accessible building. Assistance for persons with disabilities will be provided upon 24-hours' notice prior to the meeting.**

_____

John Hodgkins, Mayor

Attest:

_____

Lorrann Morrell, City Clerk

DRAFT

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# CITY OF RATHDRUM
# REGULAR COUNCIL MEETING MINUTES

Wednesday, October 28, 2026 – 5:30 PM ♦ City Hall – 8047 W. Main Street ♦ Rathdrum, ID

DRAFT

**1.) CALL TO ORDER**

Meeting called to order at 5:30 pm

**2.) PLEDGE OF ALLEGIANCE**

**3.) ROLL CALL**

**PRESENT:** Mayor Hodgkins, Councilor Owens, Councilor Suhr, Councilor Sanders and Councilor Fuller

**STAFF:** City Administrator Duce, City Attorney Smith, City Clerk Morrell, City Treasurer Meyer and City Planner Agidius

**ABSENT:** None

**4.) AMENDMENTS TO THE AGENDA AND DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS** The declaration and justification of an amendment must be approved by motion of the Council.

None

**5.) ACTION ITEM: CONSENT CALENDAR APPROVAL**

- **A)** Regular Council Meeting Minutes of October 14, 2026
- **B)** Regular and Special Bills as presented
- **C)** Westwood Pines 3rd Addition Final Plat
- **D)** Westwood Pines 3rd Addition Acceptance of Infrastructure
- **E)** Thayer Farms West 1st Addition Acceptance of Public Infrastructure
- **F)** Trossicks 1st Addition Acceptance of Public Infrastructure

City Administrator Duce presented the Consent Calendar for Approval.

Councilor Sanders made a motion to approve the Consent Calendar as Presented. Motion seconded by Councilor Owens.

**AYES:** Councilor Sanders
Councilor Owens
Councilor Suhr
Councilor Fuller
**NAYES:** None
**ABSENT:** None

Motion Passes

**6.)VISITORS COMMENTS – - This is an opportunity for the public to share your thoughts with the Mayor and Council (3 minutes per topic). No formal action is taken; items may be added to a future agenda for further discussion or action. Comments are not permitted on land-use items (any matter involving a special land-use application or process under state code).**

None

**7.)NEW BUSINESS**

**A) ACTION ITEM:** Consideration of adopting a Resolution supporting staff efforts in fixing House Bill 389

City Administrator Duce stated this Resolution supporting staff efforts in fixing House Bill 389 that was requested by Councilor Suhr; therefore, he turned it over to Councilor Suhr to present.

Councilor Suhr stated this resolution is effectively putting down in writing what we are already doing in supporting the fixing of House Bill 389, effectively to direct staff and Leon to continue working with legislators in Boise and different cities in the area to gather support to bring our position toward those legislators.

Councilor Fuller asked if there has been any action with coming together with other cities around this.

City Administrator Duce said we have had meetings with the city administrators and working with them to help with that, but they don't have the legislative experience, so they're providing support for me to do that, but they're working with their councils as well. He stated he also did a PowerPoint presentation with the Idaho City Clerks, Treasures and Finance Officers Association (ICCTFOA) at their annual conference and provided them with information to fill out basically the flyer that I've done before. We have gotten one back from the City of Rexburg. He said we would be pushing that out with AIC (Idaho Association of Cities) a little more, especially as we get closer to the legislative session.

Duce stated he had met with three legislators already, two of them for our district and one for the Coeur'D Alene district.

Councilor Fuller made a motion to approve the adoption of a Resolution supporting staff efforts in fixing House Bill 389. Motion seconded by Councilor Sanders.

**AYES:** Councilor Fuller
Councilor Sanders
Councilor Suhr
Councilor Owens
**NAYES:** None
**ABSENT:** None

Motion Passes

**B) ACTION ITEM:** Consideration of awarding contract with Specialized Pavement Marking for City-Wide Pavement Markings and Transfer of Funds

City Administrator Duce presented the consideration of awarding contract with Specialized Payment Marking for City-Wide Pavement Markings and Transfer of Funds. The contract is about $35,504.60, the budgeted amount for striping is $25,000.00 and Kevin would like to transfer $10,504.60 out of street maintenance and repair to cover the amount over the budgeted amount. Duce stated that the approval of the contract would also approve the transferring of those funds from one line item to the other for payment of the contract when it is complete.

Councilor Suhr made a motion to approve the consideration of awarding the contract with Specialized Pavement Marking for City-Wide Pavement Markings, authorize the Transfer of Funds and authorize the mayor to sign the contract. Motion seconded by Councilor Sanders.

**AYES:** Councilor Suhr
Councilor Sanders
Councilor Fuller
Councilor Owens
**NAYES:** None
**ABSENT:** None

Motion Passes

**C) DISCUSSION ITEM:** City Council Goals for Rathdrum

DRAFT

The council discussed their individual goals/priorities for 2027. The topics raised included community and business development, resident engagement, effective communication between the council and staff, water-system issues, employee input, and efforts related to House Bill 389.

The staff and Mayor noted that individual Councilmembers priorities are not city goals unless adopted by the council. The next step is to develop a consolidated roadmap for council consideration by the first council meeting in January.

**D) DISCUSSION ITEM:** Collaborative Planning and Resident Engagement on the City of Rathdrum's Comprehensive Plan

City staff provided an update on the Comprehensive Plan update process, including work on the Future Land Use Map, Chapter 9 land-use designations, goals and objectives, and future updates to supporting information. The process for updating a Comprehensive Plan takes approximately 2 years. The process for the current update began in summer 2025 and is planned to be completed in the summer of 2027. Staff reviewed outreach completed to date and described additional outreach planned, including surveys, public-input sessions at upcoming Planning & Zoning Commission meetings, potential mailers, and a future Council workshop.

Council discussion focused on increasing resident participation in the Comprehensive Plan process. Councilmembers discussed the possibility of a communitywide digital survey with a QR code and broad outreach through available communication channels. The Council will be providing proposed citizen survey questions within the next week with the plan to review and approve the survey at the next Council meeting on November 10.

**8.) STAFF REPORTS:**

**A)** Finance Reporting

- September Financials
- 4th Quarter/Fiscal Year End Reporting

City Treasurer Meyer gave a report on the city finances and the 4th Quarter/Fiscal Year End Reporting, all reports are in the packet.

**9.) APPOINTMENTS AND NOMINATIONS**

**A) ACTION ITEM:** Consideration of appointing David Harwood to the Planning & Zoning Commission

Mayor Hodgkins made a nomination to appoint David Harwood to the Planning & Zoning Commission.

Councilor Sanders made a motion to approve the appointment of David Harwood to the

Planning and Zoning Commission. Motion seconded by Councilor Suhr.

**AYES:** Councilor Sanders
Councilor Suhr
Councilor Owens
Councilor Fuller
**NAYES:** None
**ABSENT:** None

Motion Passes

**10.) VISITORS COMMENTS --- This is an opportunity for the public to share your thoughts with the Mayor and Council (3 minutes per topic). No formal action is taken; items may be added to a future agenda for further discussion or action. Comments are not permitted on land-use items (any matter involving a special land-use application or process under state code).**

None

**11.) COUNCIL ANNOUNCEMENTS – This section of the agenda is provided to allow the City Councilors to make announcements and general comments relevant to City business and to request that items be added to future agendas for discussion. No final action or in-depth discussion of issues will occur.**

None

**12.) ADJOURN**

Meeting Adjourned at 6:45 pm.

_____
John Hodgkins, Mayor

Attest:

_____
Lorrann Morrell, City Clerk

DRAFT

**Rathdrum City Hall is an ADA accessible building. Assistance for persons with disabilities will be provided upon 24-hours' notice prior to the meeting.**

11/04/2026 CHECK DISBURSEMENT REPORT FOR CITY OF RATHDRUM

CHECK DATE 10/27/2026 - 11/11/2026

**Manual Checks 11-11-26**

- CHECK TYPE: PAPER CHECK

| Check Date | Check # | Payee | Description | Account | Dept | Amount |
|---|---|---|---|---|---|---|
| Fund: 10 GEN | | | | | | |
| 10/27/2026 | 79134 | DREAMSOUND AUDIO LLC | TRUNK R' TREAT HALLOWEEN | 460.122 | 440 | 1,650.00 |
| 10/27/2026 | 79135 | ANTHEM SPORTS, LLC | ADULT SOFTBALL | 461.150 | 440 | 884.44 |
| | | | ADULT SOFTBALL | 461.150 | 440 | 298.04 |
| Check 1 7913 | | | | | | 1,182.48 |
| 10/27/2026 | 79136*# | QUADIENT POSTAGE | ADMIN POSTAGE | 433.100 | 415 | 319.34 |
| | | | POSTAGE | 433.100 | 424 | 37.27 |
| | | | POSTAGE | 433.100 | 421 | 62.00 |
| | | | POSTAGE | 433.100 | 438 | 182.24 |
| | | | POSTAGE | 433.100 | 425 | 312.38 |
| Check 1 7913 | | | | | | 913.23 |
| 10/27/2026 | 79137 | COLONIAL LIFE | COLONIAL PAYABLE | 218.350 | 0 | 138.24 |
| 10/27/2026 | 79138 | III-A | HEALTH INSURANCE PAYABLE | 217.500 | 0 | 883.00 |
| 10/27/2026 | 79139 | MUTUAL OF OMAHA | LONG TERM DISABILITY | 218.100 | 0 | 996.91 |
| 10/30/2026 | 79158 | IDAHO CHILD SUPPORT SERVICI | Remittance | 218.300 | 0 | 6.40 |
| 10/30/2026 | 79159 | IDAHO CENTRAL CREDIT UNION | Remittance | 217.600 | 0 | 750.26 |
| 11/03/2026 | 79161 | DANIEL HALEY | TRAVEL & MEETINGS | 421.000 | 421 | 104.88 |
| Total For Func | | | | | | 6,625.40 |
| Fund: 15 IMP/ | | | | | | |
| 10/29/2026 | 79160 | GTS INTERIOR SUPPLY | DESIGNATED EXPENSE - NEW CITY HALL P/ | 459.200 | 438 | 276.38 |
| Total For Func | | | | | | 276.38 |
| Fund: 60 WAT | | | | | | |
| 10/27/2026 | 79136*# | QUADIENT POSTAGE | POSTAGE UB | 433.100 | 432 | 62.89 |
| Total For Func | | | | | | 62.89 |
| Fund: 61 SEW | | | | | | |
| 10/27/2026 | 79136*# | QUADIENT POSTAGE | POSTAGE UB | 433.100 | 436 | 62.88 |
| Total For Func | | | | | | 62.88 |
| Report Total: | | | | | | 7,027.55 |

'*'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE FUND

'#'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE DEPARTMENT

11/04/2026 INVOICE DISTRIBUTION REPORT FOR CITY OF RATHDRUM

POST DATES 10/01/2026 - 11/11/2026

AP Check run 11-11-26 mtg

OPEN

| GL Number | Invoice Line Desc | Vendor Name | Invoice Description | Amount |
|---|---|---|---|---|
| Fund: 10 GENERAL | | | | |
| Department: 000 | | | | |
| 10-000-217.700 | MISC PAYROLL DEDUCT PA | LEGALSHIELD | MEMBERSHIP | 96.75 |
| Total Department | | | | 96.75 |
| Department: 414 CI | | | | |
| 10-414-422.200 | Jobs Plus | JOBS PLUS, INC. | CONTRIBUTION | 6,000.00 |
| 10-414-426.000 | OFFICE SUPPLIES | AMAZON CAPITAL SERVICE | OFFICE SUPPLIES | 17.99 |
| 10-414-440.000 | FUEL | WEX BANK | FUEL | 149.99 |
| Total Department | | | | 6,167.98 |
| Department: 415 FI | | | | |
| 10-415-422.000 | DUES/SUBSCRIPTIONS/ME | GFOA | MEMBERSHIP | 166.66 |
| 10-415-426.000 | OFFICE SUPPLIES | AMAZON CAPITAL SERVICE | OFFICE SUPPLIES | 8.59 |
| 10-415-426.000 | OFFICE SUPPLIES | AMAZON CAPITAL SERVICE | OFFICE SUPPLIES | 15.32 |
| 10-415-426.000 | OFFICE SUPPLIES | AMAZON CAPITAL SERVICE | COPY PAPER | 14.99 |
| 10-415-428.500 | UTILITIES - CITY HALL | TDS | PHONES | 147.27 |
| 10-415-428.500 | UTILITIES - CITY HALL | T-MOBILE | HOT SPOTS | 5.00 |
| 10-415-428.500 | UTILITIES - CITY HALL | T-MOBILE | CELL PHONES | 38.78 |
| 10-415-428.500 | UTILITIES - CITY HALL | AVISTA UTILITIES | 8047 MAN ST | 70.10 |
| 10-415-428.500 | UTILITIES - CITY HALL | COEUR D'ALENE GARBAGE | 2YD DUMPSTER | 10.76 |
| 10-415-432.000 | PROFESSIONAL SERVICES | JACQUELINE GILBERT | GRANT RESEARCH & PROCE | 504.00 |
| 10-415-433.200 | LEGAL PUBLICATION | COEUR D'ALENE PRESS, IN | NOPH GRANT | 70.37 |
| 10-415-433.200 | LEGAL PUBLICATION | COEUR D'ALENE PRESS, IN | FY26 Q FINANCIALS | 32.89 |
| 10-415-434.500 | BUILDING MAINTENANCE C | VANGUARD CLEANING SYS | NOV MONTHLY SERVICE | 56.66 |
| 10-415-458.000 | OPERATING & SPECIAL DEP | WESTERN RECORDS DESTR | SHREDDING | 19.33 |
| Total Department | | | | 1,160.72 |
| Department: 416 LE | | | | |
| 10-416-433.200 | PUBLICATION | COEUR D'ALENE PRESS, IN | SUMM ORD 667 | 57.28 |
| Total Department | | | | 57.28 |
| Department: 417 HI | | | | |
| 10-417-411.000 | Pro Wellness Plan | WELLABLE LLC | EMPLOYEE WELLNESS | 208.80 |
| 10-417-411.100 | OTHER EMPLOYEE BENFITS | SUPER ONE FOODS | GIFT CARDS | 2,535.00 |
| 10-417-411.100 | OTHER EMPLOYEE BENFITS | SUPER ONE FOODS | GIFT CARDS | 120.00 |
| Total Department | | | | 2,863.80 |
| Department: 421 LA | | | | |
| 10-421-426.000 | OFFICE SUPPLIES | WESTERN RECORDS DESTR | SHREDDING | 58.00 |
| 10-421-426.000 | Amazon Business product p | AMAZON CAPITAL SERVICE | LABLE TAPE | 15.89 |
| 10-421-428.501 | UTILITIES - POLICE DEPT | TDS | INTERNET | 220.46 |
| 10-421-428.501 | UTILITIES - POLICE DEPT | TDS | PHONES | 698.85 |
| 10-421-428.501 | TELEPHONE & COMMUNIC/ | T-MOBILE | HOT SPOTS | 660.20 |
| 10-421-428.501 | UTILITIES - POLICE DEPT | AVISTA UTILITIES | BOEKEL & MEYER CAMERA | 22.49 |
| 10-421-428.501 | UTILITIES - POLICE DEPT | AVISTA UTILITIES | 8178 MAIN ST GARG | 29.13 |
| 10-421-428.501 | UTILITIES - POLICE DEPT | AVISTA UTILITIES | 8178 MAIN ST OFC | 459.88 |
| 10-421-428.501 | TELEPHONE & COMMUNIC/ | T-MOBILE | CELL PHONES | 743.98 |
| 10-421-428.501 | UTILITIES PD | COEUR D'ALENE GARBAGE | 2YD DUMPSTER | 59.26 |
| 10-421-433.000 | Halloween and police stick | AMAZON CAPITAL SERVICE | HALLOWEEN AND POLICE S | 13.98 |
| 10-421-434.501 | BUILDING MAINTENANCE | VANGUARD CLEANING SYS | NOV MONTHLY SERVICE | 215.00 |
| 10-421-440.000 | FUEL | WEX BANK | FUEL | 5,310.12 |
| 10-421-441.100 | VEHICLE REPAIR & MAINTE | LES SCHWAB TIRES | BATTERY & INSTALL HWK1 | 361.98 |
| 10-421-441.200 | VEHICLE EQUIPMENT (NOT | SERIGHT'S ACE HARDWARE | TRILAER JACK | 58.49 |
| Total Department | | | | 8,927.71 |

| | | | | |
|---|---|---|---|---|
| **Department: 424 PI** | | | | |
| 10-424-232.000 | P&Z DEPOSITS | COEUR D'ALENE PRESS, IN( | NOPH GRANT | 0.00 |
| 10-424-426.000 | OFFICE SUPPLIES | AMAZON CAPITAL SERVICE: | CELSIUS,ZIP FIZZ, SOAP | 69.26 |
| 10-424-428.500 | UTILITIES - CITY HALL | TDS | PHONES | 150.86 |
| 10-424-428.500 | UTILITIES - CITY HALL | T-MOBILE | HOT SPOTS | 0.00 |
| 10-424-428.500 | UTILITIES - CITY HALL | T-MOBILE | CELL PHONES | 40.78 |
| 10-424-428.500 | UTILITIES - CITY HALL | AVISTA UTILITIES | 8047 MAN ST | 70.14 |
| 10-424-428.500 | UTILITIES - CITY HALL | COEUR D'ALENE GARBAGE | 2YD DUMPSTER | 10.76 |
| 10-424-434.500 | BUILDING MAINTENANCE | VANGUARD CLEANING SYS | NOV MONTHLY SERVICE | 85.00 |
| Total Department · | | | | 426.80 |
| **Department: 425 EI** | | | | |
| 10-425-422.000 | DUES/SUBSCRIPTIONS/MEI | INSTITUTE TRANSPORTATIO | MEMBERSHIP | 350.00 |
| 10-425-426.000 | OFFICE SUPPLIES | AMAZON CAPITAL SERVICE: | CELSIUS,ZIP FIZZ, SOAP | 69.26 |
| 10-425-428.500 | UTILITIES - CITY HALL | TDS | PHONES | 150.86 |
| 10-425-428.500 | UTILITIES - CITY HALL | T-MOBILE | HOT SPOTS | 33.60 |
| 10-425-428.500 | UTILITIES - CITY HALL | T-MOBILE | CELL PHONES | 122.34 |
| 10-425-428.500 | UTILITIES - CITY HALL | AVISTA UTILITIES | 8047 MAN ST | 70.14 |
| 10-425-428.500 | UTILITIES - CITY HALL | COEUR D'ALENE GARBAGE | 2YD DUMPSTER | 10.76 |
| 10-425-434.500 | BUILDING MAINTENANCE | VANGUARD CLEANING SYS | NOV MONTHLY SERVICE | 85.00 |
| 10-425-440.000 | FUEL | WEX BANK | FUEL | 170.56 |
| Total Department · | | | | 1,062.52 |
| **Department: 426 BI** | | | | |
| 10-426-426.000 | OFFICE SUPPLIES | AMAZON CAPITAL SERVICE: | CELSIUS,ZIP FIZZ, SOAP | 69.26 |
| 10-426-426.000 | OFFICE SUPPLIES | SUPER ONE FOODS | CREAMER | 21.60 |
| 10-426-428.500 | UTILITIES - CITY HALL | TDS | PHONES | 180.03 |
| 10-426-428.500 | UTILITIES - CITY HALL | T-MOBILE | HOT SPOTS | 0.00 |
| 10-426-428.500 | UTILITIES - CITY HALL | T-MOBILE | CELL PHONES | 117.22 |
| 10-426-428.500 | UTILITIES - CITY HALL | AVISTA UTILITIES | 8047 MAN ST | 70.16 |
| 10-426-428.500 | UTILITIES - CITY HALL | COEUR D'ALENE GARBAGE | 2YD DUMPSTER | 10.76 |
| 10-426-432.000 | PROFESSIONAL SERVICES | PINNACLE INVESTIGATIONS | BACKGROUND/ WEEMS | 46.99 |
| 10-426-432.000 | PROFESSIONAL SERVICES | PINNACLE INVESTIGATIONS | SSN ADDRESS TRACE | 2.00 |
| 10-426-434.500 | BUILDING MAINTENANCE | VANGUARD CLEANING SYS | NOV MONTHLY SERVICE | 85.00 |
| 10-426-440.000 | FUEL | WEX BANK | FUEL | 130.15 |
| Total Department · | | | | 733.17 |
| **Department: 431 ST** | | | | |
| 10-431-428.503 | UTILITIES - SHOP | TDS | PHONES | 161.47 |
| 10-431-428.503 | UTILITIES - SHOP | TDS | PHONES | 49.67 |
| 10-431-428.503 | TELEPHONE & COMMUNIC/ | T-MOBILE | HOT SPOTS | 0.00 |
| 10-431-428.503 | UTILITIES - SHOP | AVISTA UTILITIES | BOEKEL RD HEATER & SHOP | 79.13 |
| 10-431-428.503 | UTILITIES - SHOP | AVISTA UTILITIES | BOEKEL RD OFC & SHOP | 85.73 |
| 10-431-428.503 | TELEPHONE & COMMUNIC/ | T-MOBILE | CELL PHONES | 122.34 |
| 10-431-428.503 | TELEPHONE & COMMUNIC/ | AT&T MOBILITY | CELL PHONE | 47.00 |
| 10-431-428.503 | UTILITIES - SHOP | COEUR D'ALENE GARBAGE | 8YD DUMPSTER | 152.69 |
| 10-431-428.503 | PW TELEPHONE & COMMUI | VERIZON WIRELESS | CELL PHONE & TABLET | 17.49 |
| 10-431-434.503 | BUILDING MAINTENANCE S | ALSCO | LAUNDRY | 58.05 |
| 10-431-440.000 | FUEL | WEX BANK | FUEL | 935.49 |
| 10-431-441.100 | VEHICLE REPAIR & MAINTEI | NAPA AUTO PARTS | OIL & FILTER #28 | 157.21 |
| 10-431-441.100 | VEHICLE REPAIR & MAINTEI | NAPA AUTO PARTS | SUPPLIES #80 & SHOP | 216.70 |
| 10-431-441.100 | VEHICLE REPAIR & MAINTEI | AUTOZONE STORES, INC. | WIPERS & ORING | 75.13 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | KOOTENAI ELECTRIC | MAJESTIC VILLAS | 153.00 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | KOOTENAI ELECTRIC | BROOKSHIRE 4TH ADDN | 441.70 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | KOOTENAI ELECTRIC | BROOKSHIRE PH 1 | 1,005.94 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | KOOTENAI ELECTRIC | CASCADE PLACE | 115.47 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | KOOTENAI ELECTRIC | QUIAL RIDGE | 151.00 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | MCCARTNEY & 2ND LIGHT | 54.04 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | HWY 41 & PINES SCH XING | 21.81 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | HWY 53 W OF MEYER RD | 20.33 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | HWY 53 & MEYER TRFC | 71.05 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | 4TH ST POLE | 20.20 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | HWY 41 & BOEKEL TRFC | 46.64 |

| | | | | |
|---|---|---|---|---|
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | HWY 41 & NAGEL LIGHTS | 48.65 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | HWY 41 & NAGEL TRFC | 45.80 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | HWY 53 & MILL WARNING FI | 20.30 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | HWY 53 & BINGHAM FLASHE | 21.81 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | BNSF TUNNEL LIGHTS | 40.98 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | 2ND ST LIGHT | 40.13 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | MCCARTNEY & 1ST POLE | 76.27 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | MILL BTWN 1ST & 2ND | 82.19 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | AVISTA UTILITIES | STREET LIGHTS | 11,726.73 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | KOOTENAI ELECTRIC | BROOKSHIRE 3RD ADDN | 547.80 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | KOOTENAI ELECTRIC | BROOKSHIRE PHS 1 | 463.10 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | KOOTENAI ELECTRIC | PRAIRIE SKY | 356.26 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | KOOTENAI ELECTRIC | CORBIN CROSSING 4TH ADI | 405.62 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | KOOTENAI ELECTRIC | N RANCH CORBIN CROSSIN | 765.80 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | KOOTENAI ELECTRIC | NIC | 49.60 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | KOOTENAI ELECTRIC | HWY 41/LANCASTER & WYO | 322.91 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | KOOTENAI ELECTRIC | TROSSICKS | 700.80 |
| 10-431-445.000 | ELECTRICITY - STREET LIGH | KOOTENAI ELECTRIC | LANCASTER/MEYER ROUND | 495.06 |
| 10-431-446.600 | SNOWPLOWING | BLUEJAY INDUSTRIAL INC | CHAINS SNOW REMOVAL | 1,626.60 |
| 10-431-458.000 | OPERATING & SPECIAL DEP | SERIGHT'S ACE HARDWARE | PEN & NOTEPAD | 5.47 |
| 10-431-458.000 | OPERATING & SPECIAL DEP | NAPA AUTO PARTS | LED'S & TAPE | 81.70 |
| 10-431-458.000 | OPERATING & SPECIAL DEP | NAPA AUTO PARTS | POWER RELAY/SHOP | 18.26 |
| 10-431-458.000 | OPERATING & SPECIAL DEP | ALSCO | LAUNDRY | 58.04 |
| 10-431-458.000 | OPERATING & SPECIAL DEP | BLUEJAY INDUSTRIAL INC | HOOKS & CHAINS - SHOP | 428.10 |
| 10-431-458.000 | OPERATING & SPECIAL DEP | BEAN TOOLS, INC | 420884 | 36.05 |
| 10-431-458.000 | OPERATING & SPECIAL DEP | NAPA AUTO PARTS | FILTER - SHOP | 133.89 |
| 10-431-458.000 | OPERATING & SPECIAL DEP | NAPA AUTO PARTS | SUPPLIES #80 & SHOP | 11.22 |
| Total Department | | | | 22,868.42 |

Department: 438 P/

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|---|---|---|---|---|
| 10-438-424.100 | EMPLOYEE SAFETY/PPE | SERIGHT'S ACE HARDWARE | BIFOCAL SAFETY READERS | 43.17 |
| 10-438-426.000 | Nostalgia Tabletop Indoor E | AMAZON CAPITAL SERVICES | S'MORES MAKER GIFT BASKI | 29.97 |
| 10-438-426.000 | BluShine Extra Heavy Duty I | AMAZON CAPITAL SERVICES | PLASTIC FORKS | 32.44 |
| 10-438-426.000 | OFFICE SUPPLIES | AMAZON CAPITAL SERVICES | GAMING KEYBOARD & MOUS | 43.99 |
| 10-438-428.401 | UTILITIES - MAJESTIC | KOOTENAI ELECTRIC | MAJESTIC TOWER/PARK/PO | 777.90 |
| 10-438-428.402 | UTILITIES - STUB MYERS | AVISTA UTILITIES | STUB MYERS CONSESSION S | 112.00 |
| 10-438-428.402 | UTILITIES - STUB MYERS | AVISTA UTILITIES | STUB MYERS LIGHTS & SPKL | 28.93 |
| 10-438-428.420 | UTILITIES - CITY PARK | AVISTA UTILITIES | LATAH ST PARK LIGHTS | 39.25 |
| 10-438-428.420 | UTILITIES - CITY PARK | AVISTA UTILITIES | CITY PARK REST | 79.00 |
| 10-438-428.420 | UTILITIES - CITY PARK | AVISTA UTILITIES | CITY PK OUT SE | 42.25 |
| 10-438-428.421 | UTILITIES - ROTH PARK | AVISTA UTILITIES | ROTH PARK | 21.05 |
| 10-438-428.422 | UTILITIES - THAYER | AVISTA UTILITIES | WINCHESTER ST | 27.60 |
| 10-438-428.441 | UTILITIES - COOPER FIELD/I | AVISTA UTILITIES | JOHN BROWN PLAYFIELD | 37.09 |
| 10-438-428.444 | UTILITIES - THAYER DOG PA | AVISTA UTILITIES | THAYER FARMS PICKLEBALL | 20.51 |
| 10-438-428.445 | UTILITIES - THAYER PICKLEI | AVISTA UTILITIES | THAYER FARMS PICKLEBALL | 91.24 |
| 10-438-428.502 | TELEPHONE & COMMUNIC/ | T-MOBILE | HOT SPOTS | 33.60 |
| 10-438-428.502 | UTILITIES - P&R BUILDING | AVISTA UTILITIES | 7851 MAIN ST | 185.00 |
| 10-438-428.502 | TELEPHONE & COMMUNIC/ | T-MOBILE | CELL PHONES | 316.00 |
| 10-438-428.502 | UTILITIES - P&R BUILDING | COEUR D'ALENE GARBAGE | 96G COMM | 30.23 |
| 10-438-428.510 | UTILITIES - RIGHT OF WAYS | AVISTA UTILITIES | CAL & HWY 41 NW | 20.57 |
| 10-438-428.510 | UTILITIES - RIGHT OF WAYS | AVISTA UTILITIES | MEYER RD READER BOARD | 127.58 |
| 10-438-428.510 | UTILITIES - RIGHT OF WAYS | AVISTA UTILITIES | CAL & HWY 41 SW | 43.57 |
| 10-438-434.401 | SITE MAINT - MAJESTIC | RATHDRUM TRADING POST | TEST PLUG | 5.00 |
| 10-438-434.401 | SITE MAINT - MAJESTIC | CINTAS CORPORATION | SUPPLIES MAJESTIC PK | 61.29 |
| 10-438-434.402 | SITE MAINT - STUB MYERS | CINTAS CORPORATION | SUPPLIES STUB MYERS PK | 26.61 |
| 10-438-434.403 | SITE MAINT - RATHDRUM M | HOME DEPOT CREDIT SERV | POST | 90.15 |
| 10-438-434.403 | SITE MAINT - RATHDRUM M | RATHDRUM TRADING POST | CREDIT AUGER | (50.00) |
| 10-438-434.403 | SITE MAINT - RATHDRUM M | RATHDRUM TRADING POST | AUGER, CONCRETE, STAKES | 120.24 |
| 10-438-434.403 | SITE MAINT - RATHDRUM M | ZIEGLER LUMBER COMPAN | BROWN TEATED POST/BAT H | 90.15 |
| 10-438-434.420 | SITE MAINT - CITY PARK | SERIGHT'S ACE HARDWARE | ANTIFREEZE CITY PK BATHR | 21.54 |
| 10-438-434.446 | SITE MAINT - CEMETERY | SERIGHT'S ACE HARDWARE | LOCK | 24.29 |
| 10-438-434.502 | JANITORIAL | VANGUARD CLEANING SYS | NOV MONTHLY SERVICE | 105.00 |
| 10-438-434.502 | SITE MAINT - P&R BUILDING | CINTAS CORPORATION | SUPPLIES P&R | 58.40 |

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|---|---|---|---|---|
| 10-438-435.401 | SITE IMPROVEMENTS - MAJI | CONMAT, INC. | 3/4 BASE/MAJESTIC PK | 50.00 |
| 10-438-435.401 | SITE IMPROVEMENTS - MAJI | IDAHO FENCE COMPANY, II | FENCE MAJESTIC PK | 2,237.00 |
| 10-438-435.403 | SITE IMPROVEMENTS - RATI | SERIGHT'S ACE HARDWARE | CONCRETE/POSTS | 18.87 |
| 10-438-435.442 | SITE IMPROVEMENTS - MAJI | UNITED CROWN PUMP AND | PRESSURE TANK BOOSTER I | 973.41 |
| 10-438-440.000 | FUEL | HICO COUNTRY STORE, INC | FUEL #63 | 17.68 |
| 10-438-440.000 | FUEL | WEX BANK | FUEL | 66.85 |
| 10-438-440.000 | FUEL | WEX BANK | FUEL | 1,545.08 |
| 10-438-441.100 | VEHICLE REPAIR & MAINTEI | O'REILLY AUTO PARTS | WIPER MOTOR #61 | 25.76 |
| 10-438-441.100 | VEHICLE REPAIR & MAINTEI | NAPA AUTO PARTS | ACCELERATOR CABLE #61 | 23.35 |
| 10-438-441.100 | VEHICLE REPAIR & MAINTEI | LES SCHWAB TIRES | TIRES #66 | 1,040.88 |
| 10-438-442.000 | Disposable dust filter bags | AMAZON CAPITAL SERVICE: | DISPOSABLE DUST FILTER B. | 25.64 |
| 10-438-442.100 | EQUIPMENT RENTALS | AMAZON CAPITAL SERVICE: | COMPRESSOR & SUPPLIES | 1,576.96 |
| 10-438-442.100 | EQUIPMENT RENTALS | A TO Z RENTAL & SALES | COMPRESSOR | 1,576.96 |
| Total Department · | | | | 11,914.05 |
| | | | | |
| Department: 440 RI | | | | |
| 10-440-428.502 | UTILITIES - P&R BUILDING | TDS | PHONES | 362.62 |
| 10-440-440.000 | FUEL | WEX BANK | FUEL | 66.85 |
| 10-440-440.000 | FUEL | WEX BANK | FUEL | 180.46 |
| 10-440-453.200 | Amazon Business invoice | AMAZON CAPITAL SERVICE: | OFFICE SUPPLIES | 71.10 |
| 10-440-460.000 | SPECIAL EVENTS | EAGLE MFG., INC. | STIFFENER FOR 911 FLAG | 300.00 |
| 10-440-460.101 | 5K SERIES | SUB TERRA LLC | HAUNTED HUSTLE SHIRTS | 460.30 |
| 10-440-460.107 | DECEMBER D'LIGHTS | RATHDRUM TRADING POST | SPECIAL ORDER LIGHT SET | 1,160.25 |
| 10-440-460.107 | Christmas bows | AMAZON CAPITAL SERVICE: | CHRISTMAS BOWS | 171.98 |
| 10-440-460.107 | DECEMBER D'LIGHTS | SERIGHT'S ACE HARDWARE | GLOVES & CABLE TIES XMAS | 61.17 |
| 10-440-460.107 | DECEMBER D'LIGHTS | AMAZON CAPITAL SERVICE: | CHRISTMAS LIGHTS | 639.99 |
| 10-440-460.107 | DECEMBER D'LIGHTS | SERIGHT'S ACE HARDWARE | ELECTRICAL TAPE | 26.98 |
| 10-440-460.107 | DECEMBER D'LIGHTS | RATHDRUM TRADING POST | MAJESTIC XMAS TITANIUM B | 15.28 |
| 10-440-460.107 | Christmas wreath | AMAZON CAPITAL SERVICE: | CHRISTMAS WREATH | 1,279.44 |
| 10-440-460.107 | DECEMBER D'LIGHTS | AMAZON CAPITAL SERVICE: | RED & GOLD BALLS | 217.96 |
| 10-440-460.107 | DECEMBER D'LIGHTS | RATHDRUM TRADING POST | SUPPLIES MAJESTIC PAV | 39.27 |
| 10-440-460.107 | DECEMBER D'LIGHTS | SERIGHT'S ACE HARDWARE | WIRE & STRAP MAJESTIC PA' | 12.58 |
| 10-440-460.107 | DECEMBER D'LIGHTS | RATHDRUM TRADING POST | MISC HDWE XMAS LIGHTS | 13.00 |
| 10-440-460.107 | VINGLI 48" Artificial Pre Lit ( | AMAZON CAPITAL SERVICE: | CHRISTMAS WREATH | 142.16 |
| 10-440-460.107 | DECEMBER D'LIGHTS | AMAZON CAPITAL SERVICE: | CHRISTMAS SANTA CLAUS E | 44.99 |
| 10-440-460.107 | DECEMBER D'LIGHTS | SERIGHT'S ACE HARDWARE | STRAPS | 6.44 |
| 10-440-460.112 | Halloween party supplies | AMAZON CAPITAL SERVICE: | HALLOWEEN PARTY SUPPLI | 45.66 |
| 10-440-460.122 | TRUNK R' TREAT HALLOWEE | RATHDRUM TRADING POST | DUCT TAPE | 25.35 |
| 10-440-460.122 | TRUNK R' TREAT HALLOWEE | AWARDS ETC | AWARDS AND TROPHIES | 72.00 |
| 10-440-460.122 | TRUNK R' TREAT HALLOWEE | HERC RENTALS INC | GENERATOR | 191.88 |
| 10-440-460.123 | Hoewina 6 Pack Acrylic Sigr | AMAZON CAPITAL SERVICE: | HOEWINA 6 PACK ACRYLIC ! | 9.99 |
| 10-440-460.123 | 12 Pack Round 4th of July Ta | AMAZON CAPITAL SERVICE: | 12 Pack Round 4th of July Ta | 18.99 |
| 10-440-460.123 | VETERANS DAY REMEMBRA | AMAZON CAPITAL SERVICE: | PAPER, SMORES KIT, SPIDEI | 80.37 |
| 10-440-460.123 | VETERANS DAY REMEMBRA | AMAZON CAPITAL SERVICE: | PAPER PLATES /VETRANS | 27.98 |
| 10-440-461.156 | YOUTH BASKETBALL | SUB TERRA LLC | YOUTH BASKETBALL SHIRTS | 1,732.50 |
| 10-440-461.156 | YOUTH BASKETBALL | SERIGHT'S ACE HARDWARE | DRAIN COCK | 7.19 |
| Total Department · | | | | 7,484.73 |
| | | | | |
| Department: 445 IN | | | | |
| 10-445-430.000 | Dell 65W USB-C Laptop Cha | AMAZON CAPITAL SERVICE: | DELL 65W USB-C LAPTOP CH | 39.88 |
| 10-445-430.421 | IT EQUIPMENT - POLICE DEI | RIGHTI SYSTEMS INC | FORTICO | 142.97 |
| Total Department · | | | | 182.85 |
| | | | | |
| Total Fund 10 GENE | | | | 63,946.78 |
| | | | | |
| Fund: 13 IMPACT FE | | | | |
| Department: 431 S1 | | | | |
| 13-431-459.100 | CIRCULATION EXPENSE | INTERSTATE CONCRETE, IN | RETAINAGE LANCASTER & M | 33,577.69 |
| Total Department · | | | | 33,577.69 |
| | | | | |
| Total Fund 13 IMPA | | | | 33,577.69 |
| | | | | |
| Fund: 15 IMPACT FE | | | | |

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| Department: 438 P/ | | | | |
| 15-438-459.200 | DESIGNATED EXPENSE - NE | BANCO ELECTRIC | ELECTRICAL MW PAVILLION | 4,605.00 |
| 15-438-459.200 | Electrical supplies | STONEWAY ELETRIC SUPPL | ELECTRICAL SUPPLIES MYP/ | 889.67 |
| 15-438-459.200 | DESIGNATED EXPENSE - NE | HERC RENTALS INC | SCISSOR LIFT | 873.95 |
| 15-438-459.200 | DESIGNATED EXPENSE - NE | STONEWAY ELETRIC SUPPL | ELEC MW PARK PAVILION | 9,222.92 |
| 15-438-459.200 | Electrical supplies | STONEWAY ELETRIC SUPPL | ELECTRICAL SUPPLIES MW I | 1,840.89 |
| Total Department | | | | 17,432.43 |
| Total Fund 15 IMPA | | | | 17,432.43 |
| Fund: 16 NEW CITY | | | | |
| Department: 000 | | | | |
| 16-000-459.101 | DESIGNATED EXPENSE - CI | AVISTA UTILITIES | CITY HALL TEMPS | 510.85 |
| Total Department | | | | 510.85 |
| Total Fund 16 NEW | | | | 510.85 |
| Fund: 20 CEMETER | | | | |
| Department: 439 CI | | | | |
| 20-439-428.446 | UTILITIES - CEMETERY | AVISTA UTILITIES | CEMETERY SHED | 27.33 |
| 20-439-428.446 | UTILITIES - CEMETERY | AVISTA UTILITIES | CEMETERY SPKL | 20.73 |
| Total Department | | | | 48.06 |
| Total Fund 20 CEMI | | | | 48.06 |
| Fund: 60 WATER FU | | | | |
| Department: 000 | | | | |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | NICHOLAS, CARSON & ELLI | UB refund for account: 1.243 | 138.06 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | MOUNTAIN VIEW STORAGE | UB refund for account: 6.169 | 746.36 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | MOUNTAIN VIEW STORAGE | UB refund for account: 4.000 | 20.59 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | HAYDEN HOMES | UB refund for account: 1.432 | 91.18 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | HAYDEN HOMES | UB refund for account: 1.421 | 215.74 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | DAUM CONSTRUCTION | UB refund for account: 1.425 | 94.78 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | DAUM CONSTRUCTION | UB refund for account: 1.415 | 149.89 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | ROULEAU, JONATHAN T | UB refund for account: 1.083 | 28.78 |
| 60-000-222.000 | PAPER STATEMENT FEE ADI | LOCKSHAW, JULI | UB refund for account: 1.281 | 89.04 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | GRIFFITH, RAYMOND J | UB refund for account: 1.174 | 247.10 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | MORT CONSTRUCTION | UB refund for account: 1.431 | 128.88 |
| 60-000-222.000 | PAPER STATEMENT FEE ADI | BOWEN, JOSHUA | UB refund for account: 1.295 | 70.58 |
| 60-000-222.000 | PAPER STATEMENT FEE ADI | MINKOVICH, MEAGAN | UB refund for account: 1.094 | 40.05 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | DAUM CONSTRUCTION | UB refund for account: 1.423 | 92.02 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | JOHNSON, CODY | UB refund for account: 1.136 | 15.48 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | ATLAS BUILDING GROUP | UB refund for account: 1.424 | 258.88 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | BAILEY, BRIAN | UB refund for account: 1.197 | 185.63 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | DAUM CONSTRUCTION | UB refund for account: 1.426 | 172.58 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | DAUM CONSTRUCTION | UB refund for account: 1.426 | 16.38 |
| 60-000-222.000 | PAPER STATEMENT FEE ADI | MORT CONSTRUCTION | UB refund for account: 1.430 | 77.49 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | MORT CONSTRUCTION | UB refund for account: 1.430 | 17.90 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | DYKES, DAVID & TRICIA | UB refund for account: 1.116 | 37.20 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | ATLAS BUILDING GROUP | UB refund for account: 1.428 | 7.10 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | HAYDEN HOMES | UB refund for account: 1.432 | 83.87 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | HAYDEN HOMES | UB refund for account: 1.432 | 61.17 |
| 60-000-222.000 | OVERPAYMENT BILL ITEM | ATLAS BUILDING GROUP | UB refund for account: 1.427 | 66.38 |
| Total Department | | | | 3,153.11 |
| Department: 432 W | | | | |
| 60-432-422.000 | DUES/SUBSCRIPTIONS/MEI | GFOA | MEMBERSHIP | 166.67 |
| 60-432-422.000 | DUES/SUBSCRIPTIONS/MEI | BIGFOOT TECHNICAL SERVI | ANNUAL LOG ME IN & WONI | 625.00 |
| 60-432-426.000 | OFFICE SUPPLIES | CENVEO WORLDWIDE LIMI | UB ENVELOPES | 475.20 |
| 60-432-426.000 | OFFICE SUPPLIES | AMAZON CAPITAL SERVICE | COPY PAPER | 19.98 |
| 60-432-426.000 | OFFICE SUPPLIES | AMAZON CAPITAL SERVICE | OFFICE SUPPLIES | 15.34 |
| 60-432-426.000 | OFFICE SUPPLIES | AMAZON CAPITAL SERVICE | COPY PAPER | 14.99 |
| 60-432-428.500 | UTILITIES - CITY HALL | TDS | PHONES | 161.86 |

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|---|---|---|---|---|
| 60-432-428.500 | UTILITIES - CITY HALL | T-MOBILE | HOT SPOTS | 0.00 |
| 60-432-428.500 | UTILITIES - CITY HALL | T-MOBILE | CELL PHONES | 38.78 |
| 60-432-428.500 | UTILITIES - CITY HALL | AVISTA UTILITIES | 8047 MAN ST | 70.10 |
| 60-432-428.500 | UTILITIES - CITY HALL | COEUR D'ALENE GARBAGE | 2YD DUMPSTER | 10.76 |
| 60-432-428.503 | UTILITIES - SHOP | TDS | PHONES | 161.47 |
| 60-432-428.503 | UTILITIES/SHOP | KOOTENAI ELECTRIC | BROOKSHIRE 4TH ADDN | 0.00 |
| 60-432-428.503 | UTILITIES/SHOP | KOOTENAI ELECTRIC | BROOKSHIRE PH 1 | 0.00 |
| 60-432-428.503 | UTILITIES/SHOP | KOOTENAI ELECTRIC | CASCADE PLACE | 0.00 |
| 60-432-428.503 | UTILITIES/SHOP | KOOTENAI ELECTRIC | QUIAL RIDGE | 0.00 |
| 60-432-428.503 | UTILITIES - SHOP | TDS | PHONES | 49.67 |
| 60-432-428.503 | TELEPHONE & COMMUNIC/ | T-MOBILE | HOT SPOTS | 2.50 |
| 60-432-428.503 | UTILITIES - SHOP | AVISTA UTILITIES | BOEKEL RD HEATER & SHOP | 79.13 |
| 60-432-428.503 | UTILITIES - SHOP | AVISTA UTILITIES | BOEKEL RD OFC & SHOP | 85.73 |
| 60-432-428.503 | TELEPHONE & COMMUNIC/ | T-MOBILE | CELL PHONES | 79.00 |
| 60-432-428.503 | UTILITIES - SHOP | COEUR D'ALENE GARBAGE | 8YD DUMPSTER | 152.69 |
| 60-432-428.503 | UTILITIES/SHOP | KOOTENAI ELECTRIC | BROOKSHIRE 3RD ADDN | 0.00 |
| 60-432-428.503 | UTILITIES/SHOP | KOOTENAI ELECTRIC | BROOKSHIRE PHS 1 | 0.00 |
| 60-432-428.503 | UTILITIES/SHOP | KOOTENAI ELECTRIC | PRAIRIE SKY | 0.00 |
| 60-432-428.503 | UTILITIES/SHOP | KOOTENAI ELECTRIC | CORBIN CROSSING 4TH ADI | 0.00 |
| 60-432-428.503 | UTILITIES/SHOP | KOOTENAI ELECTRIC | N RANCH CORBIN CROSSIN | 0.00 |
| 60-432-428.503 | UTILITIES/SHOP | KOOTENAI ELECTRIC | NIC | 0.00 |
| 60-432-428.503 | UTILITIES/SHOP | KOOTENAI ELECTRIC | HWY 41/LANCASTER & WYO | 0.00 |
| 60-432-428.503 | UTILITIES/SHOP | KOOTENAI ELECTRIC | TROSSICKS | 0.00 |
| 60-432-428.503 | UTILITIES/SHOP | KOOTENAI ELECTRIC | LANCASTER/MEYER ROUND | 0.00 |
| 60-432-428.503 | TELEPHONE & COMMUNIC/ | VERIZON WIRELESS | CELL PHONE & TABLET | 57.50 |
| 60-432-428.601 | UTILITIES - PINE WELL | AVISTA UTILITIES | PINE ST PUMP | 72.00 |
| 60-432-428.602 | UTILITIES - GRANGE | AVISTA UTILITIES | HWY 41 & BOEKEL PUMP | 150.31 |
| 60-432-428.603 | UTILITIES - THAYER 1 | AVISTA UTILITIES | MEYER RD PUMP | 845.59 |
| 60-432-428.604 | UTILITIES - THAYER 2 | AVISTA UTILITIES | THAYER WELL | 3,865.34 |
| 60-432-428.605 | UTILITIES - OK WELL | KOOTENAI ELECTRIC | HWI 41 COMM BLDG/PUMP | 18,265.98 |
| 60-432-428.606 | UTILITIES - RESERVOIR | AVISTA UTILITIES | RESERVOIR RD | 33.23 |
| 60-432-428.607 | UTILITIES - MAJESTIC WATE | KOOTENAI ELECTRIC | MAJESTIC TOWER/PARK/PO | 36.36 |
| 60-432-432.000 | PROFESSIONAL SERVICES | ONE CALL CONCEPTS, INC | LOCATES | 232.41 |
| 60-432-433.200 | PUBLICATION | COEUR D'ALENE PRESS, IN | FY26 Q FINANCIALS | 32.88 |
| 60-432-434.500 | BUILDING MAINTENANCE | VANGUARD CLEANING SYS | NOV MONTHLY SERVICE | 56.67 |
| 60-432-434.503 | BUILDING MAINTENANCE | VANGUARD CLEANING SYS | NOV MONTHLY SERVICE | 52.50 |
| 60-432-440.000 | FUEL | WEX BANK | FUEL | 847.69 |
| 60-432-442.605 | EQUIP REPAIR/MAINT - OK \ | APOLLO MECHANICAL CON | COMPRESSOR/OK WELL | 6,753.89 |
| 60-432-455.400 | TESTING | ACCURATE TESTING LABS,L | COLIFORM PRESENCE/ABSE | 240.00 |
| 60-432-458.000 | OPERATING & SPECIAL DEP | SERIGHT'S ACE HARDWARE | EARPLUGS | 17.99 |
| 60-432-458.000 | OPERATING & SPECIAL DEP | ARROW CONSTRUCTION SU | MARKING PAINT | 159.60 |
| 60-432-458.000 | OPERATING & SPECIAL DEP | ALSCO | LAUNDRY | 58.05 |
| 60-432-458.000 | OPERATING & SPECIAL DEP | SERIGHT'S ACE HARDWARE | SUPPLIES | 81.93 |
| 60-432-458.000 | OPERATING & SPECIAL DEP | WESTERN RECORDS DESTR | SHREDDING | 19.33 |
| Total Department | | | | 34,088.12 |
| Total Fund 60 WATE | | | | 37,241.23 |
| Fund: 61 SEWER FU | | | | |
| Department: 000 | | | | |
| 61-000-222.000 | PAPER STATEMENT FEE ADI | LOCKSHAW, JULI | UB refund for account: 1.281 | 89.05 |
| 61-000-222.000 | PAPER STATEMENT FEE ADI | BOWEN, JOSHUA | UB refund for account: 1.295 | 70.58 |
| 61-000-222.000 | PAPER STATEMENT FEE ADI | MINKOVICH, MEAGAN | UB refund for account: 1.094 | 40.05 |
| 61-000-222.000 | PAPER STATEMENT FEE ADI | MORT CONSTRUCTION | UB refund for account: 1.430 | 77.49 |
| Total Department | | | | 277.17 |
| Department: 436 SI | | | | |
| 61-436-422.000 | DUES/SUBSCRIPTIONS/MEI | GFOA | MEMBERSHIP | 166.67 |
| 61-436-422.000 | DUES/SUBSCRIPTIONS/MEI | BIGFOOT TECHNICAL SERV | ANNUAL LOG ME IN & WONI | 625.00 |
| 61-436-426.000 | OFFICE SUPPLIES | CENVEO WORLDWIDE LIMI | UB ENVELOPES | 475.20 |
| 61-436-426.000 | OFFICE SUPPLIES | AMAZON CAPITAL SERVICE | COPY PAPER | 19.99 |
| 61-436-426.000 | OFFICE SUPPLIES | AMAZON CAPITAL SERVICE | OFFICE SUPPLIES | 15.34 |
| 61-436-426.000 | OFFICE SUPPLIES | AMAZON CAPITAL SERVICE | COPY PAPER | 14.99 |

| | | | | |
|---|---|---|---|---|
| 61-436-428.500 | UTILITIES - CITY HALL | TDS | PHONES | 161.86 |
| 61-436-428.500 | UTILITIES - CITY HALL | AVISTA UTILITIES | 8047 MAN ST | 70.10 |
| 61-436-428.500 | UTILITIES - CITY HALL | COEUR D'ALENE GARBAGE | 2YD DUMPSTER | 10.76 |
| 61-436-428.503 | UTILITIES - SHOP | TDS | PHONES | 161.47 |
| 61-436-428.503 | UTILITIES - SHOP | TDS | PHONES | 49.67 |
| 61-436-428.503 | TELEPHONE & COMMUNIC/ | T-MOBILE | HOT SPOTS | 0.00 |
| 61-436-428.503 | TELEPHONE & COMMUNIC/ | T-MOBILE | HOT SPOTS | 2.50 |
| 61-436-428.503 | UTILITIES - SHOP | AVISTA UTILITIES | BOEKEL RD HEATER & SHOP | 79.13 |
| 61-436-428.503 | UTILITIES - SHOP | AVISTA UTILITIES | BOEKEL RD OFC & SHOP | 85.72 |
| 61-436-428.503 | TELEPHONE & COMMUNIC/ | T-MOBILE | CELL PHONES | 38.78 |
| 61-436-428.503 | TELEPHONE & COMMUNIC/ | T-MOBILE | CELL PHONES | 79.00 |
| 61-436-428.503 | UTILITIES - SHOP | COEUR D'ALENE GARBAGE | 8YD DUMPSTER | 152.69 |
| 61-436-428.503 | TELEPHONE & COMMUNIC/ | VERIZON WIRELESS | CELL PHONE & TABLET | 17.49 |
| 61-436-428.621 | UTILITIES - GREENSFERRY | AVISTA UTILITIES | GREENSFERRY RD LIFT PUM | 20.78 |
| 61-436-428.621 | UTILITIES - GREENSFERRY | AVISTA UTILITIES | GREENSFERRY RD LIFT STN | 1,266.81 |
| 61-436-428.622 | UTILITIES - LS4 BURLINGTOI | AVISTA UTILITIES | BURLINGTON RD LIFT STN | 85.97 |
| 61-436-428.623 | UTILITIES - LS1 | AVISTA UTILITIES | 4TH ST ENTER | 183.42 |
| 61-436-428.624 | UTILITIES - LS2 | AVISTA UTILITIES | LIFT STN LARCH & PARKWA\ | 1,477.96 |
| 61-436-428.625 | UTILITIES - COPPER VALLEY | AVISTA UTILITIES | SILVERADO LIFT STN | 38.83 |
| 61-436-428.626 | UTILITIES - WESTWOOD PIN | AVISTA UTILITIES | DAYTON AVE LIFT STN | 82.38 |
| 61-436-428.627 | UTILITIES - BROOKSHIRE | KOOTENAI ELECTRIC | BROOKSHIRE LIFT STN | 173.00 |
| 61-436-428.627 | UTILITIES - BROOKSHIRE | AVISTA UTILITIES | IRISH CIR LIFT STN | 20.20 |
| 61-436-433.200 | PUBLICATION | COEUR D'ALENE PRESS, IN( | FY26 Q FINANCIALS | 32.88 |
| 61-436-434.500 | BUILDING MAINTENANCE | VANGUARD CLEANING SYS | NOV MONTHLY SERVICE | 56.67 |
| 61-436-434.503 | BUILDING MAINTENANCE/S | VANGUARD CLEANING SYS | NOV MONTHLY SERVICE | 52.50 |
| 61-436-440.000 | FUEL | WEX BANK | FUEL | 847.69 |
| 61-436-458.000 | OPERATING & SPECIAL DEP | ARROW CONSTRUCTION SU | MARKING PAINT | 80.52 |
| 61-436-458.000 | OPERATING & SPECIAL DEP | ALSCO | LAUNDRY | 58.05 |
| 61-436-458.000 | OPERATING & SPECIAL DEP | SERIGHT'S ACE HARDWARE | SUPPLIES | 81.92 |
| 61-436-458.000 | OPERATING & SPECIAL DEP | SERIGHT'S ACE HARDWARE | PENS, PICKS, HOOKS & PRO | 70.34 |
| 61-436-458.000 | OPERATING & SPECIAL DEP | WESTERN RECORDS DESTR | SHREDDING | 19.34 |
| Total Department | | | | 6,875.62 |
| Total Fund 61 SEWI | | | | 7,152.79 |
| --- Invoices Awaiting Distributions --- | | | | |
| | | 99999999-001 | RENTAL FEE | 20.40 |
| | | Total Awaiting Distributions | | 20.40 |
| --- TOTALS BY FUND --- | | | | |
| | | 10 | GENERAL FUND | 63,946.78 |
| | | 13 | IMPACT FEE-CIRCULATION | 33,577.69 |
| | | 15 | IMPACT FEE - PARKS | 17,432.43 |
| | | 16 | NEW CITY HALL | 510.85 |
| | | 20 | CEMETERY FUND | 48.06 |
| | | 60 | WATER FUND | 37,241.23 |
| | | 61 | SEWER FUND | 7,152.79 |
| | | Total For All Funds: | | 159,909.83 |

Mayor:_____

Date:_____

# NOTICE OF PUBLIC HEARING

## City of Rathdrum

The City of Rathdrum will hold a public hearing at 5:30PM on Tuesday, November 10, 2026 at Rathdrum City Hall; 8047 W Main St. Rathdrum, Idaho. The city of Rathdrum received an Idaho Community Development Block Grant in the amount of $500,000 from the Idaho Department of Commerce. This funding is allocated to the State of Idaho from the U.S. Department of Housing and Urban Development. These funds are being used to remove and replace 3 portions of sidewalks, remove and replace 13 ADA ramps, upgrade downtown lighting and create a new parking lot area from a vacant downtown lot to serve the downtown.

The hearing will include a review of project activities and accomplishments to date, a summary of all expenditures to date, a general description of remaining work and any changes made to the scope of work, budget, schedule, location or beneficiaries.

Written comments are welcomed and can be submitted either 1) by hand at City Hall, 2) by going online to the City's website (www.rathdrum.gov), going to the Pending Public Hearings page, clicking on "CDBG Grant" and filling out the linked form, or 3) by mail sent to Attn: Jodi Meyer, 8047 W. Main St., Rathdrum, ID 83858. Comments must include your name and address to be placed in the record. Members of the public may also provide oral testimony at the Public Hearing concerning the project.

Copies of the documents are available at the City Hall during regular office hours (8:00 A.M. to 5:00 P.M., weekdays). City Hall is accessible to persons with disabilities. Anyone desiring accommodations for disabilities, please contact Rathdrum City Hall, 687-0261 at least 48 hours prior to the public hearing.

This Notice can be provided in a format accessible to persons with disabilities and/or persons with limited English proficiency upon request.

Se le puede proveer esta notificación en un formato accesible para las personas discapacidades y/o personas con conocimientos limitados del inglés a pedido.

# MEMO

**To:** **Mayor and City Council**

**From:** **Jodi Meyer, City Treasurer**

**Date:** **November 10, 2026**

**Subject:** **ICDBG for Downtown Revitalization**

The City of Rathdrum received a $500,000 Idaho Community Development Block Grant (ICDBG) award from the Idaho Department of Commerce. These funds are allocated to the State of Idaho by the U.S. Department of Housing and Urban Development. The City's match commitment was $122,000.

This public hearing will provide an opportunity to review project activities and accomplishments, expenditures to date, remaining work, and changes to the project scope, budget, schedule, location, or beneficiaries.

Project accomplishments to date include:

- Removal and replacement of three sidewalk sections.
- Removal and replacement of 13 ADA ramps.
- Downtown lighting upgrades.
- Construction of a new downtown parking lot.

Total project expenditures to date are $739,622.98.

The remaining project work consists of installing historic pedestals that will connect visitors to the Discover Historic Rathdrum website and completing grant closeout requirements.

Changes to the original scope of work include Council directing staff to add irrigation lines and flower boxes to the project. This additional cost was $48,985. During construction the fire hydrant across the street from Nadines was determined to require replacement. The associated change order was $17,280.

*City of Rathdrum*
8047-1 W Main Street
Rathdrum, ID 83858-6476

**Legal Department**
City Hall (208) 687-0261

**MEMORANDUM**

**To:** Rathdrum Mayor and City Council
**Subject:** Administrative Appeal on Little Leaf Farms Proposed Greenhouse Growing and Packaging Facility
**Prepared by:** City Planner James Agidius and City Attorney Emily Smith
**Date:** November 5, 2026

The documents included with this memo concerns Little Leaf Farms' administrative appeal of the City Planner's October 23, 2026 determination regarding the proposed greenhouse lettuce-growing and packaging facility on Industrial-zoned property within the City of Rathdrum.

The Planning Director determined that the proposal includes two distinct land-use components: Lettuce cultivation or growing, which the Planning Director determined is an agricultural use; and post-harvest processing and packaging, including cooling, blending, adding toppings, packaging, labeling, and distribution, which may be compatible with permitted industrial food-manufacturing uses. The Planning Director concluded that the proposed greenhouse lettuce-growing component is not currently permitted as a new use within City limits under the City's existing zoning regulations. Little Leaf Farms disagrees with that interpretation and timely appealed the determination to City Council.

**Applicable Appeal Process**
Under Rathdrum City Code, an applicant may appeal an administrative determination or interpretation of the Zoning and Permitted Uses Code to City Council. In reviewing an administrative appeal, Council must consider the following: ***RCC Section 15-9-3 City Council Action:*** *In its review of an administrative appeal, the council shall consider the purpose and intent, as well as the language and the city attorney's legal interpretation, of the pertinent provisions, and shall affirm, modify, or reverse the determination or interpretation within forty (40) days of the hearing.* Council's decision concerns the interpretation and application of the City's existing Code to this proposal. The decision does not amend the Code. However, because the decision will guide the City's future application of the same provisions, Council should carefully consider the record, the relevant Code language, and the City Attorney's legal analysis.

**Materials Included**
The following materials are attached for Council's review:

1. EXHIBIT A: The City Planner's October 23, 2026 determination regarding the Little Leaf Farms proposed greenhouse growing and packaging facility;
2. EXHIBIT B: Little Leaf Farms' appeal of the City Planner's determination, including supporting materials; and

3. EXHIBIT C: City Attorney Legal Memorandum analyzing the applicable City Code, the issues raised in the appeal, and the legal basis supporting the City Planner's interpretation.

**Requested Council Action**
Following review of the record and the appeal presentation, Council should determine whether to: Affirm, Modify, or Reverse the City Planner's determination.

**EXHIBIT A**

*City of Rathdrum*
8047-1 W Main Street
Rathdrum, ID 83858-6476

City Hall (208) 687-0261
Fax (208) 687-1818

October 23, 2026

Brad Marshall
J-U-B Engineers
745 W Hanley Ave., Ste 301
Coeur d'Alene, ID 83815

**Re: Little Leaf Farms Proposed Greenhouse Growing and Packaging Facility**

Dear Brad;

Thank you for submitting the materials in support of Little Leaf Farms' position that its proposed 35-acre lettuce-growing and packaging facility within the City of Rathdrum complies with Rathdrum City Code. The City has reviewed the submitted land-use precedents, JUB zoning research, legal opinion letter from Fulgham Law, PLLC, and supporting enclosures.

Based on that review, the City finds that the proposal involves two separate land-use components:

1. The cultivation or production of lettuce as a raw agricultural product; and
2. The processing and packaging of lettuce for distribution and sale.

The City's current interpretation is that the proposed packaging and processing component may be compatible with industrial uses permitted under Rathdrum City Code. However, the proposed lettuce-growing component constitutes an agricultural use that is not currently permitted as a use within the City.

1. **Proposed Growing of Lettuce Is an Agricultural Use, not a Manufacturing Use**

The legal opinion submitted on behalf of Little Leaf Farms describes the company as a controlled-environment agriculture company that designs, constructs, and operates large-scale hydroponic greenhouse facilities for the commercial production, processing, and packaging of baby leaf lettuces and premium salad greens.

The submitted opinion further states that Little Leaf Farms' operations would occur entirely within purpose-built, climate-controlled greenhouse structures using hydroponic growing systems, artificial lighting, environmental controls, and automated growing, harvesting, and processing equipment. The opinion emphasizes that the proposal would not involve field agriculture, soil-based cultivation, or outdoor growing activities.

The City agrees that the proposed operation would not involve traditional field agriculture, soil cultivation, or outdoor growing. However, the absence of those elements does not exclude the greenhouse-growing operation from the definition of agriculture under Idaho law or Rathdrum City Code.

Idaho Code § 22-4502 defines an "agricultural operation" as an activity or condition occurring in connection with the production of agricultural products for food, fiber, fuel, and other lawful uses. The definition includes:

- Construction, use, maintenance, and repair of agricultural facilities;
- Planting, irrigating, growing, fertilizing, harvesting, and producing crops, vegetables, and other plant products;
- Processing and packaging agricultural products into food and other agricultural commodities; and
- Related activities customarily associated with agricultural production.

Relevant provisions of Idaho Code, including Idaho Code §§ 44-1503, 44-1601, 18-7042, and 22-4502, are attached as Exhibit A.

The City also notes that, during the Zoom meeting held at 9:00 a.m. on Friday, October 1, 2026, Little Leaf Farms indicated that it intended to construct approximately 20 acres of greenhouse structures under the agricultural building exemption authorized by Idaho law. The Kootenai County Community Development Agricultural Exemption Affidavit is attached as Exhibit B. That affidavit uses definitions consistent with Idaho Code § 22-4502.

The intent to utilize an agricultural building exemption further supports the conclusion that the greenhouse growing component is an agricultural operation.

Rathdrum City Code defines "Agriculture" as follows:

"The tilling of soil, horticulture, floriculture, forestry, viticulture, raising crops, livestock, farming, dairying and animal husbandry including all uses customarily accessory and incidental thereto; but excluding slaughterhouses, fertilizer works, boneyards and commercial feedlots." (RCC Section 15-3-2)

This definition is not limited to the tilling of soil. It separately identifies horticulture, floriculture, viticulture, and the raising of crops as agricultural activities. The proposed indoor hydroponic cultivation of lettuce is therefore considered an agricultural use under Rathdrum City Code.

At present, Rathdrum City Code does not provide for the establishment of new agricultural uses within City limits. Agricultural activity is generally limited to existing nonconforming agricultural uses, including properties annexed into the City that are allowed to retain existing agricultural operations until the property transitions to an urban use.

This approach is consistent with **Goal II-M: Agriculture** in the City of Rathdrum Comprehensive Plan, which supports the maintenance of existing agricultural activity.

The legal opinion submitted by Little Leaf Farms relies on the following definition of "Food and Beverage Manufacturer":

> *"Any facility or enterprise engaged in the commercial production, processing, transformation, packaging and distribution of edible products intended for human consumption."*

The opinion does not identify a legal or regulatory source for this definition, instead referring generally to "standard zoning practice and common usage." The opinion further asserts that Little Leaf Farms' proposed operations—including growing, harvesting, cooling, blending, adding toppings, and packaging—fall within this definition. Specifically, the opinion characterizes lettuce growing as "production" and therefore as a manufacturing use.

The City disagrees for two reasons.

First, City staff could not identify an authoritative source for the submitted definition of "Food and Beverage Manufacturer." The United States Department of Agriculture describes food and beverage manufacturing as the transformation of raw food commodities into products for intermediate or final consumption through the application of labor, machinery, energy, and scientific knowledge.

That distinction is consistent with the definitions of "Agricultural Operation" and "Agriculture" discussed above. Agricultural use involves producing a raw agricultural commodity, whether or not the crop is grown in soil or outdoors. Manufacturing involves transforming a raw commodity into a different product.

Second, the City does not agree that Little Leaf Farms' cultivation of lettuce is a manufacturing use. The proposed greenhouse operation would produce lettuce, a raw agricultural commodity. The growing, harvesting, cooling, blending, addition of toppings, and packaging processes may occur as part of an integrated operation; however, the City

must separately classify the growing component and the post-harvest processing component for land-use purposes.

The City concludes that the cultivation of lettuce is an agricultural use. The City further concludes that the cooling, blending, adding of toppings, processing, and packaging of harvested lettuce may constitute manufacturing uses within the industrial zoning district.

2. **Review of Referenced Idaho Operations**

The City reviewed the three Idaho examples identified in JUB's zoning research. Each is distinguishable from the Little Leaf Farms proposal based on its applicable local zoning regulations, scale, or the express authorization of urban agricultural uses.

| Facility | Location | Local Zoning/Use Context |
|---|---|---|
| Morning Dew Mushroom Farm | Felt, Idaho | Located in Teton County's RA-35 Rural Agriculture Zone, where agricultural uses are permitted outright. The property is not subject to a commercial-industrial overlay. |
| Greenscale | Boise, Idaho | A hydroponic and aquaculture food-production facility consisting of approximately 25,000 square feet of structures on approximately 2.72 acres. |
| Basidia Farms | Boise, Idaho | An approximately 2,400-square-foot gourmet mushroom operation located in Boise's South Cole Industrial Park. |

**Morning Dew Mushroom Farm — Felt, Idaho**

According to the Teton County Planning Department, the Morning Dew Mushroom facility is located in the County's RA-35 Rural Agriculture Zone, which requires a minimum lot size of 35 acres. Agricultural uses are permitted outright in that zone. Teton County does not have a commercial-industrial overlay applicable to the property.

The Teton County Land Use Code provided by JUB Engineers is incorporated by reference.

**Greenscale — Boise, Idaho**

Information provided by the City of Boise and the Ada County Assessor's Office indicates that the Greenscale operation consists of multiple structures totaling approximately 25,000 square feet on approximately 2.72 acres.

The materials submitted describe the facility as an advanced food-production operation combining hydroponics with recirculating aquaculture to produce organic, low-water-footprint produce for the local marketplace.

**Basidia Farms — Boise, Idaho**

The City of Boise identifies Basidia Farms as an "Urban Farming: Gourmet Mushrooms" operation. The facility occupies approximately 2,400 square feet, representing the entire first floor of a two-story building in Boise's South Cole Industrial Park.

Both Greenscale and Basidia Farms appear to qualify as "Urban Farms" under Boise City Code. Boise permits urban farms outright in all zoning districts under Table 11-03 and defines an urban farm as:

"Land used to grow plants and harvest food or ornamental crops for educational purposes, donation, and use by those cultivating the land, or for sale locally. This use includes accessory beekeeping, but does not include gardens that are accessory to a home."

Rathdrum City Code does not contain a comparable "Urban Farm" land-use category and does not currently provide for new agricultural uses within City limits.

3. **Available Options**

Based on the City's current interpretation of Rathdrum City Code, Little Leaf Farms may consider the following options:

1. **Locate the greenhouse lettuce-growing operation outside City limits.**
   The greenhouse and lettuce-growing operation could be located on property in unincorporated Kootenai County, where agricultural uses may be permitted. Lettuce could then be transported to a City of Rathdrum packaging facility that complies with applicable City Code requirements. As stated above, the proposed uses other than the lettuce-growing use would be an outright permitted use in the Industrial zone as manufacturing uses.
2. **Request amendments to City policy and regulations.**
   Little Leaf Farms may pursue amendments to the City's Comprehensive Plan and Rathdrum City Code to establish a regulatory pathway for new agricultural, urban agricultural, or controlled-environment agricultural uses within the City.

The City appreciates the information provided and is available to discuss the applicable land-use process and potential next steps.

Sincerely,

James Agidius
City Planner
City of Rathdrum

Exhibit A: Definitions

TITLE 44

LABOR

CHAPTER 15

MINIMUM WAGE LAW

44-1503. Definitions. ***"Agriculture" includes farming in all its branches and, among other things, includes the cultivation and tillage of the soil; dairying; the production, cultivation, growing and harvesting of any agricultural, aquacultural or horticultural commodities; the raising of livestock, bees, fur-bearing animals or poultry; and any practices, including any forestry or lumbering operations, performed by a farmer or on a farm as an incident to or in conjunction with such farming operation, including preparation for market, delivery to storage or to market or to carriers for transportation to market.***

TITLE 44

LABOR

CHAPTER 16

FARM LABOR CONTRACTOR LICENSING

44-1601. Definitions. As used in this chapter:

(1) "Agricultural association" means any nonprofit or cooperative association of farmers, growers or ranchers, incorporated or qualified under applicable state law.

(2) "Agricultural employer" means any person engaged in any activity included within the definition of "agriculture" in subsection (3) of this section.

(3***) "Agriculture" includes farming in all its branches and, among other things, includes the cultivation and tillage of the soil; dairying; the production, cultivation, growing and harvesting of any agricultural, aquacultural or horticultural commodities; the raising of livestock, bees, fur-bearing animals or poultry; and any practices performed by a farmer or on a farm as an incident to or in conjunction with such farming operation, including preparation for market, delivery to storage or to market or to carriers for transportation to market. This definition shall not include forestry, lumbering operations or logging contractors.***

(4) "Department" means the department of labor of the state of Idaho.

(5) "Director" means the director of the department of labor.

(6) "Farm labor contracting activity" means recruiting, soliciting, hiring, employing, furnishing or transporting any migrant or seasonal agricultural worker.

(7) "Farm labor contractor" means any person who, for any money or other valuable consideration paid or promised to be paid, performs any farm labor contracting activity.

(8) "Immediate family member" means the spouse, children, brother, sister, mother or father.

(9) "Migrant agricultural worker" means an individual who is employed in agricultural employment of a seasonal or temporary nature, and who is required to be absent overnight from his permanent place of residence. This term does not include any immediate family member of an agricultural employer or a farm labor contractor.

(10) "Person" means an individual, association, partnership, limited liability company, corporation or other business entity.

(11) "Seasonal agricultural worker" means an individual who is employed in agricultural employment of a seasonal or temporary nature and is not required to be absent overnight from his permanent place of residence. This term does not include any immediate family member of an agricultural employer or a farm labor contractor.

History:

[44-1601, added 2002, ch. 328, sec. 1, p. 920.]

TITLE 18

CRIMES AND PUNISHMENTS

CHAPTER 70

TRESPASS AND MALICIOUS INJURIES TO PROPERTY

18-7042. interference with agricultural production. (1) A person commits the crime of interference with agricultural production if the person knowingly:

(a) Is not employed by an agricultural production facility and enters an agricultural production facility by force, threat, misrepresentation or trespass;

(b) Obtains records of an agricultural production facility by force, threat, misrepresentation or trespass;

(c) Obtains employment with an agricultural production facility by force, threat, or misrepresentation with the intent to cause economic or other injury to the facility's operations, livestock, crops, owners, personnel, equipment, buildings, premises, business interests or customers;

(d) Enters an agricultural production facility that is not open to the public and, without the facility owner's express consent or pursuant to judicial process or statutory authorization, makes audio or video recordings of the conduct of an agricultural production facility's operations; or

(e) Intentionally causes physical damage or injury to the agricultural production facility's operations, livestock, crops, personnel, equipment, buildings or premises.

**(2) For purposes of this section:**

***(a) "Agricultural production" means activities associated with the production of agricultural products for food, fiber, fuel and other lawful uses and includes without limitation:***

(i) Construction, expansion, use, maintenance and repair of an agricultural production facility;

(ii) Preparing land for agricultural production;

(iii) Handling or applying pesticides, herbicides or other chemicals, compounds or substances labeled for insects, pests, crops, weeds, water or soil;

***(iv) Planting, irrigating, growing, fertilizing, harvesting or producing agricultural, horticultural, floricultural and viticultural crops, fruits and vegetable products, field grains, seeds, hay, sod and nursery stock, and other plants, plant products, plant byproducts, plant waste and plant compost;***

(v) Breeding, hatching, raising, producing, feeding and keeping livestock, dairy animals, swine, furbearing animals, poultry, eggs, fish and other aquatic species, and other animals, animal products and animal byproducts, animal waste, animal compost, and bees, bee products and bee byproducts;

***(vi) Processing and packaging agricultural products, including the processing and packaging of agricultural products into food and other agricultural commodities;***

(vii) Manufacturing animal feed.

***(b) "Agricultural production facility" means any structure or land, whether privately or publicly owned, leased or operated, that is being used for agricultural production.***

(3) A person found guilty of committing the crime of interference with agricultural production shall be guilty of a misdemeanor and shall be punished by a term of imprisonment of not more than one (1) year or by a fine not in excess of five thousand dollars ($5,000), or by both such fine and imprisonment.

(4) In addition to any other penalty imposed for a violation of this section, the court shall require any person convicted, found guilty or who pleads guilty to a violation of this section to make restitution to the victim of the offense in accordance with the terms of section 19-5304, Idaho Code. Provided however, that such award shall be in an amount equal to twice the value of the damage resulting from the violation of this section.

History:

[18-7042, added 2014, ch. 30, sec. 1, p. 44.]

TITLE 22

AGRICULTURE AND HORTICULTURE

CHAPTER 45

RIGHT TO FARM

22-4502. Definitions. As used in this chapter:

***(1) "Agricultural facility" includes, without limitation, any land, building, structure, ditch, drain, pond, impoundment, appurtenance, machinery or equipment that is used in an agricultural operation.***

**(2) "Agricultural operation" means an activity or condition that occurs in connection with the production of agricultural products for food, fiber, fuel and other lawful uses, and includes, without limitation:**

(a) Construction, expansion, use, maintenance and repair of an agricultural facility;

(b) Preparing land for agricultural production;

(c) Applying pesticides, herbicides or other chemicals, compounds or substances labeled for insects, pests, crops, weeds, water or soil;

***(d) Planting, irrigating, growing, fertilizing, harvesting or producing agricultural, horticultural, floricultural and viticultural crops, fruits and vegetable products, field grains, seeds, hay, sod and nursery stock, and other plants, plant products, plant byproducts, plant waste and plant compost;***

(e) Breeding, hatching, raising, producing, feeding and keeping livestock, dairy animals, swine, fur-bearing animals, poultry, eggs, fish and other aquatic species, and other animals, animal products and animal byproducts, animal waste, animal compost, and bees, bee products and bee byproducts;

***(f) Processing and packaging agricultural products, including the processing and packaging of agricultural products into food and other agricultural commodities;***

(g) Manufacturing animal feed;

(h) Transporting agricultural products to or from an agricultural facility;

(i) Noise, odors, dust, fumes, light and other conditions associated with an agricultural operation or an agricultural facility;

(j) Selling agricultural products at a farmers or roadside market;

(k) Participating in a government-sponsored agricultural program; and

(l) The ingress and egress of agricultural aircraft to agricultural lands or treatment areas.

(3) "Nonagricultural activities," for the purposes of this chapter, means residential, commercial or industrial property development and use not associated with the production of agricultural products.

(4) "Improper or negligent operation" means that the agricultural operation is not undertaken in conformity with federal, state and local laws and regulations or permits, and adversely affects the public health and safety.

History:

[22-4502, added 1981, ch. 177, sec. 1, p. 311; am. 1997, ch. 341, sec. 1, p. 1025; am. 1999, ch. 377, sec. 1, p. 1035; am. 2011, ch. 229, sec. 1, p. 623; am. 2022, ch. 116, sec. 1, p. 424.]

Exhibit B

# KOOTENAI COUNTY

## COMMUNITY DEVELOPMENT

BUILDING • CODE ENFORCEMENT • PLANNING

*FOR RECORDER'S OFFICE USE ONLY*

# AGRICULTURAL EXEMPTION AFFIDAVIT

*Idaho Code* §22-4502. Definitions

(1) "Agricultural facility" includes, without limitation, any land, building, structure, ditch, drain, pond, impoundment, appurtenance, machinery or equipment that is used in an agricultural operation.
(2) "Agricultural operation" means an activity or condition that occurs in connection with the production of agricultural products for food, fiber, fuel and other lawful uses, and includes, without limitation:
(a) Construction, expansion, use, maintenance and repair of an agricultural facility;
(b) Preparing land for agricultural production;
(c) Applying pesticides, herbicides or other chemicals, compounds or substances labeled for insects, pests, crops, weeds, water or soil;
(d) Planting, irrigating, growing, fertilizing, harvesting or producing agricultural, horticultural, floricultural and viticultural crops, fruits and vegetable products, field grains, seeds, hay, sod and nursery stock, and other plants, plant products, plant byproducts, plant waste and plant compost;
(e) Breeding, hatching, raising, producing, feeding and keeping livestock, dairy animals, swine, fur-bearing animals, poultry, eggs, fish and other aquatic species, and other animals, animal products and animal byproducts, animal waste, animal compost, and bees, bee products and bee byproducts;
(f) Processing and packaging agricultural products, including the processing and packaging of agricultural products into food and other agricultural commodities;
(g) Manufacturing animal feed;
(h) Transporting agricultural products to or from an agricultural facility;
(i) Noise, odors, dust, fumes, light and other conditions associated with an agricultural operation or an agricultural facility;
(j) Selling agricultural products at a farmers or roadside market;
(k) Participating in a government-sponsored agricultural program; and
(l) The ingress and egress of agricultural aircraft to agricultural lands or treatment areas.
(3) "Nonagricultural activities," for the purposes of this chapter, means residential, commercial or industrial property development and use not associated with the production of agricultural products.
(4) "Improper or negligent operation" means that the agricultural operation is not undertaken in conformity with federal, state and local laws and regulations or permits, and adversely affects the public health and safety.

***NOTE – If at any time the structure is no longer being used for the above mentioned purposes an alteration permit will be required***

To meet exemptions, the following criteria must be met:

A. Agricultural Buildings as defined by *Kootenai County Building Ordinance* §7-1-301

"A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products, provided the building is situated on land actively devoted to agricultural pursuits as defined in Section 63-604, Idaho Code, and is, at the time of application, being assessed as an agricultural building and is not being used solely to house equine species such as horses which are owned by the property owner and are used primarily for the owner's pleasure. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public."

B. Assessor "Agricultural Eligibility Determination Form (AS-30)

C. Proof of sales receipt and/or Lease Agreement at time of application.

D. Structure location and Structure Complete Inspections REQUIRED.

**Permit Number: _____**

**Property Owner: _____**

**Current Mailing Address: _____**

**Site Address: _____**

**Parcel No: _____** **AIN: _____**

**Legal Description: _____**

**Size and Type of Structure: _____**

I, _____, do hereby state the building permit I am applying for is for an agricultural exempt building that meets the requirements of **both** Idaho Code and the County's Building Ordinance.

_____ _____

SIGNATURE DATE

**ACKNOWLEDGEMENT**

STATE OF IDAHO )
)ss.
County of Kootenai )

On this day of _____ in the year of _____, before me_____, a notary public for the State of Idaho, personally appeared _____, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.

_____

Notary Public

Residing at: _____

Commission expires: _____

**EXHIBIT B**

Mischelle R. Fulgham, ISB #4623
FULGHAM LAW, PLLC
Spokane, WA 99208
Telephone: (208) 699-6339
Mischelle@fulghamlawpllc.com
Attorney for Appellant-Little Leaf Farms, LLC

IN AND BEFORE THE CITY COUNCIL
CITY OF RATHDRUM, IDAHO

| | |
|---|---|
| IN RE: LITTLE LEAF FARMS, LLC,<br><br>APPELLANT | Case No.<br><br>NOTICE OF ADMINISTRATIVE APPEAL UNDER RCC 15-9-1 |

NOTICE OF ADMINISTRATIVE APPEAL
OF ADMINISTRATIVE DETERMINATION
DATED OCTOBER 23, 2026

## I. INTRODUCTION

This appeal concerns whether a modern, vertically integrated, controlled-environment food production facility constitutes a permitted "Food and Beverage Manufacturer" use within the City of Rathdrum Industrial ("I") Zoning District.

The Planning Director, James Agidius's October 23, 2026 Administrative Determination improperly disaggregates a single integrated industrial food-manufacturing operation into separate "agricultural" and "manufacturing" components and then prohibits the project based upon a conclusion that the growing portion of the operation constitutes agriculture rather than manufacturing.

The Planning Director's Administrative Determination should be reversed because the City Code, Title 15, Land Use Table Section 15-5-3, expressly permits Food and Beverage Manufacturing within the Industrial District; the City Code contains no exclusion applicable to controlled-environment agricultural technology; the Director's Administrative Determination imposes restrictions not found in the City Code; and the Administrative Interpretation is contrary to established Idaho land use laws and principles requiring zoning ordinances to be construed according to their plain meaning and in favor of the free use of private property.

II. STATEMENT OF FACTS

Little Leaf Farms proposes the construction and operation of a large-scale indoor hydroponic greenhouse, food-packaging facility within property zoned Industrial ("I") under Rathdrum City Code Title 15.

The facility will operate as a fully enclosed, controlled-environment, food-production system utilizing purpose-built greenhouse structures, environmental controls, hydroponic growing systems, automated harvesting systems, cooling equipment, mechanical sorting and blending apparatus, fully automated food-processing equipment, packaging lines, labeling systems, warehouse functions, and wholesale distribution operations.

The facility's output is not a raw commodity sold into an agricultural marketplace. Rather, the facility produces sorted, blended, packaged, consumer-ready food products distributed to commercial wholesale and retail customers.

The Planning Director acknowledged within his October 23, 2026 Administrative Determination that Little Leaf Farms' processing, packaging, cooling, blending, and distribution activities may constitute manufacturing uses permitted within the Industrial District. However, the Director concluded that cultivation occurring within the same enclosed controlled-environment facility must be separately classified as agriculture and therefore renders the overall project impermissible.

III. STANDARD OF REVIEW

The City Council functions as the appellate authority under Rathdrum City Code § 15-9-1 and possesses the legal authority to affirm, reverse, or modify an administrative interpretation found to be inconsistent with the zoning ordinance, unsupported by the text of the code, or otherwise found to be erroneous as determined by the City Council. Rathdrum City Code § 15-9-1 provides as follows:

> **Section 15-9-1: TITLE AND PURPOSE**
> The provisions of this article shall be known as the ADMINISTRATIVE APPEAL PROCEDURE. The purpose of these provisions is to prescribe the procedure by which *an appeal may be taken to the city council from an administrative determination or interpretation made by the planning commission, city engineer, or the director of planning,* or their designee under the zoning ordinance. This procedure shall apply to all appeals from such determinations and interpretations unless otherwise provided.
>
> **Section 15-9-2: APPEALS REQUIREMENT**
> *An appeal may be taken to the City Council by an aggrieved party from any administrative determination or interpretation made by the Planning and Zoning Commission, City Engineer or the Administrator,* or their designees under the zoning ordinance, except where provided by the zoning ordinance that a decision by the Planning and Zoning Commission is final. Such written appeal shall be

filed with the Administrator or designee within fifteen {15) days following the date of the any decision that is being appealed. *[sic]* The appeal shall state specifically the objections to the decision or abuse of discretion or wherein a decision is not supported by the evidence in the record. The appeal shall be accompanied by such information as may be required to facilitate review, and by the fee as referenced in the fee schedule.

**Section 15-9-3: CONSIDERATION OF APPEALS**

A. Timing And Notice: *The Administrator shall forward the appeal to city council to consider at the next available regular city council meeting*[1]. At least five (5) days prior to the hearing date, written notice shall be given to the appellant and to any known adverse parties, or their representatives, of the time and place of the hearing on the appeal.

B. City Council Action: In its review of an administrative appeal, the council shall consider the purpose and intent, as well as the language and the city attorney's legal interpretation, of the pertinent provisions, *and shall affirm, modify, or reverse the determination or interpretation within forty (40) days of the hearing.*

Because this appeal concerns interpretation of an ordinance and the application of a land-use classification established by legislative enactment, review is both a factual review of the proposed Food Manufacturing Industrial Use requested by Little Leaf Farms, and also a legal review of the City Code language.

IV. ASSIGNMENTS OF ERROR

Assignment of Error No. 1

The Planning Director erred by concluding that the Little Leaf Farms' operation is not a Food and Beverage Manufacturer as that term is used for permitted uses in the Industrial District per Rathdrum City Code § 15-5-3.

Assignment of Error No. 2

The Planning Director erred by dividing a single integrated industrial food-production operation into separate land-use classifications without authorization in the City Code.

Assignment of Error No. 3

The Planning Director imposed restrictions and exclusions not contained anywhere in the text or language of Rathdrum City Code.

[1] The next available regular City Council meeting is Tuesday Nov 10 (only November meeting; no Nov 25 meeting).

Assignment of Error No. 4

The Planning Director applied an interpretation inconsistent with Idaho land use rules of statutory and ordinance construction.

Assignment of Error No. 5

The Planning Director exceeded the scope of administrative authority and effectively amended the Rathdrum City Code by creating a new exclusion from the Food and Beverage Manufacturing use classification in the Industrial District, which was never enacted or adopted within the Code language approved and passed by the City Council.

For these reasons, the Administrative Determination should be reversed.

V. ARGUMENT

A. FOOD AND BEVERAGE MANUFACTURING IS AN EXPRESSLY PERMITTED USE IN THE INDUSTRIAL DISTRICT.

The Rathdrum City Code § 15-5-3 identifies "Food and Beverage Manufacturer" as a permitted use within the Industrial District. The City Council has already made the legislative determination that Food and Beverage Manufacturing is a compatible use within the Industrial zoning district. Once a permitted use falls within that classification, city administrative officials are not authorized to create additional limitations, redefine the use category, or impose additional discretionary barriers not adopted by the text or language of the ordinance. Nothing within Rathdrum City Code Title 15 excludes controlled-environment agriculture, hydroponic production, greenhouse food-production systems, vertical growing technologies, or integrated food-processing facilities from the Food and Beverage Manufacturing classification in the Industrial Zone. Had the Rathdrum City Council intended such exclusions, it could have adopted them expressly. It did not.

B. THE ORDINANCE MUST BE INTERPRETED ACCORDING TO ITS PLAIN MEANING.

Idaho courts consistently apply ordinary rules of construction and interpretation to zoning ordinances. The ordinary meaning of "manufacturer" encompasses an entity engaged in making or producing goods from raw materials through industrial processes for commercial distribution.[2] In the legal context, Black's Law Dictionary, Sixth Edition, defines "Manufacture" as:

"The process or operation of making goods or any material produced by hand, by machinery, or by other agency; anything made from raw materials by the hand, by machinery, or by art. The production of articles for use from raw or prepared materials by giving such materials new forms, qualities, properties or combinations, whether by hand labor or by machines."

[2] Merriam-Webster's Dictionary, online version at www.merriam-webster.com, defines "Manufacture" as "the process of making products by hand or machinery especially when carried on systematically using mechanical power and machinery."

The specific raw materials and resource inputs for the Little Leaf Farms' manufacturing process include nutrient and micronutrient blends, proprietary seeds, growing media, electricity, heating and cooling energy, sunlight and artificial light and freshwater. The resulting manufactured output is a machine created, blended, packaged, labeled food product ready for commercial distribution. Bulk lettuce is neither a raw material input nor an output of the process as a whole.

Thus, Little Leaf Farms manufactures and produces food products under multiple definitions. It mechanically cultivates, produces, processes, cools, blends, packages, labels, stores, and distributes those manufactured food products for sale in commerce. Each of those activities independently falls within the ordinary meaning of food manufacturing as set out in Merriam-Webster's Dictionary and as set out in Black's Law Dictionary. Collectively, the activities of Little Leaf Farms unmistakably constitute "food manufacturing."

The Planning Director's interpretation effectively rewrites the Rathdrum City Code by adding limitations not adopted by the legislative body, i.e., the City Council in approving and adopting the Rathdrum City Code.

C. THE PLANNING DIRECTOR IMPROPERLY DISAGGREGATED A SINGLE INDUSTRIAL USE.

The primary legal flaw in the Planning Director's Administrative Determination is his assumption that a vertically integrated food-production process must be artificially divided into separate land uses. Nothing in Rathdrum City Code requires such segmentation. The relevant question under the Zoning Ordinance is whether the overall character of the enterprise falls within the permitted use classification.

The Staff offered LLF one solution of locating the lettuce growing operations outside of the City, separate from the packaging facility. Unfortunately, this proposal is logistically and practically impossible. LLF's product quality is largely borne from the absolute minimization of handling and shipping – the lettuce leaf is weighed and packaged seconds after being cut from its roots. This is to ensure absolute maximum freshness and food security. The growing, harvesting and packaging is a fully automated, integrated, climate controlled, whole and must remain as such. The City's interpretation improperly isolates one stage of production while ignoring the nature of the integrated enterprise as a whole.

The proper inquiry examines the principal use of the facility and its overall functional character. That character is industrial food production and food manufacturing.

D. MODERN CONTROLLED-ENVIRONMENT-AGRICULTURE IS CONSISTENT WITH FOOD MANUFACTURING. IT IS NOT TRADITIONAL AGRICULTURE.

Little Leaf Farms does not conduct traditional field agriculture. The proposed project does not involve open fields, soil tilling, agricultural acreage, crop rotation, grazing, farm outbuildings, hands-on farming, or rural agricultural operations. Simply put, the project is not traditional agriculture or farming.

The City's intent to preserve Industrial zoned land for higher value uses than traditional agriculture is consistent with its mandate and goals. From a land productivity standpoint, Little Leaf Farms is comfortably located within the Food and Beverage Manufacturing category and nearly 4 orders of magnitude higher than open field agriculture. According to the USDA NASS 2022 Census of Agriculture, the Idaho Panhandle achieves the following productivity:

| | **Land in farms (ac)** | **Market value of products sold** | **$/acre, all farmland** |
|---|---|---|---|
| Panhandle (Benewah, Bonner, Boundary, Kootenai, Shoshone) | 489,820 | $116.2M | $237 |

Meanwhile, Little Leaf Farms' proposed facility expects to achieve in excess of $2M/acre market value from its finished packaged lettuce product, or nearly 10,000x more value per acre than traditional agriculture. LLF's level of productivity is fully in line with the City's intent of utilizing Industrial zoned land for higher-value applications.

The Rathdrum City Code defines "Agriculture" as follows:

"The tilling of soil, horticulture, floriculture, forestry, viticulture, raising crops, livestock, farming, dairying and animal husbandry including all uses customarily accessory and incidental hereto, but excluding slaughterhouses, fertilizer works, boneyards, and commercial feedlots." RCC Section 15-3-2.

None of these "Agriculture" descriptions accurately fit or apply to the proposed project *as a whole*. Of course, the LLF's facility does include greenhouse buildings that are considered "horticultural structures" from a building code perspective. But the process taking place within these structures utilizes fully and exclusively mechanical growing systems, environmental controls, and process automation. The growing operation is fully interconnected with the downstream food-processing equipment, sorting and blending apparatus, packaging machinery, refrigeration infrastructure, and commercial distribution systems. It is an industrial operation in scope, use and impact.

As stated in the previous Legal Opinion Letter, dated October 8, 2026, "In standard zoning practice and common usage, a 'Food and Beverage Manufacturer' broadly encompasses any facility or enterprise engaged in the commercial production, processing, transformation, packaging, and distribution of edible products intended for human consumption. This classification includes, without limitation, canneries, commercial bakeries, bottling facilities, produce processing plants, dairy processors, and any other operation engaged in the commercial-

scale production of packaged food products destined for wholesale or retail markets." [3], [4] The Little Leaf proposed facility resembles a modern food-production plant, not a traditional agricultural operation.

The Planning Director's Administrative Determination created an interpretation that improperly elevated one production technique, hydroponic lettuce growing, above the overall industrial character and operation of the entire facility when considered as a whole.

E. ANY AMBIGUITY MUST BE CONSTRUED IN FAVOR OF THE LANDOWNER.

Idaho land use law recognizes that zoning restrictions are in derogation of constitutionally protected, and common-law protected, real property rights, and therefore zoning restrictions must be strictly construed against the governmental regulator and liberally construed in favor of the owner's real property use. Accordingly, even if reasonable minds could debate whether Little Leaf fits within more than one possible classification, the ambiguity must be resolved in favor of the permitted use, rather than interpreted as a prohibition. The Planning Director instead resolved his uncertainty against the landowner and against the permitted-use classification of Food Manufacturing expressly adopted in the Industrial District of the Rathdrum City Code. The Director's approach and interpretation are contrary to Idaho land use law and constitutional real property rights law.

F. THE ADMINISTRATIVE DETERMINATION CREATES AN ILLOGICIAL RESULT.

Under the Director's interpretation, a facility could package, blend, process, label, refrigerate, warehouse, and distribute packaged lettuce within the Industrial District, but could not grow or produce the lettuce within the very same enclosed structure. Nothing in the Rathdrum zoning ordinance's permitted use language indicates that the City Council intended such a distinction when drafting the City Code. A greenhouse lettuce operation integrated into a manufacturing facility does not become a prohibited use merely because one stage of production occurs under the same roof. The Director's interpretation elevated form over substance and produced an

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[3] **American Planning Association (APA) Land-Based Classification Standards (LBCS) -**The APA's LBCS treats **manufacturing** as a land-use activity category and classifies establishments according to their economic function. *It recognizes manufacturing uses as enterprises engaged in the production and processing of goods, including food products*. The LBCS was specifically developed to provide consistent land-use classifications for planners and zoning ordinances. *This authority supports characterizing a food and beverage manufacturing use* according to the *nature of the activity occurring on the site, namely the processing, production, packaging, and distribution of products intended for commerce*.

[4] **North American Industry Classification System (NAICS) -** A strong objective authority is NAICS Subsector 311 ("Food Manufacturing"), which provides: *"Industries in the Food Manufacturing subsector transform livestock and agricultural products into products for intermediate or final consumption."* NAICS further identifies as food-manufacturing uses: Fruit and vegetable canning and packaging facilities, Dairy product manufacturing, Commercial bakeries, Seafood preparation and packaging facilities, and Other food-processing establishments. NAICS explains that these food products are: "typically sold to wholesalers or retailers for distribution to consumers." Office of Mgmt. & Budget, North American Industry Classification System (NAICS) Sector 311, *Food Manufacturing* ("Industries in the Food Manufacturing subsector transform livestock and agricultural products into products for intermediate or final consumption.")

irrational distinction unsupported by the text of the City Code. The Administrative Determination should be reversed.

G. THE ADMINISTRATIVE DETERMINATION IS *ULTRA VIRES* BECAUSE IT CREATES A NEW SUBSTANTIVE ZONING RESTRICTION NOT FOUND IN THE CITY CODE.

Administrative officials only possess authority to interpret and apply the zoning ordinance as written. They do not possess legislative authority to amend, narrow, expand, or rewrite use classifications approved and adopted by the City Council.

The October 23, 2026 Administrative Determination acknowledged that "Food and Beverage Manufacturer" is a permitted use within the Industrial District and further acknowledges that Little Leaf Farms' cooling, blending, processing, packaging, and distribution activities may qualify as manufacturing. Nevertheless, the Director concluded that Little Leaf Farms cannot qualify as a Food and Beverage Manufacturer because the facility also includes the indoor cultivation of lettuce.

The defect in this reasoning is that neither Title 15 nor the Land Use Table 15-5-3 contain any provision excluding:

- Controlled-environment agriculture;
- Hydroponic growing systems;
- Greenhouse food-production facilities;
- Vertically integrated food-production processes;
- On-site cultivation associated with food manufacturing; or
- Any other comparable food-production technology.

The Planning Director therefore did not merely interpret existing code language. Rather, the Director created an entirely new exclusion from the Food and Beverage Manufacturing category. Nothing in Rathdrum City Code authorized Staff to declare that a facility otherwise qualifying as a Food and Beverage Manufacturer is prohibited whenever part of the production process involves hydroponic cultivation. Such a limitation does not appear anywhere in the ordinance language as approved and adopted by the City Council.

Indeed, the Director’s Administrative Determination expressly acknowledged and fully admitted that City Staff could not identify any authoritative zoning source supporting the restrictive interpretation advanced by Staff, and instead relied primarily upon statutory definitions of "agriculture" and "agricultural operation" found out of context, in unrelated Idaho statutes for “Minimum Wage Law I.C. 44-1503”, “Farm Labor Contracting I.C. 44-1601”, “Crimes and Punishments, Trespass and Malicious Injury to Property, I.C. 18-7042”, and “Right to Farm Act, I.C. 22-4501”. Those state statutes were enacted for purposes of minimum wage payment, contracting labor regulation, right-to-farm protections, criminal prosecutions, and other unrelated and inapplicable state-law programs, and not for the use and interpretation of Rathdrum's zoning classifications.

The existence of state statutes defining certain activities such as agricultural for minim wage calculations, labor contracting, criminal prosecutions for trespass and malicious injury to property, and agricultural right to farm purposes, does not authorize an administrative official to alter the meaning of a municipal zoning classification adopted by the City Council. The Director's reliance on the unrelated and inapplicable state statutes lacks legal merit and exceeds the scope of his governmental authority under the Rathdrum City Code.

The authority to establish, amend, or narrow legislatively adopted zoning classifications rests exclusively with the legislative body through the required procedures prescribed by LLUPA and by Rathdrum City Code. Administrative Staff cannot accomplish by interpretation what may only be accomplished through legislative amendment by the City Council. If the City Council wishes to exclude controlled-environment agricultural facilities from the Food and Beverage Manufacturing classification as a permitted use in the Industrial Zone, then the City Council may propose and adopt such an exclusion through the formal zoning amendment process. Until such an amendment is adopted, however, City Staff must apply the code as written and without improper expansion against Little Leaf Farms' requested Industrial use for Food and Beverage Manufacturing.

Because the October 23, 2026 Administrative Determination imposed a restriction not found in the text of the City Code and effectively created a new prohibited subclassification of Food and Beverage Manufacturing, the Determination constitutes an *ultra vires* administrative action, exceeding the Director's authority. The Determination must be reversed.

## VI. CONCLUSION

The October 23, 2026 Administrative Determination is contrary to the text of Rathdrum City Code, is contrary to established rules of Idaho land use ordinance construction and constitutional real property rights, is unsupported by the Industrial District's permitted-use classifications, and is inconsistent with the functional reality of Little Leaf Farms' proposed operation.

For the foregoing reasons, Appellant Little Leaf Farms, respectfully requests the City Council:

1. Reverse the Planning Director's October 23, 2026 Administrative Determination;
2. Determine that Little Leaf Farms qualifies as a Food and Beverage Manufacturer under Rathdrum City Code § 15-5-3;
3. Determine that the proposed facility is a permitted use within the Industrial District;
4. Direct Staff to process the project as an outright permitted use subject to applicable objective development standards and the adequacy of facilities review checklist; and
5. Grant such further relief as the City Council deems appropriate.

DATED this 5th day of November, 2026.

FULGHAM LAW, PLLC

/s/ *Mischelle R. Fulgham*
Mischelle R. Fulgham, ISB 4623
Attorney for Appellant Little Leaf Farms, LLC

**Section 15-5-3: Land Use Table; City of Rathdrum, ID**

| ***Industrial and Manufacturing Uses:*** | **R-1** | **R-1A** | **R-1B** | **R-2** | **R-2A** | **R-2S** | **R-2D** | **R-3** | **R-3M** | **MR** | **MR-A** | **C-1** | **C-2** | **I** | **HI** |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Asphalt Plant/Storage | x | x | x | x | x | x | x | x | x | x | x | x | x | x | P |
| Blast Furnace and Smelting | x | x | x | x | x | x | x | x | x | x | x | x | x | x | P |
| Manufacturing or Storage of Explosives | x | x | x | x | x | x | x | x | x | x | x | x | x | x | P |
| Food and Beverage Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | P | P |
| Meat Products Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | x | P |
| Dairy Products Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | P | P |
| Grain Milling Products and Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | x | P |
| Bakery Products Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | P * | P |
| Clothing/Textiles Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | P * | P |
| Wood Products Manufacturing except Lumbermills | x | x | x | x | x | x | x | x | x | x | x | x | x | P * | P |
| Sawmill | x | x | x | x | x | x | x | x | x | x | x | x | x | x | P |
| Millwood/Veneer/Plywood Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | P * | P |
| Furniture and Related Products Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | P * | P |
| Paving and Roofing Materials Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | x | P |

**LLF Zoning Precedents, for review by City of Rathdrum**

October 7, 2026

As Little Leaf Farms prepares for its formal Pre-Application meeting with the City of Rathdrum, we are providing background and context for our determination that the proposed facility is “Food and Beverage Manufacturing” from a Rathdrum land use and zoning perspective. Little Leaf Farms’ (LLF) three currently operating greenhouses are situated in industrial parks. In each, the land use relies on industrial-level services and is allowed via Industrial (Banks Twp, PA), Light Industrial (Manchester, TN) or Environmental Business (Devens, MA) zoning. In each case, the facilities are designed and operated to comply with all regulations governing fumes, dust and odors, traffic, noise, vibration, light, waste, safety, wildlife, water and wastewater.

This note responds to the City Administrator's request for more information regarding these sites.

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1. **McAdoo Industrial Park, Banks Township, Pennsylvania (M-1 Industrial)**

LLF’s largest operating facility (40 acres under glass) is located on 168 acres in the McAdoo Industrial Park within Banks Township's M-1 Industrial District. M-1 permits light and heavy industry by right and is largely silent on agriculture. As initially developed, the LLF facility sat largely within the M-1 zone, but also straddled a Special Conservation district that allowed for Agriculture. n October of 2023, Banks Township supervisors expanded the M1-Industrial Zone to encompass all of LLF’s existing operation and to allow LLF to construct additional capacity under a fully Industrial designation.

**Code text (Banks Township Zoning Ordinance):**

- §504.1, M-1 permitted uses, include: *"Light Industry and Heavy Industry (as defined in Article 2) ... Warehousing ... Trucking Facilities ... Public Utility Facilities ... Accessory Uses to the Above."*

2. **Manchester Industrial Park, Manchester, TN (I-1 Light Industrial)**

LLF's new Manchester facility (20 acres under glass) sits in the I-1 Light Industrial District. I-1 permits both agriculture and "intermediate manufacturing". Manchester's less intensive districts allow manufacturing or agricultural use *only* by special exception (e.g. Commercial Districts "C"). Manchester allows LLF's mix of growing, packing and distribution in its light industrial district.

**Code text (Manchester Municipal Code, Title 14, Zoning):**

§14-303 6b: *"Intermediate manufacturing, Include the following: (i) The manufacture, compounding, processing, assembling, packaging, treatment or fabrication of products, except for the following: Cotton seed oil, Explosives, Fireworks, Organic fertilizers."*

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3. **Devens Eco-Industrial Park, Devens, MA (Environmental Business District)**

The Devens Eco-Industrial Park is a 4,400-acre Enterprise zone developed on a former military base containing "Innovation and Technology", "Environmental Business", "Rail, Industrial and Trade" and "Special Use" districts. Agriculture was allowed in each district, but only on an Interim basis, as the Eco-Industrial Park clearly intended to attract more intensive uses. LLF's Devens facility (10 acres under glass) sits within the Environmental Business District of the Devens Eco-Industrial Park. This district was established in 1994 for remediation and recycling businesses. The Devens Enterprise Commission re-confirmed the greenhouse production facility was an allowed use in 2018.

**Code text (Devens By-Laws, Art. V and Art. VI):**

- Environmental Business District goal: *"The primary goal of this zoning district is to locate and site industries that contribute to or capitalize on the increasing sensitivity to and awareness of environmental remediation and recycling, and the development of products emanating from these activities."*

**Sources**


- Banks Township Zoning Ordinance, adopted Aug. 19, 2008
- https://www.tnonline.com/20231011/banks-supervisors-updating-ordinances/
- Devens By-Laws, Art. V (Zoning Districts)
- Devens By-Laws, Art. VI (Use Categories, Interim Uses)
- Manchester, TN Municipal Code, Title 14 (Zoning)


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# little leaf FARMS®

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# OUR VISION

**Indoor agriculture** shows great promise to **transform the way produce is grown**. **Delicious, fresh, local, nutritious** produce grown using practices that **minimize environmental impacts, reduce food waste, improve food safety / accessibility**, and solve for today's failing conventional farming methods. But most importantly, **scales up rapidly** to solve these global challenges.

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# About Little Leaf Farms



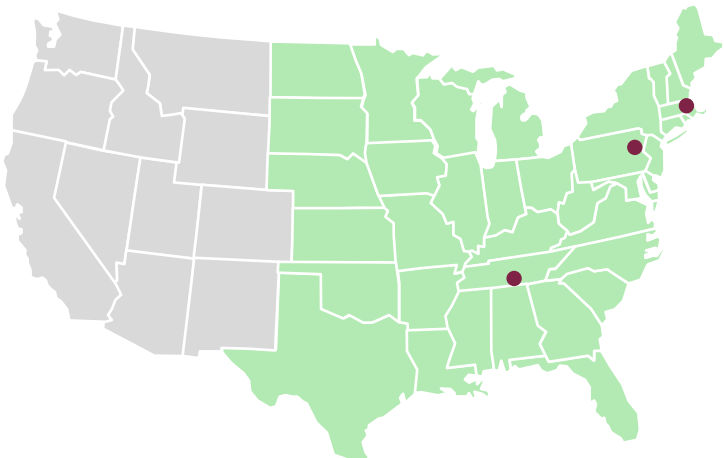
Little Leaf Farms was founded to transform our food system by growing better food in a better way. Taking inspiration from the best produce-growing systems in the world, we started developing our first 10-acre greenhouse in 2015 in Devens, MA to make this vision a reality through fresh, clean, sustainably grown, and better tasting leafy greens.

Today, we are the **largest indoor leafy greens grower in the world**, with 70 acres of greenhouses operating in Massachusetts, Pennsylvania, and Tennessee. With this capacity, we supply major grocery, mass merchandise, and foodservice channels throughout the Eastern US and Canada with fresh, crisp, leafy greens that are delivered in as little as 24 hours from harvest.

Over the past 10 years, Little Leaf Farms has become beloved among packaged salad consumers who appreciate the superior flavor, convenience, shelf life, safety, and sustainability that Little Leaf Farms products have to offer.

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# Two greenhouses in operation, one under construction, and distribution across the eastern and central U.S.



*Devens MA – 10 acres in production, constructed 2015-2020*





*Manchester TN – 20 acres, Sep 2026 commissioning*

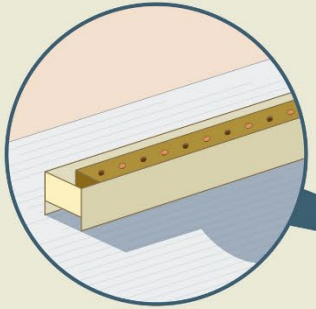


*McAdoo PA – 40 acres in production, constructed 2021-2025*

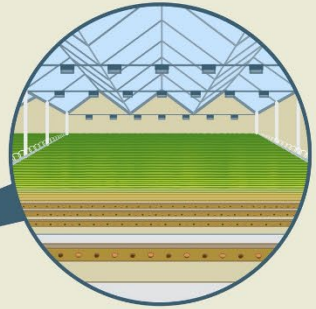
little leaf FARMS

little leaf FARMS

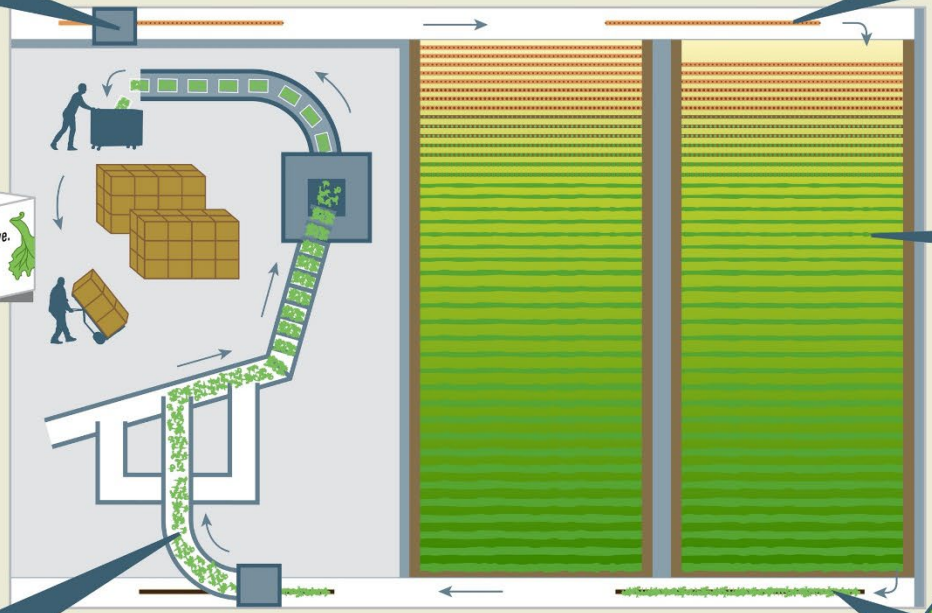
# HANDS-FREE GROWING

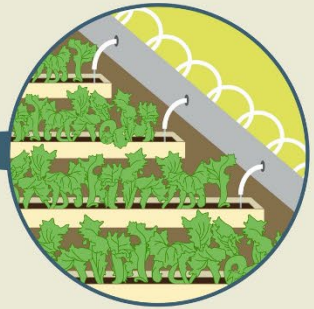


1. Seeds are planted



2. Gutter with seeds enters the Greenhouse by conveyer belt





3. Plants are nourished with natural sun and recycled rainwater for several weeks




6. Arrives at your local grocery store within 24 hours



5. Harvested lettuce is distributed into packages

4. Once lettuce is grown, it is transported by conveyer belt to be harvested



# Great technology + operations = Great products & great consumers



"I WILL NEVER BUY ANOTHER BRAND OF LETTUCE."
LLF FOR LIFE
~ SANDRA W.

"IT JUST CASUALLY STAYED FRESH ALL WEEK!"
LASTING CRUNCH
~ KELSEY D.

"YOUR LETTUCE & NEW SALAD KITS HAVE ABSOLUTELY CHANGED MY LIFE."
CHANGES LIVES
~ BETH T.

"ALWAYS FRESH, CRISP, AND CLEAN. IT'S OUR GO-TO FAVORITE!!"
TOP QUALITY GREENS
~ LESLEY Z.

little leaf FARMS

# Little Leaf Farms is the world's largest producer of hydroponic baby leaf leafy greens



### *Experienced builders*

8 greenhouses at 3 locations in MA, PA, and TN

### *Consistent operations*

Grow, pack, and ship 40+ million pounds per year

### *Commercial success*

4th largest brand in US, 3rd largest in Northeast, household name in New England

### *Robust financial backing*

Institutional investors, lending group led by Bank of America, $500m+ invested

### *Broad distribution*

8,000+ grocery stores, including Walmart, Target, Albertson's, Whole Foods

### *Strong (and tasty) results*

$250m/year revenue with 25%+ growth…
…and millions of families enjoying delicious products!

little leaf FARMS

# Little Leaf Farms has a strong team growing the company



**Paul Sellew**
Founder & CEO
30+ years of entrepreneurial and growing experience, Founder of Backyard Farms and Harvest Power. BS in Horticulture from Cornell University



**William Hogan**
Chief Financial Officer
20+ years of experience in private equity and strategic financial management at MPS, Bioclinica, and Certified Laboratories, Inc.



**Matthew Meisel**
Chief Development Officer
Financial management, business leadership and corporate strategy with Bain & Company and Harvest Power



**Tim de Kok**
Chief Growing Officer
30 years of multi-site greenhouse growing leadership across the U.S. and Canada, at Mastronardi and Windset Farms



**Chris Brown**
SVP Sales
20+ years of food sales and marketing experience at Advantage Solutions, across multiple categories



**Jed Sekaran**
EVP Operations & Construction
Scaled and optimized the largest leafy greens campus in North America. Former investor at Sycamore Partners; M&A advisory at Centerview Partners



**Lindsay Allain**
Chief Human Resources Officer
Accomplished executive, adept in strategically blending business operations and human resources strategy



**Fred Hendriks**
VP Construction
Former general manager of Devens campus; greenhouse equipment systems designer and installer

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# FULGHAM LAW, PLLC

MISCHELLE R. FULGHAM
Attorney at Law
Mischelle@fulghamlawpllc.com
Admitted in Idaho and Washington

October 8, 2026

Via Email: lduce@rathdrum.gov; jagidius@rathdrum.gov; and esmith@rathdrum.gov

Leon Duce, City Administrator
James Agidius, City Planner
Emily Smith, City Attorney
City of Rathdrum

*Re: Zoning Compliance Legal Opinion Letter – Little Leaf Farms, LLC – Food and Beverage Manufacturing as a Permitted Use in the Industrial Zone in the City of Rathdrum*

Dear Leon, James, and Emily:

This letter constitutes a formal land use legal opinion regarding the zoning status of Little Leaf Farms' proposed operations within the City of Rathdrum, Idaho. Enclosed is my legal analysis indicating the operations qualify as an outright permitted use within the Industrial (I) zoning district under the City of Rathdrum's Zoning and Permitted Uses Code, Title 15.

**Summary Opinion:** Based upon review and analysis, it is the opinion of this firm that Little Leaf Farms' operations constitute a Food and Beverage Manufacturer as that classification is used in the City of Rathdrum Zoning and Permitted Uses land use code, Title 15. Therein, Food and Beverage Manufacturer is enumerated as an outright permitted use in the Industrial (I) zone. Accordingly, no special use permit, conditional use permit, variance, or other form of discretionary approval is required for the use itself. Little Leaf Farms is entitled to ministerial approval upon satisfaction of applicable objective development standards.

In reaching this opinion, I reviewed and relied upon the following legal authorities: the City of Rathdrum Zoning and Permitted Uses Ordinance, Title 15; Land Use Table Section 15-5-3 Industrial Zone; the Idaho Local Land Use Planning Act (LLUPA), Idaho Code §§ 67-6501 through 67-6542; relevant Idaho Supreme Court and appellate decisions; and general principles of statutory and ordinance construction as applied by Idaho courts.

**SECTION I – FACTUAL BACKGROUND**

Little Leaf Farms is a controlled-environment agriculture (CEA) company that designs, constructs, and operates large-scale hydroponic greenhouse facilities for the commercial production, processing, and packaging of baby leaf lettuces and premium salad greens. The company's operations are conducted entirely indoors within purpose-built, climate-controlled greenhouse structures that utilize hydroponic growing systems, high-efficiency artificial lighting, precise environmental controls, and highly automated growing, harvesting, and processing equipment. Little Leaf Farms does not engage in field agriculture, soil-based cultivation, or any outdoor growing activities. The facility does not constitute a farm in the traditional agrarian sense.

The end product of Little Leaf Farms' operations is commercially packaged, branded, consumer-ready baby leaf lettuce and salad greens mixtures sold wholesale to grocery retailers, club stores, and foodservice distributors throughout the region. Products are packaged and labeled at the facility under

brand standards consistent with commercial food manufacturing practices and are subject to applicable food safety regulatory requirements.
Little Leaf Farms' proposed facility in Rathdrum is located within the City of Rathdrum's Industrial (I) zoning district. The complete cycle of operations, including growing, harvesting, packaging, labeling, and distribution staging for transport, would all occur at this facility. The scale of operations, the nature and scope of the required supporting physical infrastructure, the intensity of the anticipated use, and the commercial character of the enterprise are consistent with and typical of industrial food manufacturing operations.

## SECTION II – RATHDRUM ZONING CODE ANALYSIS

### A. Industrial Zone — Permitted Uses

The City of Rathdrum Zoning Code, Title 15, governs the use and development of land within the City's incorporated boundaries. Title 15 establishes a series of zoning districts, each with its own enumerated list of permitted uses, conditional uses, and prohibited uses. The Industrial (I) zone is such a district, designed and intended by the City to accommodate manufacturing, processing, warehousing, distribution, and related heavy commercial and industrial land uses that generate or are compatible with elevated levels of traffic, noise, utility demand, and operational intensity. It states as follows:

1. **I, Industrial District: T**he purpose of the I District is to provide for the location of **compatible commercial and light industrial and related uses** in an area where most residential uses are prohibited, and to make provisions for certain kinds of commercial uses to service these industries.

**a. Criteria: Industrial sites should be located according to the following criteria:**

**(1) At locations with access to sources of power, fuel and adequate transportation facilities including, but not limited to, rail and/or highway access;**
**(2) On sites with adequate area for existing facilities and future expansion;**
**(3) At locations which permit truck traffic and vehicle access** without overloading the capacity of arterials or highways or disruption of commercial centers or residential areas;
**(4) At locations where the necessary services of municipal water and sewer facilities, as well as fire and police protection can be provided;**
**(5) At locations with sufficient distance or manmade buffers and screening from residential areas;**
**(6) At locations which minimize the disruption to associated land uses due to noise, smoke, odor, electrical interference, traffic or other activities generated by an industrial area;**
(7) Industrial areas should comply with the goals and policies of the Rathdrum comprehensive plan.

**b. Principal Uses Permitted Outright: As designated by the Land Use Table (RCC 15-5-3).**

**Section 15-5-3: Land Use Table; City of Rathdrum, ID**

| ***Industrial and Manufacturing Uses:*** | R-1 | R-1A | R-1B | R-2 | R-2A | R-2S | R-2D | R-3 | R-3M | MR | MR-A | C-1 | C-2 | I | HI |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Asphalt Plant/Storage | x | x | x | x | x | x | x | x | x | x | x | x | x | x | P |
| Blast Furnace and Smelting | x | x | x | x | x | x | x | x | x | x | x | x | x | x | P |
| Manufacturing or Storage of Explosives | x | x | x | x | x | x | x | x | x | x | x | x | x | x | P |
| Food and Beverage Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | P | P |
| Meat Products Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | x | P |
| Dairy Products Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | P | P |
| Grain Milling Products and Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | x | P |
| Bakery Products Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | P * | P |
| Clothing/Textiles Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | P * | P |
| Wood Products Manufacturing except Lumbermills | x | x | x | x | x | x | x | x | x | x | x | x | x | P * | P |
| Sawmill | x | x | x | x | x | x | x | x | x | x | x | x | x | x | P |
| Millwood/Veneer/Plywood Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | P * | P |
| Furniture and Related Products Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | P * | P |
| Paving and Roofing Materials Manufacturing | x | x | x | x | x | x | x | x | x | x | x | x | x | x | P |

P = Use Permitted Outright

A = Accessory Use Permitted

C = Conditional Use Permitted

x = Use Not Permitted

* Industrial / Manufacturing Uses Identified above as "P" or "permitted" uses in the Industrial (I) Zoning District shall be limited to a maximum area 2000 sf of "primary use"; such limitation shall apply to the primary industrial/manufacturing use, but shall not limit associated storage or office space, etc.

Among the uses expressly enumerated as outright permitted uses within the Industrial zone is **"Food and Beverage Manufacturer."** The Land Use Table, Section 15-5-3, does not contain any * asterisk next to the "P" for the permitted use, so no restriction "to a maximum area 2000 sf" applies to the unmarked Food and Beverage category.

An outright permitted use, also referred to as a "permitted use" or "use by right" is one where the City of Rathdrum, has already made the legislative policy determination that the use category is appropriate and

compatible with the zoning district. No further discretionary review of the use's compatibility is necessary or authorized. The listing of Food and Beverage Manufacturer as an outright permitted use in the Industrial zone is therefore already established by the legislative finding by the City of Rathdrum that such operations are appropriate in that zone.

**B. Definition and Classification of "Food and Beverage Manufacturer"**

The City of Rathdrum Zoning Code does not provide a limiting or exclusive definition of "Food and Beverage Manufacturer" that would narrow its application. Accordingly, the term is to be given its plain and ordinary meaning as understood in common usage. *Evans v. Teton County*, 139 Idaho 71, 77, 73 P.3d 84, 90 (2003). Courts begin and, where the text language is clear, end the inquiry with the plain language of the ordinance.

In standard zoning practice and common usage, a "Food and Beverage Manufacturer" broadly encompasses any facility or enterprise engaged in the commercial production, processing, transformation, packaging, and distribution of edible products intended for human consumption. This classification includes, without limitation, canneries, commercial bakeries, bottling facilities, produce processing plants, dairy processors, and any other operation engaged in the commercial-scale production of packaged food products destined for wholesale or retail markets.

Little Leaf Farms' operations fit squarely within this classification. The company (1) grows edible leafy vegetable lettuce and specialty salad products in a controlled indoor environment; (2) harvests the edible leafy vegetable lettuce and specialty salad products using automated mechanical systems; (3) cools the lettuce to a temperature appropriate to pack and store it; (4) blends various varietals as necessary to meet finished product specifications, (5) to a small share of products, adds toppings to make salad kits; (6) packages the finished lettuce food product in branded consumer containers; (7) applies labeling in compliance with food safety regulations; and (8) stages and ships the finished, packaged food product to wholesale customers. Taken together or even individually, these activities constitute the commercial production, processing, and packaging of a food product.

It merits emphasis that Little Leaf Farms employs hydroponic, controlled-environment industrial technology rather than traditional soil-based farming. No human hands touch the food products at any time during the process. This industrial technology establishes the operation within the "Food and Beverage Manufacturer" classification. The transformative, processing, and packaging functions — producing, packaging, labeling — standing alone satisfy the definition of a food manufacturer. Hydroponic CEA is a well-established, commercially recognized form of food production; it is simply food manufacturing conducted with a vertically integrated growing process co-located within the manufacturing facility. The fully enclosed and machine controlled growing component does not make the operation an "agricultural use" in a zoning sense; instead, it is an integrated component of the food manufacturing process.

**C. Outright Permitted Use — No Discretionary Approval Required**

The legal significance of a use being designated as an "outright permitted use" is fundamental to land use and zoning law; and such a designation is fundamentally required in order for Little Leaf Farms to locate its project in the City of Rathdrum. Where a use is permitted by right, the governing body has already exercised its legislative judgment and determined, prospectively and generally, that the use is appropriate and allowed in that zone. A property owner or operator, such as Little Leaf Farms, seeking to establish an outright permitted use is entitled to ministerial approval, i.e., administrative issuance of building permits, site plan approval, and similar objective reviews, so long as the applicable objective development standards (such as setbacks, lot coverage, height limits, stormwater management, and utility connections) are satisfied.

No public hearing is required. No change in zoning is required. No special use permit application is required. No conditional use permit is required. No Planning and Zoning Commission hearing or City Council approval of the use is required. The identity and nature of the use for Food and Beverage Manufacturing has already been legislatively approved by virtue of its designation as a permitted use in the City's zoning code, Title 15 and Land Use Table 15-5-3.

## SECTION III – IDAHO LAND USE LAW ANALYSIS

### A. Idaho Local Land Use Planning Act (LLUPA), Idaho Code § 67-6501 et seq.

The Idaho Local Land Use Planning Act (LLUPA), codified at Idaho Code §§ 67-6501 through 67-6542, is the governing state-level framework under which cities and counties in Idaho adopt, administer, and enforce zoning ordinances and land use regulations. The City of Rathdrum's Zoning Code, Title 15, is enacted pursuant to and must be consistent with LLUPA.

Idaho Code § 67-6511 expressly authorizes cities to adopt zoning ordinances and to classify land uses as permitted, conditional, or prohibited within designated zoning districts. This statutory authority is the legal foundation for the City's designation of Food and Beverage Manufacturer as a permitted use in the Industrial zone. That legislative classification has the force of law and binds the City's officers.

Idaho Code § 67-6519 governs the application and approval process under LLUPA and draws a critical distinction between ministerial approvals, appropriate for outright permitted uses where objective standards are met vs. discretionary approvals, applicable to conditional or special uses where a governing body must exercise judgment regarding compatibility. Little Leaf Farms' use is an outright permitted use and therefore falls within the ministerial approval pathway. City staff and the Planning Department are not authorized to reclassify or redirect a permitted use into a discretionary approval process.

Idaho Code § 67-6535 further requires that any approval or denial of a land use application be based upon express standards, that is, objective criteria that can be evaluated on a yes-or-no basis, providing applicants with clear, advance notice of what is required pursuant to the Code. Idaho courts have interpreted this "express standards" requirement to prohibit imposition of vague or subjective conditions on land use approvals. This provision reinforces that an outright permitted use must receive ministerial approval when the objective development standards of the zone are satisfied; a City may not introduce discretionary compatibility analysis for a use that the zoning code has already approved by designation as a permitted use.

### B. Statutory Construction Principles

Under established Idaho rules of statutory, code, and ordinance construction, where the text of an ordinance is unambiguous, it must be given its plain and ordinary meaning without resorting to extrinsic interpretive aids. "Courts apply the same principles in construing municipal ordinances as we do in the construction of statutes." *Cunningham v. City of Twin Falls*, 125 Idaho 776, 779, 874 P.2d 587, 590 (Ct.App.1994) (citing *State v. Rol*l, 118 Idaho 936, 939 n. 2, 801 P.2d 1287, 1290 n. 2 (Ct.App.1990)); *Friends of Farm to Market v. Valley County*, 137 Idaho 192, 46 P.3d 9 (Idaho 2002). The law in Idaho is well established in applying the "plain-meaning rule" to municipal zoning ordinances.[1] The Rathdrum

[1] The Idaho Supreme Court has held that where a phrase is not defined in the Code, the ordinary rules of construction are to be followed. Statutes, codes, and ordinances are to be construed to give effect to the intent of the drafters. *See Idaho State Tax Comm'n v. Haener Bros., Inc*., 121 Idaho 741, 743, 828 P.2d 304, 306 (1992). Statutory interpretation always begins with an examination of the literal words of the statute. *Rim View Trout Co. v. Higginson*, 121 Idaho 819, 823, 828 P.2d 848, 852 (1992). When construing a statute, code, or ordinance, Courts give the language contained in the code, its plain, obvious and rational meanings. *Sweitzer v. Dean,* 118 Idaho 568, 572, 798 P.2d 27, 31 (1990). Words and phrases of a statute, code, or ordinance, are construed and interpreted according to context. *Kerley v. Wetherell*, 61 Idaho 31, 41, 96 P.2d 503, 508 (1939). See *Grand Canyon Dories v.*

Zoning and Permitted Uses Code's designation of "Food and Beverage Manufacturer" as a permitted use in the Industrial zone is unambiguous on its face; no limiting language qualifies the classification, and no definitional provision restricts its scope. Legislative zoning classifications (including permitted-use tables) are binding, and cities cannot impose additional or quasi-judicial review on permitted uses the zoning ordinance already allows.

Furthermore, Idaho courts have consistently recognized and applied the well-established legal principle that **zoning restrictions, as limitations on the free use of private property, are in derogation of common-law property rights and must therefore be strictly construed against the government and liberally in favor of the landowner's right to use property**. *Sprenger, Grubb & Associates v. City of Hailey*, 127 Idaho 576 (1995). Under this principle of liberal construction in favor of the landowner's right to freely use property, any ambiguity in the scope, interpretation, or application of Title 15's designation of the "Food and Beverage Manufacturer" classification must, as a matter of law, be resolved in favor of Little Leaf Farms' right to operate under the outright permitted use classification of Food and Beverage Manufacturing.

The ordinary meaning of "manufacturer" is one who makes or produces goods, particularly for commercial distribution. See Merriam-Webster's Dictionary; which also describes "manufacture" as "making something from raw materials by hand or by machinery" and "to make into a product suitable for use." Likewise, the Cambridge Dictionary defines "manufacture" as "the making of articles on a large scale using machinery; industrial production."

Little Leaf Farms "manufactures" that is, it makes, produces, and packages "food" products for commercial wholesale distribution. The enterprise unambiguously falls within the plain meaning of the term "Food and Beverage Manufacturer."

**C. Property Rights Protection Under Idaho Law**

Idaho Code § 67-6502(a) declares among the stated purposes of the LLUPA the goal of protecting real property rights "while making accommodations for other necessary types of development." This statutory mandate reflects the Idaho Legislature's recognition that local land use regulation must operate within the bounds of constitutionally protected real property rights. An interpretation of the Rathdrum Zoning and Permitted Uses Code that would require Little Leaf Farms to obtain a discretionary permit or conditional use permit for a use that is already designated as an outright permitted use, would directly contravene this statutory purpose and violate constitutional real property rights. Such an interpretation would impair Little Leaf Farms' real property rights without any lawful basis in the City's Code and would expose the City to potential liability under both state law and constitutional principles. The Idaho Supreme Court, in *Evans v. Teton County*, 139 Idaho 71 (2003), affirmed that zoning authorities are required to apply expressly stated, objective standards when reviewing permitted uses. The government cannot impose discretionary conditions or requirements on land uses that are permitted by right in the applicable zoning district. To do so would be inconsistent with *Evans*, LLUPA, and the body of Idaho land use jurisprudence.

**SECTION IV – APPLICATION OF LAW TO FACTS**

Applying the foregoing legal analysis to the facts of Little Leaf Farms' operations, the conclusion is clear and unambiguous.

First, Little Leaf Farms **produces food products,** specifically, commercially grown baby leaf lettuces and specialty salad greens cultivated in a controlled-environment agricultural greenhouse. The product is an

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*Idaho State Tax Com'n*, 855 P.2d 462, 466, 124 Idaho 1, 5 (1993).

edible food item intended for human consumption and sold commercially.

Second, Little Leaf Farms **processes those food products** at the facility by harvesting, cooling, and blending the product in industrial-scale food processing systems. These are the same fundamental processing operations that occur at any food manufacturing and processing facility.

Third, Little Leaf Farms **packages, transports, and distributes** the finished product commercially, by applying branded consumer packaging and labeling, and shipping to wholesale grocery and foodservice customers. Packaging and distribution are hallmarks of the manufacturing use classification.

Collectively and individually, these three operational categories — **production, processing, and distribution of packaged food products** — constitute the operation of a Food and Beverage Manufacturer as that term is used in the City of Rathdrum Industrial zone and in its Land Use Table of Permitted Uses at Title 15-5-3. There is no reasonable alternative classification that more accurately describes Little Leaf Farms' enterprise, and no basis exists in the Rathdrum Zoning and Permitted Uses Code or in Idaho law to exclude Little Leaf Farms from this classification on account of its use of hydroponic or controlled-environment growing technology.

The use is an outright permitted use in the Industrial zone. Little Leaf Farms need only comply with applicable objective development standards, such as setback requirements, building height limits, lot coverage ratios, utility connection standards, infrastructure adequacy elements, and stormwater management regulations which are enforced through ministerial building permit, site plan review, and the City's adequacy of facilities analysis under Title 11. No special use permit, variance, conditional use permit, Planning and Zoning Commission hearing, or City Council approval is required for the permitted use itself. Any suggestion that Little Leaf Farms should be required to seek a rezone, a conditional use permit, or a special use permit for its operations would be contrary to the plain text of the Rathdrum Zoning and Permitted Uses Code, the requirements of LLUPA, the principles of Idaho statutory construction, Idaho case law, and the constitutional protections afforded to real property owners under Idaho law. Controlled-environment agriculture is a modern, established, and recognized form of food manufacturing. An interpretation that would treat it as something other than food manufacturing, and thereby require additional discretionary approval, would be inconsistent with every applicable legal authority.

**SECTION V – CONCLUSION AND FORMAL LEGAL OPINION**

Based upon legal review and analysis of the City of Rathdrum Zoning and Permitted Uses Code (Title 15), the Land Use Table Title 15-5-3, the Idaho Local Land Use Planning Act (Idaho Code §§ 67-6501 through 67-6542), applicable principles of statutory and ordinance construction, and relevant Idaho Supreme Court decisions including *Sprenger, Grubb & Associates v. City of Hailey*, 127 Idaho 576 (1995), and *Evans v. Teton County*, 139 Idaho 71 (2003), it is the formal legal opinion of this firm and the undersigned legal counsel, that:

**1.** Little Leaf Farms' proposed operations, consisting of the controlled-environment hydroponic growing, producing, harvesting, blending, packaging, labeling, transporting, and the commercial distribution of baby leaf lettuce and specialty salad greens, constitute Food and Beverage Manufacturing as that use classification is designated in the City of Rathdrum Zoning and Permitted Uses Code, Title 15, "Industrial (I)", and Land Use Table 15-5-3.

**2.** Food and Beverage Manufacturing is an outright permitted use in the City of Rathdrum Industrial (I) zoning district. Little Leaf Farms is therefore entitled to ministerial approval of its building permit and site plan applications, subject only to compliance with applicable objective development standards, site

plan review, and adequacy of facility compliance under Title 11.

**3.** No special use permit, conditional use permit, variance, fun, or other form of discretionary approval is required for the use itself. No Planning and Zoning Commission hearing or City Council approval of the permitted use is required or authorized.

**4.** Any administrative interpretation or action purporting to require discretionary approval for Little Leaf Farms' operations would be contrary to the text of the Rathdrum Zoning and Permitted Uses Code, its Land Use Table, the statutory requirements of LLUPA, and applicable Idaho land use law.

Very truly,

*/s/ Mischelle R. Fulgham*
MISCHELLE R. FULGHAM
Attorney at Law

Enc. Title 15 Land Use Table
cc: clients, JUB

# MEMORANDUM

DATE: October 9, 2026

TO: Alexander MacFarlene, Matthew Meisel, Little Leaf Farms

CC:

FROM: J-U-B Engineers

SUBJECT: CEA Facility Zoning Research in Idaho/Washington

## Executive Summary

In many jurisdictions, it is an established practice across Washington and Idaho to site Controlled Environment Agriculture (CEA) operations within industrial zones. This zoning alignment is driven by the fact that modern, large-scale CEA facilities operate at an industrial intensity rather than a traditional agricultural intensity. When looking at where to place these types of facilities for the purpose of municipal or county code interpretation, an automated, indoor CEA facility should be classified under the umbrella of a "food or beverage manufacturing/production facility". Because these operations rely on highly structural, enclosed, and mechanical processing systems, they exhibit the exact operational characteristics, utility loads, and logistical footprints typical of light-to-heavy industrial manufacturing plants.

## Land Use Character: Industrial vs. Agricultural Intensity

Traditional open-field agriculture relies on low-density land use, seasonal crop cycles, and passive natural resources. Conversely, CEA facilities utilize highly engineered, automated configurations operating continuously inside warehouse envelopes. This creates an industrial-scale operational profile defined by specific impacts that require industrial zoning containment:

- **Manufacturing-Scale Infrastructure:** Enclosed facilities require industrial boiler systems, substrate compounding/sterilization machinery, intensive daily water access, and advanced structural wastewater recycling setups.

- **Heavy Industrial Utility Demands:** Continuous power demands (high-voltage, three-phase power grids) and heavy mechanical HVAC infrastructure to maintain strict, year-round indoor microclimates.
- **Freight and Distribution Logistics:** Heavy freight shipping logistics, multi-bay loading docks, packaging lines, and constant distribution patterns that mirror food processing and fulfillment centers.
- **24/7 Enclosed Nuisance Profiles:** Round-the-clock artificial lighting arrays and continuous climate-filtration fans generate structural footprints that must be 100% contained within the structure to protect adjacent properties.

Because these attributes align precisely with the planning objectives of most planning jurisdictions to route heavy infrastructure and logistics away from residential boundaries, most local planning frameworks suggest treating automated indoor vertical farming, commercial hydroponics, and indoor mushroom production as enclosed manufacturing plants rather than standard farming.

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**Case Studies: CEA as Industrial Manufacturing**

The following case studies provide multiple examples where municipalities categorize high-intensity CEA facilities as industrial manufacturing or food processing uses:

**A. City of Boise, ID (Basidia Farms & Greenscale)**

Under the City of Boise's Zoning Ordinance (Title 11), highly automated indoor vertical farming, hydroponics, and integrated aquaponics are categorized under Light Manufacturing, Assembly, and Processing, rather than standard open-air agriculture. This is because their operational impacts—such as high heavy-power demands, advanced wastewater recycling, HVAC loops, and indoor structural setups—align directly with industrial standards.

- **Basidia Farms** is sited within the **Light Industrial (I-1) zone**: Designed to accommodate manufacturing, processing, and assembly activities that generate negligible external impacts (odor, smoke, or intense vibration) outside the structural boundary.

- **Greenscale** is located in the **Technology District (I-3) with an Airport Influence Overlay (AI-O):** Appended to parcels along South Federal Way (where Greenscale's facility is annexed). It prioritizes high-tech commercial production and advanced environmental resource management while limiting standard residential sprawl.

**Boise Industrial Allowed Use Matrix**

The city regulates how agricultural processing transitions into structural manufacturing through its zoning district matrices:

| Use Category | Light Industrial (I-1) | Heavy Industrial (I-2) | Open/Ag Land (A-1) |
|---|---|---|---|
| **Indoor Manufacturing / Processing** | Permitted by Right (P) | Permitted by Right (P) | Not Allowed (N) |
| **Commercial Food & Packaging Plant** | Permitted by Right (P) | Permitted by Right (P) | Conditional Use (CUP) |
| **Traditional Open-Field Crop Agriculture** | Permitted by Right (P) | Permitted by Right (P) | Permitted by Right (P) |

*The city's matrix confirms that while indoor manufacturing and food packaging plants are permitted by right in industrial zones, they are strictly prohibited or heavily restricted on open agricultural land.*

**B. Teton County, ID (Morning Dew Mushrooms)**

Felt, Idaho is an unincorporated community governed directly by the **Teton County Land Development Regulations**. Because Morning Dew Mushrooms expanded from a residential hobby into a massive, year-round indoor commercial production scale that ships interstate, its manufacturing layout falls into Teton County's commercial-industrial overlay rules. A link to the county's Land Development Code: Teton County, ID. Specifically, the use-table can be found on page 3-17 (pg. 22 of the actual document).

- **Light Industrial (LI) / M-1 Designation:** This zone provides a location for processing, sorting, intense climate-controlled cultivation, and freight logistics while protecting surrounding agricultural land from heavy pollution.
- **Indoor Agriculture vs. Traditional Rules:** Teton County explicitly differentiates traditional open-land farming (which is protected by right in the primary Agriculture zones) from industrial-scale indoor operations that require boiler systems, substrate sterilization, mechanical heavy-freight handling, and intense daily water access.

**Teton County Development Standards Matrix**

To maintain an indoor manufacturing footprint in the Teton Valley, structures must comply with specific industrial dimensional limitations:

| Standard Regulation Type | Light Industrial (LI) Specification | Agricultural (A-20) Baseline |
|---|---|---|
| **Primary Structural Purpose** | Commercial Warehousing & Processing | Open Space, Crop Production & Livestock |
| **Minimum Lot Setbacks** | Front: 30 feet / Rear: 20 feet | Front: 50 feet / Rear: 50 feet |
| **Nuisance Mitigation** | Must be 100% contained within structure | Standard Right-to-Farm protections apply |

**C. City of Sunnyside, WA (Windmill Farms)**

In Washington State, CEA facilities are often located within industrial zones, as well. For example, the property housing Windmill Farms, a Dutch-Style Mushroom Grower, is located on Port of Sunnyside property. The Port, and this facility, are located within the municipal boundaries of, and is governed by, the Sunnyside Municipal Code (SMC) Title 17. Due to continuous, industrial-scale agricultural processing, substrate compounding, and large-scale controlled-environment operations, the facility falls under heavy industrial regulations.

- **Heavy Industrial (M-2) Designation:** This zone is designated for intensive manufacturing, food processing, and major logistical operations. It consolidates high-impact utility and freight demands within designated industrial corridors to protect surrounding urban districts.
- **Industrial vs. Residential Agriculture:** The municipality differentiates low-density traditional agriculture from intensive, mechanized indoor processing facilities. Operations requiring continuous indoor mechanical ventilation, large-scale substrate production, or specialized wastewater pre-treatment must locate within the M-2 heavy industrial district.

**Sunnyside Development Standards Matrix**

| Standard Regulation Type | Heavy Industrial (M-2) Specification | Urban Residential Agriculture (URA) Baseline |
|---|---|---|
| **Primary Structural Purpose** | Heavy Manufacturing & Resource Processing | Low-Density Crop & Tree Farming |
| **Minimum Lot Setbacks** | Front: 20 feet / Side & Rear: 0 feet *(15 ft if abutting residential)* | Front: 25 feet / Side: 15 feet / Rear: 25 feet |
| **Nuisance Mitigation** | Must comply with industrial performance standards | Standard agricultural protections apply |

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**Supporting Industrial Market Trends**

In addition to these facilities and jurisdictions, the following Idaho counties and cities allow for CEA facilities to locate in industrial zones:

**1. City of Twin Falls, ID**

- **Zoning Classification: Light Industrial (M-1) / Heavy Industrial (M-2)**

- **Code Application:** Twin Falls permits commercial food manufacturing, packaging, and agricultural-related processing by right in its industrial areas. Because of the heavy food processing infrastructure in the Magic Valley, enclosed commercial food production facilities are processed under standard industrial-use categories to manage high water usage, heavy infrastructure, and distribution needs.

**2. City of Nampa, ID**

- **Zoning Classification: Light Industrial (IL) / Medium Industrial (IP)**
- **Code Application:** Nampa utilizes a comprehensive land-use matrix where "Agricultural Products Processing" and enclosed architectural manufacturing are permitted by right in Light Industrial zones. If a CEA facility utilizes advanced automated systems for high-output growth and packing inside a warehouse footprint, it falls neatly under the IL processing standards.

**3. Kootenai County, ID (Unincorporated Areas)**

- **Zoning Classification: Light Industrial (LI) / Industrial (I)**
- **Code Application:** Kootenai County allows agricultural support services, intense greenhouse cultivation, and commercial indoor agricultural processing within its Light Industrial boundaries. This zoning accommodates regional freight corridors along the Panhandle while keeping enclosed structural nuisances (such as round-the-clock artificial lighting arrays or mechanical climate filtration) insulated from standard residential areas.

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**City of Rathdrum: Site Plan Approval and Adequate Public Facilities**

Commercial and industrial developments seeking site plan approval in the City of Rathdrum are required to enter into a Development Agreement and a Construction Improvement Agreement. Additionally, the City's recently adopted Title 11 (Adequate Public Facilities) establishes requirements to ensure that public infrastructure and municipal services are adequate to serve proposed development before approval is granted.

Collectively, the site plan review process, Development Agreement, Construction Improvement Agreement, Adequate Public Facilities Checklist, and supporting technical documentation provide the City with assurance that adequate public facilities exist, or will be provided, to support the proposed development and its intended land use.

**Conclusion**

A Controlled Environment Agricultural (CEA) facility operates as a food manufacturing plant, not a farm. The mechanical complexity, utility consumption, traffic generation, and total containment of the crop within a building envelope meet every benchmark of an industrial use. Siting the facility within an industrial zone under a "food manufacturing/production" classification is entirely consistent with regional zoning trends and long-standing regulatory precedents.

Furthermore, any necessary mitigations or project-specific conditions required to site the facility as proposed will be formally addressed and mitigated through existing City of Rathdrum regulatory frameworks. Specifically, the City's established administrative mechanisms, such as the newly implemented Title 11 Adequate Public Facilities controls, formalized Developer Agreements, and Construction Improvement Agreements, provide the legal authority and procedural path necessary to identify, manage, and mitigate specific infrastructure and environmental impacts associated with the development.

**Reference Directory: Code Sources & Portals**

The following links are provided for more specific information regarding these facilities and regulations:

**Facility Links & Jurisdictional Data**

| Facility Name | Location / Jurisdiction | Primary Zoning Classification | Official Digital Presence |
|---|---|---|---|
| **Basidia Farms** | Boise, ID | Light Industrial (I-1) | Basidia Farms Official Website |
| **Greenscale** | Boise, ID | Light Industrial / Tech (I-1 / I-3) & AI-O | Greenscale Official Website |
| **Morning Dew Mushrooms** | Felt (Teton County), ID | Light Industrial (LI) / M-1 Overlay | Morning Dew Mushrooms Official Website |

**Jurisdictional Codes & Matrices**

- **Boise, ID:** City of Boise Title 11 Zoning Ordinance
- **Teton County, ID:** Teton County Land Development Regulations *(Zoning Use-Table on page 3-17)*
- **Twin Falls, ID:** Twin Falls City Code Title 10, Chapter 7: Industrial Districts
- **Nampa, ID:** Nampa Municipal Code Title 10, Chapter 16: Industrial Districts Matrix
- **Kootenai County, ID:** Kootenai County Land Use Ordinance Title 8, Chapter 2: Industrial Zones
- **Sunnyside, WA:** Sunnyside Municipal Code Chapter 17.60 M-2 – HEAVY INDUSTRIAL ZONE

LETTER OF AUTHORIZATION

I, Ted Hermann, as the authorized representative of Avista Corporation ("Avista"), hereby authorize Little Leaf Farms, LLC, and its representatives, agents, attorneys, consultants, and experts (collectively, "Little Leaf Farms"), at its sole cost and expense, to prepare, file, submit, and present, an Appeal of Administrative Determination to the City of Rathdrum (the "Appeal") arising from or related to the City's land use, planning, zoning, permitting, or development decisions affecting or concerning property or interests associated with Little Leaf Farms' proposed development on Avista's real property located in the City of Rathdrum, Idaho near the northwest corner of Greensferry and Lancaster Roads, APN R00000028770 and APN R300002006AA in Kootenai County, Idaho.

This authorization includes the authority to submit all notices of appeal, applications, supporting materials, correspondence, evidence, and other documents necessary to initiate and pursue such appeal before the City of Rathdrum, its City Council, or any other administrative body with jurisdiction over the appeal. Little Leaf Farms shall provide Avista with copies of all public comments, submissions, or filings in furtherance of the Appeal, prior to submitting or filing, if practicable, but in no event later than the date of such filing or submission.

Avista acknowledges and consents to Little Leaf Farms acting as Avista's authorized agent solely for the purpose described herein.

This authorization shall remain effective until conclusion of the appeal proceedings unless earlier revoked in writing. Such revocation shall be effective upon transmittal, unless otherwise stated.

DATED this 2nd day of ~~October,~~ November 2026.

AVISTA CORPORATION

By: _____
Name: Ted Hermann
Title: Real Estate Manager.

BRIANA STOCKDALE
NOTARY PUBLIC
COMMISSION EXPIRES
25020245
MAY 29, 2029
STATE OF WASHINGTON

STATE OF WASHINGTON )
) ss.
COUNTY OF SPOKANE )

On this 2nd day of ~~October~~ November, 2026, before me, the undersigned, a Notary Public in and for said State, personally appeared Theodore Hermann, known or identified to me to be the Real Estate Manager of Avista Corporation, and the person who executed the foregoing instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

_____
Notary Public for Washington
Residing at: Coeur d'Alene, ID
My Commission Expires: 5/29/2029

**EXHIBIT C**

*City of Rathdrum*
8047-1 W Main Street
Rathdrum, ID 83858-6476

**Legal Department**
City Hall (208) 687-0261

**LEGAL MEMORANDUM**

**To:** Rathdrum Mayor and City Council
**Subject:** Little Leaf Farms Administrative Appeal: Interpretation of "Food and Beverage Manufacturer" in the Industrial Zoning District
**Prepared by:** City Attorney Emily Smith
**Date:** November 5, 2026

**Recommendation**
I recommendation that Council affirm the Planning Director's October 23, 2026 determination.

The appellant's construction should be rejected because it creates an unreasonable and potentially absurd result, while also rendering the City code's express Agriculture classification, including horticulture and crop raising, ineffective whenever agricultural production is paired with downstream food processing.

Little Leaf's proposed facility contains two distinct categories of activity, to which they themselves have admitted to when they indicated to staff at a meeting that they intended to apply to the state for an agricultural exemption for the first activity described below:

1. **Growing lettuce**: an agricultural use because it is the production of a raw product qualifying it has horticulture and crop raising per the USDA's definition; and
2. **Post-harvest handling**: cooling, blending, adding toppings, packaging, labeling, storage, and distribution, which may be categorized as food-manufacturing or related industrial zone permitted uses.

The fact that Little Leaf intends to perform these activities as part of one vertically integrated business does not change the classification of lettuce cultivation as an agricultural use.

Under current City code, "Food and Beverage Manufacturing" is a permitted use in the Industrial zone. However, uses that qualify as "Agriculture" are not permitted in any zone, except for in a residentially zoned limited capacity.

**Council's Role in this Appeal**
In an administrative appeal, Rathdrum City Code directs Council to consider "the purpose and intent, as well as the language and the city attorney's legal interpretation, of pertinent provisions".

Council must affirm, modify, or reverse the determination given by the City Planner within forty days after the hearing.

The question before the Council is not whether controlled environment agriculture is a desirable business model or whether Little Leaf's overall operation qualifies a manufacturing use. The City Planner has already determined that the proposed uses within Category #2 above qualify as permitted manufacturing uses. The question is whether the City's existing code permits the proposed uses within Category #1 above, the on-site cultivation of lettuce, in the industrial zone. Council's decision on their interpretation of current City code will establish how staff applies the existing distinction between future proposed uses that will fall within food and beverage manufacturing, as well as other manufacturing categories where vertical integration of raw products is proposed, as well as what then qualifies as distinctly an agricultural use. This is not a legislative amendment of the code; however, the interpretation adopted by Council will guide staff's future application of the same or similar code provisions unless Council later amends them.

**City Code Supports the Planning Director's Interpretation**

1. **The term "Agriculture" within the City's land use code expressly includes uses such as horticulture and raising crops.**

RCC § 15-3-2 defines "Agriculture" to include:

> *"The tilling of soil, horticulture, floriculture, forestry, viticulture, raising crops, livestock, farming, dairying and animal husbandry including all uses customarily accessory and incidental thereto…"*

The code section above does not limit Agriculture to outdoor, soil-based, manually operated, or conventional farming. It clearly identifies "horticulture" and "raising crops" as agricultural activities.

Little Leaf proposes to produce a raw food product by growing lettuce from seed or plant through harvest in large greenhouse structures. That is plainly crop raising. It is also horticulture.

The applicant's own specialty-crop material from the USDA, attached hereto, defines horticulture as the agricultural practice of growing plants for food and identifies vegetable production as a horticultural specialization. The same material specifically lists lettuce as a vegetable. Thus, the material Little Leaf relies on supports, not undermines, the City's conclusion that growing lettuce is horticulture.

2. **The technological method by which Little Leaf plans to grow the lettuce does not change the crop production into a manufacturing use.**

Little Leaf includes that its operation that it will use hydroponics, climate-controlled greenhouses, artificial lighting, automation, and mechanical harvesting and processing systems to grow the lettuce. Those features may affect the scale, efficiency, need for a workforce, need for certain inputs such as water, sunlight, and fertilizer, and intensity of the operation, but they do not change the activity of growing lettuce into something other than horticulture or crop raising.

Neither the City's definition of "Agriculture" included above, nor the USDA's meaning of "horticulture" turns on whether crops are grown in soil, outdoors, manually, with certain equipment, or in some other traditional production way.

Idaho statutory definitions of Agriculture, as referenced in the City Planner's determination, similarly recognize growing, harvesting, and producing horticultural and vegetable crops as agricultural production, while separately recognizing processing and packaging as later activities. Those definitions are not controlling City zoning definitions, but they reinforce the ordinary distinction the Planning Director applied.

3. **Little Leaf's proposed facility clearly has separate land use components.**

As stated at the beginning of the memo, the City Planner did not conclude that Little Leaf is not engaged in food manufacturing. The determination recognizes that the proposed cooling, blending, topping, processing, packaging, labeling, storage, and distribution functions may be compatible with permitted Industrial zone uses.

The City's interpretation is instead that the project includes distinct categories:

1. **Growing lettuce**: an agricultural use because it is the production of a raw product qualifying it has horticulture and crop raising per the USDA's definition; and
2. **Post-harvest handling**: cooling, blending, adding toppings, packaging, labeling, storage, and distribution, which may be categorized as food-manufacturing or related industrial zone permitted uses.

Little Leaf's position is that Council must treat and review the entire operation as one manufacturing use because growing is a step in producing a finished packaged salad product. That interpretation is not supported by the Code.

A business may integrate multiple activities, but economic integration does not eliminate land use distinctions when applying City code to those activities. For example:

- A local restaurant cannot establish commercial crop production on their restaurant parcel merely by characterizing growing vegetables as a preliminary step in preparing meals.
- A local truss manufacturer cannot establish tree growing, logging, or lumber milling on their truss business parcel merely by describing those activities as preliminary steps in manufacturing trusses.
- A bakery's bread-making process does not automatically include the authority to grow wheat on the bakery store's parcel.
- A brewery's beer-making process does not automatically include the authority to grow barley or hops on the parcel.

The question is not whether an activity or use contributes to the final commercial product. The question is whether that activity or use is permitted under the applicable zoning classification. Interpreting the City's permitted land use code to include those uses that are preliminary steps for a permitted use would clearly produce an inconsistent and absurd result.

4. **Little Leaf's agricultural exemption position supports the City's interpretation.**

The record reflects that Little Leaf informed City staff that it intended to construct approximately twenty acres of greenhouse structures under the state agricultural building exemption. While, the applicant's stated intent to use an agricultural exemption is not legally dispositive of the zoning issue because different laws serve different regulatory purposes, it is, however, persuasive evidence that Little Leaf itself recognized the two distinct land use components in its proposal and that the lettuce growing component is agricultural in character.

Little Leaf cannot reasonably ask to characterize the greenhouse component as agricultural for purposes of a state agricultural building exemption while arguing that the same component cannot be evaluated separately as Agriculture for purposes of the City's zoning ordinance. The City Planner properly considered the proposed agricultural exemption as additional support for the conclusion that the lettuce growing component is a distinct agricultural use.

5. **The City's interpretation is consistent with the code as a whole and the Comprehensive Plan**

The City should interpret its ordinances and other adopted materials as a whole.

The City Planner's interpretation included a review of the relevant ordinances including:

- the Code's express definition of Agriculture, including horticulture and crop raising; and
- the Industrial district's allowance for food-and-beverage manufacturing.

The alternative interpretation would effectively make horticulture and crop raising disappear as separate agricultural classifications whenever crops are grown indoors, mechanically, hydroponically, or in connection with downstream processing, which would be inconsistent with the existing definition of "Agriculture".

Furthermore, in trying to ascertain Council's intent, the City Planner reviewed, and remained consistent with, the City's Comprehensive Plan. Goal II-M supports the maintenance of existing agricultural activity; it does not identify a policy to establish new large-scale agricultural production operations within City limits or in the Industrial district. While the code remains the controlling legal authority in this determination, the Plan nevertheless supports the conclusion that the existing code was not intended to permit new agricultural production in the Industrial district merely because the product is processed or packaged on-site.

**Response to the Appeal**

The submitted appeal included several statements to which a response is provided below.

1. **"Food and Beverage Manufacturer" is a permitted use.**

The City agrees with the appeal in this regard, however, it does not resolve the appeal. The City agrees that post-harvest processing and packaging may be food-manufacturing activities. The issue is whether the growing of lettuce is also a permitted food manufacturing activity. The City code answers that question by defining horticulture and crop raising as Agriculture.

2. **The City cannot separate individual stages of Little Leaf's process.**

The City may classify distinct activities occurring within an integrated operation. Nothing in the Code requires the City to disregard crop cultivation merely because the crop is later processed at the same site. The contrary interpretation would allow any otherwise agricultural activity to be recast as manufacturing simply by adding a processing or packaging component.

3. **Hydroponic growing is not "traditional agriculture."**

The City Code does not restrict Agriculture to traditional methods. It includes horticulture and raising crops without regard to technology, location within a structure, soil use, automation, or other production methods.

4. **The City Planner did not add a restriction not found in the Code.**

The City Planner did not create a new restriction. The Planner applied the existing Agriculture definition. It is Little Leaf's interpretation that would add an unstated exception: that horticulture and crop raising are no longer Agriculture if they are enclosed, mechanized, hydroponic, or connected to manufacturing.

5. **Property-rights principles require approval.**

General principles favoring property rights do not create a vested right to conduct a use that the City Code does not permit. Further, Avista, not Little Leaf, is the property owner. The present record does not identify an approved building permit, development agreement, or other municipal land-use entitlement that could establish a vested right to conduct the proposed greenhouse crop-production use.

Council need not decide any private leasehold or contractual rights between Little Leaf and Avista. It is sufficient that no vested City entitlement for the proposed agricultural use has been established in this appeal record.

**Consequences of Little Leaf's Interpretation**

In its decision on this appeal, Council should consider the practical consequences of the requested interpretation and the resulting precedent that Council will be setting.

If raw food production qualifies as "Food and Beverage Manufacturing" whenever it is enclosed, mechanized, integrated with processing, or part of a larger food-production system, future applicants could assert that the Industrial zone permits:

- Dairy animal operations paired with milk processing;
- Poultry operations paired with egg processing or prepared-food production;
- Livestock or swine operations paired with meat processing;
- Aquaculture operations paired with seafood processing;
- Large-scale mushroom or other crop-production facilities paired with packaging; and
- Other forms of primary agricultural production coupled with downstream processing.

Council need not determine whether each example would ultimately qualify under the Code at this time. However, the issue is that Little Leaf's interpretation would substantially blur, and potentially eliminate, the existing distinction between raw agricultural production and food manufacturing.

If Council wishes to allow controlled environment agriculture, hydroponic growing, or large-scale greenhouse crop production in the Industrial zone, Council can and should do so through a legislative code amendment, rather than by interpreting "Food and Beverage Manufacturer" to encompass activities that the existing Code expressly identifies as Agriculture. This process was suggested by staff to Little Leaf, who chose to not pursue a code amendment request at this time. That process would allow the City to define the use, select appropriate zoning districts, and adopt tailored standards for infrastructure, water, lighting, traffic, noise, screening, building scale, and other impacts.

**Conclusion**

The City Planner correctly determined that Little Leaf's proposed greenhouse cultivation of lettuce is Agriculture under existing City code because it is horticulture and crop raising. The growing component remains agricultural even though it is modern, automated, indoor, hydroponic, enclosed, and/or integrated with subsequent food processing activities that may qualify separating as manufacturing uses.

Council should affirm the City Planner's October 23, 2026 determination.

# USDA Definition of Specialty Crop

The purpose of this document is to facilitate coordination among the various US Department of Agriculture (USDA) agencies with programs that address the needs of specialty crop producers, handlers and processors. Although a common definition of specialty crops across these agencies is desirable for USDA stakeholders and customers, it is also recognized that the mission of each agency is unique and so the application of a common definition might vary. It is also recognized that individual states may wish to modify the definition used by USDA to satisfy local or regional needs. The agencies involved in this effort were the Agricultural Marketing Service (AMS), the National Institute of Food and Agriculture (NIFA), the Foreign Agricultural Service (FAS), the National Agricultural Statistics Service (NASS), the Office of the Chief Economist (OCE), U.S. Forest Service (FS), the National Resource Conservation Service (NRCS) and the Risk Management Agency (RMA).

Specialty crops are defined in law as "fruits and vegetables, tree nuts, dried fruits and horticulture and nursery crops, including floriculture." This definition, although more exact than previous legal definitions, leaves a certain amount of latitude in interpretation. Fruits, vegetables, tree nuts, nursery crops and floricultural crops are all considered to be horticultural crops. Regardless, the specific mention of these crop groups means that plants so classified automatically qualify as specialty crops. Where interpretation is needed is in which plants, not specifically mentioned in legislation, can be classified as horticulture (sic) crops.

## Horticulture Defined

Horticulture is defined as that branch of agriculture concerned with growing plants that are used by people for food, for medicinal purposes, and for aesthetic gratification. Horticulture is divided into specializations. The terms used to describe these specializations derive from millennia of common usage and are sometimes at odds with botanical nomenclature. For example, vegetables are described as herbaceous plants of which some portion is eaten raw or cooked during the main part of a meal. Fruits, for horticultural purposes, are described as plants from which a more or less succulent fruit or closely related botanical structure is commonly eaten as a dessert or snack. By these definitions, plants such as tomato, squash and cucumber are considered vegetables despite the fact that the edible portion is defined botanically as a fruit. The delineation of plants by common usage was legally established in 1893 by the unanimous U.S. Supreme Court decision in the case of Nix vs. Hedden.

Over the last 60 years, agriculture, including horticulture, has become increasingly reliant on science and technology to maintain profitable production. The scientific study of horticulture is divided into various sub-disciplines. Pomology is defined as that branch of horticulture dealing with fruit and tree nut production. Fruit production includes the so-called tree fruits; such as apple, peach, and orange, and small fruits; such as strawberry, blueberry, and raspberry. Olericulture is defined as that branch of horticulture dealing with the production of vegetables and herbs. Floriculture is that branch of horticulture

dealing with the production of field-grown or greenhouse-grown plants for their flowers or showy leaves. Environmental horticulture is that branch of horticulture that deals with the production of plants for ornamental use in constructed environments, both indoors and outdoors.

There are many facets to environmental horticulture. Nursery production involves growing plants under intensive management for use in another location. Nurseries are defined in a variety of ways: a) the type of plant grown, such as fruit tree, turf or Christmas tree nurseries; b) the function of the nursery, such as production, wholesale, retail, mail-order or landscape nurseries; and c) the production system, such as field-grown or container-grown. Landscape horticulture involves the design, installation, and maintenance of both outdoor and indoor environments. Public horticulture involves the design and maintenance of arboreta, public gardens, parks, and athletic facilities. Horticultural therapy involves the use of horticultural plants to improve the condition of people with physical, intellectual or emotional disabilities. Horticultural therapy also includes the use of plants in hospitals and other medical facilities to ease the pain and suffering of patients. Home horticulture involves the use of horticultural plants as a recreational activity, generally by non-professionals. Home horticulture is the most popular hobby in the United States with a commercial value of over $35 billion in 2012.

**Crop Defined**

There are many definitions of the word “crop”. When referring to plants, USDA considers crops to be those plants that are cultivated either for sale or for subsistence. There are many plants that are specialty crops when cultivated, but are also collected from wild populations. Wild plants are not considered specialty crops even though they may be used for the same purpose as cultivated plants. This is somewhat common among medicinal herbs and woodland plants. There are a number of native ferns that are collected from wild populations for use in the floral trade. There are also a number of marine plants that are collected from wild populations both for direct consumption and for industrial uses. Although these are specialty uses, wild plants are not considered specialty crops by USDA. However, natural populations of native plants that are brought into cultivation, such as sugar maple trees, pecans, blueberry, huckleberry and cranberry are considered specialty crops by USDA. In order for a plant to be considered cultivated, some form of management must be applied. The intensity of the management is not critical to determining whether a plant is cultivated or not. This definition includes plants, mushrooms, or plant products harvested from “wild areas” whose populations are managed, monitored and documented to ensure long-term, sustainable production. If a naturally occurring population of plants is brought under management and that plant satisfies the definition of specialty crop presented in the second paragraph of this document, then those plants would be considered specialty crops. It is common for such plants to be designated “wild-harvested” for marketing purposes. Such a designation does not preclude a plant from being considered a specialty crop as long as the above criteria are met. For the purpose of some programs in which state agencies are the eligible entities, states may choose to define plants or mushrooms collected from the wild as specialty crops.

Similarly, some cultivated plants have multiple uses. Amaranth may be grown as a leafy green, or it may be grown as a grain. Leafy greens are vegetables, therefore amaranth grown in such a manner would be considered a specialty crop. However, grains are not specialty crops, therefore amaranth grown for grain would not be considered a specialty crop. There are many other examples of crops with multiple uses and an exhaustive list would not be possible here. However, the following groups of crops are <u>not</u> considered specialty crops: commodity or program crops, (any crop for which a grower receives federal payments), grains (corn, wheat, rice, etc.), oil seed crops (canola, soy bean, camelina, etc), bio-energy crops (switchgrass, sugar cane, etc), forages (hay, alfalfa, clover, etc.), field crops (peanut, sugar beet, cotton, etc.), and plants federally controlled as illegal drug plants (cannabis, coca).

The following appendices give examples of plants that are considered specialty crops by USDA. These appendices are not intended to be all-inclusive, but rather are intended to give examples of the most common members of the various groups.

Appendix A – List of Plants Commonly Considered Fruits and Tree Nuts

| | |
|---|---|
| Almond | Grape (including raisin) |
| Apple | Guava |
| Apricot | Kiwi |
| Avocado | Litchi |
| Banana | Macadamia |
| Blackberry | Mango |
| Blueberry | Nectarine |
| Breadfruit | Olive |
| Cacao | Papaya |
| Cashew | Passion fruit |
| Citrus | Peach |
| Cherimoya | Pear |
| Cherry | Pecan |
| Chestnut (for nuts) | Persimmon |
| Coconut | Pineapple |
| Coffee | Pistachio |
| Cranberry | Plum (including prune) |
| Currant | Pomegranate |
| Date | Quince |
| Feijou | Raspberry |
| Fig | Strawberry |
| Filbert (hazelnut) | Suriname cherry |
| Gooseberry | Walnut |

Appendix B – A List of Plants Commonly Considered Vegetables

| | |
|---|---|
| Artichoke | Mustard and other greens |
| Asparagus | Okra |
| Bean<br>Snap or green<br>Lima<br>Dry, edible | Pea<br>Garden, English or edible pod<br>Dry, edible |
| Beet, table | onion |
| Broccoli (including broccoli raab) | Opuntia |
| Brussels sprouts | Parsley |
| Cabbage (including Chinese) | Parsnip |
| Carrot | Pepper |
| Cauliflower | Potato |
| Celeriac | Pumpkin |
| Celery | Radish (all types) |
| Chive | Rhubarb |
| Collards (including kale) | Rutabaga |
| Cucumber | Salsify |
| Eggplant | Spinach |
| Endive | Squash (summer and winter) |
| Garlic | Sweet corn |
| Horseradish | Sweet potato |
| Kohlrabi | Swiss chard |
| Leek | Taro |
| Lettuce | Tomato (including tomatillo) |
| Melon (all types) | Turnip |
| Mushroom | Watermelon |

# Appendix C: A List of Plants Commonly Considered Culinary Herbs and Spices

| | | |
|---|---|---|
| Ajwain | Clary | Malabathrum |
| Allspice | Cloves | Marjoram |
| Angelica | Comfrey | Mint (all types) |
| Anise | Common rue | Nutmeg |
| Annatto | Coriander | Oregano |
| Artemisia (all types) | Cress | Orris root |
| Asafetida | Cumin | Paprika |
| Basil (all types) | Curry | Parsley |
| Bay (cultivated) | Dill | Pepper |
| Bladder wrack | Fennel | Rocket (arugula) |
| Bolivian coriander | Fenugreek | Rosemary |
| Borage | Filé (gumbo, cultivated) | Rue |
| Calendula | Fingerroot | Saffron |
| Chamomile | French sorrel | Sage (all types) |
| Candle nut | Galangal | Savory (all types) |
| Caper | Ginger | Tarragon |
| Caraway | Hops | Thyme |
| Cardamom | Horehound | Turmeric |
| Cassia | Hyssop | Vanilla |
| Catnip | Lavender | Wasabi |
| Chervil | Lemon balm | Water cress |
| Chicory | Lemon thyme | |
| Cicely | Lovage | |
| Cilantro | Mace | |
| Cinnamon | Mahlab | |

# Appendix D: A List of Plants Commonly Considered Medicinal Herbs

| | |
|---|---|
| Artemissia | Liquorice |
| Arum | Marshmallow |
| Astragalus | Mullein |
| Boldo | Passion flower |
| Cananga | Patchouli |
| Comfrey | Pennyroyal |
| Coneflower | Pokeweed |
| Ephedra | St. John’s wort |
| Fenugreek | Senna |
| Feverfew | Skullcap |
| Foxglove | Sonchus |
| Ginko biloba | Sorrel |
| Ginseng | Stevia |
| Goat’s rue | Tansy |
| Goldenseal | Urtica |
| Gypsywort | Witch hazel |
| Horehound | Wood betony |
| Horsetail | Wormwood |
| Lavender | Yarrow |
| | Yerba buena |

# Appendix E

## Plants Commonly Considered Floriculture and Nursery Crops

This list includes the major segments of floriculture and nursery crops. For each segment, a non-exclusive list of the most common plants is provided. Providing a complete list for each segment would not be practical given the thousands of different ornamental plant taxa that are commercially produced.

Annual bedding plants (begonia, coleus, dahlia, geranium, impatiens, marigold, pansy, petunia, snapdragon, vegetable transplants, etc.)
Broadleaf evergreens (azalea, boxwood, cotoneaster, euonymus, holly, pieris, rhododendron, viburnum, etc.)
Christmas trees (balsam fir, blue spruce, Douglas fir, Fraser fir, living Christmas tree, noble fir, scots pine, white pine, etc.)
Cut cultivated greens (asparagus fern, coniferous evergreens, eucalyptus, holly, leatherleaf fern, pittosporum, etc.)
Cut flowers (carnation, chrysanthemum, delphinium, gladiolus, iris, lily, orchid, rose, snapdragon, tulip, etc.)
Deciduous flowering trees (crabapple, dogwood, crepe myrtle, flowering pear, flowering cherry, flowering plum, hawthorn, magnolia, redbud, service berry, etc.)
Deciduous shade trees (ash, elm, honey locust, linden, maple, oak, poplar, sweetgum, sycamore, etc.)
Deciduous shrubs (barberry, buddleia, hibiscus, hydrangea, rose, spirea, viburnum, weigela, etc.)
Foliage plants (anthurium, bromeliad, cacti, dieffenbachia, dracaena, fern, ficus, ivy, palm, philodendron, spathipyllum, etc.)
Fruit and nut plants (berry plants, citrus trees, deciduous fruit and nut trees, grapevines, etc.)
Landscape conifers (arborvitae, chamaecyparis, fir, hemlock, juniper, pine, spruce, yew, etc.)
Potted flowering plants (African violet, azalea, florist chrysanthemum, flowering bulbs, hydrangea, lily, orchid, poinsettia, rose, etc.)
Potted herbaceous perennials (astilbe, columbine, coreopsis, daylily, delphinium, dianthus, garden chrysanthemum, heuchera, hosta, ivy, ornamental grasses, peony, phlox, rudbeckia, salvia, vinca, etc.)
Propagative materials (bare-root divisions, cuttings, liners, plug seedlings, tissue-cultured plantlets, prefinished plants, etc.)

Appendix F
Examples of Ineligible Crops

The following lists are not intended to be all inclusive but to provide guidance based on previous inquiries.

**Oil Seed Crops (including oil and non-oil culivars)**

Camelina
Canola
Cottonseed
Crambe
Flaxseed
Linseed
Mustard seed
Peanut
Rapeseed
Safflower
Sesame
Soybean
Sunflower seed

**Field and Grain Crops**

Amaranth for grain
Buckwheat
Barley
Corn
Cotton
Grain sorghum
Otas
Peanut
Proso millet
Rye
Quinoa
Rice (including wild)
Sugar beet
Sugarcane
Tobacco
Wheat

**Forage Crops**
Alfalfa
Clover
Hay
Range grasses

*City of Rathdrum*
8047-1 W Main Street
Rathdrum, ID 83858-6476

**Legal Department**
City Hall (208) 687-0261

**MEMORANDUM**

**To:** Rathdrum Mayor and City Council
**Subject:** First Amendment to Professional Forest Land Surveying and Consultant Services Agreement with Inland Forest Management
**Prepared by:** City Attorney Emily Smith
**Date:** November 5, 2026

The City entered into a Professional Forest Land Surveying and Consultant Services Agreement with Inland Forest Management in 2025 to support the City's planned selective timber harvest project on Rathdrum Mountain.

Inland Forest Management has performed its contractual responsibilities to date, including preparing the timber sale bid package and assisting the City in soliciting bids for the project on two occasions during the summer of 2026. The City did not receive any bids in response to either solicitation.

The City intends to re-advertise the timber harvest project in spring 2027. To provide sufficient time for the rebid process and to allow a successful bidder an appropriate harvest window extending into fall 2028, staff recommends extending the Inland Forest Management agreement through December 31, 2028.

The proposed First Amendment changes only the agreement term. All other provisions of the existing agreement, including its scope of services and compensation provisions, remain unchanged.

Staff requests that Council authorize the Mayor to execute the presented contract Amendment.

**FIRST AMENDMENT TO**
**PROFESSIONAL FOREST LAND SURVEYING AND CONSULTANT SERVICES AGREEMENT FOR RATHDRUM MOUNTAIN**

This First Amendment to the Professional Forest Land Surveying and Consultant Services Agreement for Rathdrum Mountain ("First Amendment") is entered into as of the date of the last signature below, by and between the CITY OF RATHDRUM, an Idaho political subdivision ("CITY"), and INLAND FOREST MANAGEMENT, a F&W Forestry Services Company ("CONTRACTOR").

## RECITALS

WHEREAS, CITY and CONTRACTOR entered into that certain Professional Forest Land Surveying and Consultant Services Agreement for Rathdrum Mountain dated July 7, 2025 ("Agreement");

WHEREAS, the Agreement currently provides that its term expires on November 30, 2026, unless extended by mutual agreement of the parties; and

WHEREAS, CITY and CONTRACTOR desire to extend the term of the Agreement through December 31, 2028.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. **Amendment to Term.** Section 2 of the Agreement, entitled "Term," is amended as follows:

   *This Agreement shall be effective as of July 7, 2025, and shall remain in effect through December 31, 2028, unless earlier terminated pursuant to the terms of the Agreement.*

2. **No Other Changes.** Except as expressly amended by this First Amendment, all terms, conditions, obligations, and provisions of the Agreement remain unchanged and in full force and effect.

3. **Conflict.** If there is any conflict between this First Amendment and the Agreement, this First Amendment controls.

4. **Counterparts; Electronic Signatures.** This First Amendment may be executed in counterparts, each of which is deemed an original, and all of which together constitute one and the same instrument. Signatures transmitted electronically shall be deemed original signatures for all purposes.

IN WITNESS WHEREOF, the parties have executed this First Amendment as of the dates set forth below.

CITY OF RATHDRUM

_____
John Hodgkins, Mayor

Date: _____

INLAND FOREST MANAGEMENT

_____
Garrett Kleiner, Vice President

Date: _____

ATTEST:

_____
Lorrann Morrell, City Clerk

**From:** Matthew Suhr <msuhr@rathdrum.gov>
**Date:** November 4, 2026 at 2:16:12 PM MST
**To:** Leon Duce <lduce@rathdrum.gov>
**Subject: Re: Survey and Comp Plan Page**

Leon,
Below are my suggestions. In general, the first survey was very broad.
Additionally, I'd like this survey to be open to anyone who wants to take it, with no residency verification disqualification. The comp plan affects people who live outside city limits but use our roads, shops, schools, and services, and their input is valuable. Verification would also reduce participation and make the results hard to compare with the other surveys we've already collected. If we want to know who responded, an optional question like I have at the end of my questions would be perfect and I think helpful.

**Section 1: In Your Own Words**

1. What is one thing about Rathdrum you most want to keep as the city grows? For example, Main Street, Rathdrum Mountain, open views of the prairie, or community events like the Winter Festival, or something else. *(optional)*
2. What one change would most improve daily life in Rathdrum over the next 10 to 20 years? For example, traffic on Highway 41 and 53, getting across the railroad tracks, shopping and dining, or something else. *(optional)*

**Section 2: Big-Picture Priorities**

The Comprehensive Plan covers many topics. For each one, how important is it to you?

1. **Growth:** how fast Rathdrum grows, including bringing new land into the city limits
2. **Where things go:** where new homes, stores, and industry are allowed, and where farmland and open space stay
3. **Protecting our water, land, and air:** including the Spokane Valley-Rathdrum Prairie Aquifer, our source of drinking water
4. **Emergency preparedness:** flooding, train accidents or hazardous-materials spills, and power or utility failures
5. **City services:** City Hall, public works, and other services as the population grows
6. **Police, fire, and ambulance response** as the city grows
7. **Drinking water and sewer:** city wells, water supply, and sewer capacity for new homes and businesses
8. **Garbage and recycling** for Rathdrum homes and businesses
9. **Roads and getting around:** traffic on Highway 41 and 53, crossing the railroad tracks, sidewalks, and trails
10. **Housing:** the cost, condition, and variety of homes in Rathdrum
11. **Schools:** keeping Lakeland School District schools from becoming overcrowded as new homes are built
12. **Parks and recreation:** City Park, Roth Park, Majestic Park, and trails on Rathdrum Mountain
13. **Local jobs and businesses:** so fewer residents commute to Coeur d'Alene, Post Falls, or Spokane

14. **How Rathdrum looks:** downtown Main Street, new buildings, and the entrances to town
15. **Special places:** historic downtown buildings, Rathdrum Mountain, and other landmarks worth protecting
16. **Farmland** on the Rathdrum Prairie
17. Of the 16 topics above, which **three** matter most to you? *(choose up to 3)*

**Section 3: What Makes Rathdrum a Good Place to Live**

How important is each of the following to your quality of life in Rathdrum?

1. Protecting the aquifer and the quality of local water, land, and air
2. A clean, well-kept look along Highway 41, Highway 53, and Main Street
3. Neighborhood and city parks, such as City Park, Roth Park, and Majestic Park
4. Open space and views of the prairie and Rathdrum Mountain that are preserved and open to the public
5. Hiking and biking trails, including those on Rathdrum Mountain
6. Homes that working families can afford to buy or rent in Rathdrum
7. Jobs in or near Rathdrum, so fewer people have to commute
8. Safe neighborhoods and safe streets for kids walking to school
9. Property taxes, utility rates, and city fees
10. Shopping and dining options in Rathdrum, without driving to Post Falls or Coeur d'Alene
11. Rathdrum's character and community events, such as the Winter Festival on Main Street
12. Responsible city budgeting that keeps the city financially stable while paying for streets, water, and services
13. A lively downtown along Main Street
14. Of the items above, which **three** matter most to you? *(choose up to 3)*

**Section 4: Shopping, Dining, and Services**

Would you like to see **more, about the same, or less** of each of the following in Rathdrum?

1. Small shops and cafes within walking distance of neighborhoods
2. Grocery stores and pharmacies
3. Large retail centers or big-box stores
4. Specialty shops and boutiques
5. Restaurants, cafes, and breweries, such as those on Main Street
6. Hotels and lodging
7. Professional and medical offices
8. Where do you do most of your grocery and retail shopping today? *(choose one)* Rathdrum / Post Falls / Coeur d'Alene / Spokane or Spokane Valley / Online / Other
9. Where should new shops and restaurants be located? *(choose one)* Downtown Main Street / Along Highway 41 and 53 / Near new neighborhoods / No preference

**Section 5: Jobs and Business Growth**

Would you like to see **more, about the same, or less** of each of the following in Rathdrum?

1. Space for small businesses and start-ups, such as small shops, workshops, or shared work space
2. Warehouses and distribution centers

3. Manufacturing and processing facilities, such as light manufacturing or food processing
4. Technology and research businesses
5. Business and industrial parks
6. Where should new industrial and business parks go? *(choose one)* Near Highway 41 and the railroad corridor / Only in areas the city designates / Away from homes and schools / No preference
7. What concerns you most about industrial development in Rathdrum? *(choose up to 2)* Truck traffic on city streets / Noise / Appearance / Water or aquifer use / Air quality / None
8. What is the biggest benefit of industrial development for Rathdrum? *(choose one)* Local jobs / Tax base / Support for city services / None

**Section 6: Housing and Neighborhoods**

How important is each of the following housing goals to you?

1. A mix of housing types in new neighborhoods, such as single-family homes, townhomes, duplexes, and apartments
2. New neighborhoods that are well designed and well built
3. Neighborhoods where it is safe and easy to walk and bike
4. Parks, shops, and services close to where people live
5. Help for homeowners to maintain and improve older homes
6. Housing that working families can afford
7. Housing options for seniors
8. Assisted living and care facilities
9. Neighborhoods that combine homes with nearby shops and offices
10. Would you like to see **more, about the same, or less** of each of these housing types in Rathdrum?
    - Single-family homes on large lots
    - Single-family homes on small lots
    - Townhomes and duplexes
    - Apartments
    - Manufactured homes
    - Senior housing
11. In new neighborhoods, which do you prefer? *(choose one)* Larger lots with fewer homes / Smaller lots that leave more open space / No preference
12. Where is higher-density housing most appropriate? *(choose all that apply)* Downtown / Near shopping areas / Along major roads / Nowhere / No preference

**Section 7: Growth and Infrastructure**

1. Over the next 10 years, how would you like Rathdrum to grow? *(choose one)* Faster than now / About the same pace as now / More slowly than now / Not at all / Not sure
2. As Rathdrum grows, we will need new roads, water, sewer, and other infrastructure. Which principle should guide City decisions most strongly? *(choose one)*
    - New development should pay a substantial share of the infrastructure costs it creates.

- The City should direct growth to areas that already have capacity.
- The City should build infrastructure ahead of growth in key areas.
- The City should slow growth until infrastructure improvements are funded.
- Other (please specify)
- Not sure / need more information

**Section 8: About You *(optional)***

These questions help us make sure the survey reflects the whole community.

1. How long have you lived in Rathdrum? Less than 2 years / 2 to 5 years / 6 to 15 years / More than 15 years / I don't live in Rathdrum
2. Do you own or rent your home? Own / Rent / Other
3. What is your age range? Under 25 / 25 to 34 / 35 to 44 / 45 to 54 / 55 to 64 / 65 or older
4. Is there anything else you would like the City to know?

**From:** Laura Fuller <lfuller@rathdrum.gov>
**Sent:** Monday, November 2, 2026 9:18 PM
**To:** Leon Duce <lduce@rathdrum.gov>
**Cc:** Mayor John Hodgkins <mayor@rathdrum.gov>
**Subject:** Feedback on proposed Comp Plan Survey

Hi Leon or whom it may concern:

Here is my feedback on the proposed Rathdrum Resident Survey on the Comprehensive Plan:

Re: https://forms.gle/2byxqdCP3zj2AcY37

**Question 1: Residency Verification**

I recommend deleting the "Prefer not to say" option. The purpose of this survey is to gather input from people who live within the City of Rathdrum regarding what they want to see for the future planning of our community. Therefore, we specifically want survey results from Rathdrum residents, and the survey should make it clear that residents are our target audience.

If a respondent selects "Prefer not to say," we aren't going to include those responses as resident input for the Comp Plan anyway. It's really a Yes or No question. If the answer is No, those results would not be included either.

**I also recommend adding another residency verification question asking the respondent to enter their name and address.** This would allow us to verify residency. I don't think this is too much to ask. Residents who care enough to provide input on the Comp Plan will, in most cases, be willing to provide this information if we clearly explain that their name and address will only be used to verify residency, will not be used for any other purpose, and their survey responses will not be identified or associated with their identity.

These first two questions should also be **required** before the respondent can move on to the remainder of the survey. These initial residency verification questions are extremely important because they form the basis for getting accurate input from City residents.

**Remaining Survey Questions:**

This may sound harsh, but I believe **all of the following 16 questions need to be rewritten.** As currently written, the questions and answer options tell us very little about what Rathdrum residents truly want to see for the future of our community.

The questions are highly generalized and provide **minimal useful information that could actually be incorporated into a revised Comprehensive Plan and FLUM or considered representative of meaningful public input.**

The questions also aren't very engaging. If I were a resident taking this survey, I would probably wonder what meaningful information the City is actually getting from my answers. **We need a survey that engages people, makes them interested in participating, and makes them feel that their opinions matter.**

Here are my recommendations for survey questions:

For most questions, I think the answer options should generally be:

**Strongly Agree | Somewhat Agree | Neutral | Somewhat Disagree | Strongly Disagree**

I would eliminate the "Highest Priority/No Opinion/Not Sure" horizontal options. I think they are confusing. For most questions, someone who doesn't have an opinion or isn't sure could select Neutral.

**Proposed Questions:**

**1.** When it comes to Rathdrum's population growth, how important is it to you that growth be well-managed and sustainable?

*Very Important* | *Somewhat Important* | *Not Too Important* | *Not Important at All* | *No Opinion/Not Sure*

**2.** Rathdrum has done a good job keeping its infrastructure up with population growth.

**3.** Rathdrum has done a good job keeping up with the need for commercial services as the population has grown.

**4.** Rathdrum is doing a good job attracting businesses that create jobs, support workforce development, and strengthen the local economy.

**5.** I would like to see more commercial development in Rathdrum.

**6.** I would like to see more industrial development in Rathdrum.

**7.** I would like to see more residential development in Rathdrum.

**8.** When new residential development occurs, please rank the following housing types in order of your preference:

- Single-family homes on larger lots
- Single-family homes on smaller lots
- Twin homes/duplexes
- Three- or four-unit townhomes or apartments
- Apartment complexes

**9.** When it comes to apartments that may be planned in the future, which do you prefer?

*Two-story apartments | Three-story apartments | No opinion | I don't want additional apartments*

**10.** When it comes to residential density, I prefer:

*Lower density | Medium density | Higher density | A mix of densities | No opinion/Not Sure*

**11.** Planning should ensure that commercial services are geographically close to residential neighborhoods.

**12.** Planning should encourage small-scale commercial services to be integrated into or near neighborhoods to support walkable communities.

**13.** I am satisfied with the services and amenities offered by the Rathdrum Parks and Recreation Department.

**14.** I am satisfied with the level of public safety in Rathdrum.

**15.** I am satisfied with City Public Works services, such as sewer and water services.

**16.** I am satisfied with Rathdrum's transportation system and its ability to move people efficiently.

Please let me know if you have any questions or would like to discuss any of these suggestions further. I appreciate the opportunity to work together toward creating a survey that **provides useful information for the Comprehensive Plan and truly reflects what our residents want for the future of our community.**

Thank you,

**Laura Fuller**

*Rathdrum City Council member, Seat 4*

lfuller@rathdrum.gov

*City of Rathdrum*
8047-1 W Main Street
Rathdrum, ID 83858-6476

**Legal Department**
City Hall (208) 687-0261

**MEMORANDUM**

**To:** Rathdrum Mayor and City Council
**Subject:** Proposed Title 8 Water System Code Amendments
**Prepared by:** City Attorney Emily Smith
**Date:** November 5, 2026

The proposed ordinance includes two primary amendments to the City's water system code that have been under consideration and development for some time. They are being presented to Council for consideration now because City staff have now successfully completed the first year of implementing and enforcing the backflow prevention assembly and testing requirements that were included in City policy in March 2026.

1. **Private Wells and Required Connection to City Water**

The proposed amendment adds provisions addressing private wells and connection to the City water system. The language is modeled after the City's existing sewer provisions in **Section 8-3-5: Privately Owned Disposal Systems Restricted**. Mirroring the sewer code approach provides consistency between the City's water and sewer utilities, including consistent standards for when utility connection is required.

The proposed provisions generally require developed properties to connect to City water when service is available (within 200 feet and the City has adequate water quantity to serve the development) and restrict the use of private wells for water service. This approach supports the City's ability to provide the following:

- Safe, reliable, and consistent municipal water service to developed properties within the City's water service area
- Reduce the risk of cross-connection hazards between private water sources and the City water system
- Protect the aquifer from additional discharge points that not only use water resources, but also increase the risk for contaminants into the aquifer
- Protect the integrity of the City's water system
- Promote orderly extension and use of City utility infrastructure

2. **Cross-Connection Control and Backflow Prevention**

The proposed amendment formally codifies the City's backflow prevention and cross-connection-control requirements in compliance with IDAPA standards. City staff have been implementing and enforcing these requirements with water customers this past spring/summer.

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF RATHDRUM, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING TITLE 8: WATER AND SEWER, CHAPTER 1: WATER SYSTEM, OF THE RATHDRUM CITY CODE AS FOLLOWS:**

AMENDING RATHDRUM CITY CODE TITLE 8, CHAPTER 1, BY AMENDING SECTION 8-1-3, APPLICABILITY; AMENDING AND RETITLING SECTION 8-1-4 TO ESTABLISH REGULATIONS FOR PRIVATELY OWNED WATER WELLS; AND AMENDING AND RETITLING SECTION 8-1-10 TO ESTABLISH CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION REQUIREMENTS; PROVIDING REQUIREMENTS FOR CONNECTION TO CITY WATER SERVICE, TEMPORARY PRIVATE WELLS, DEDICATED NONPOTABLE WELLS, EXISTING PRIVATE WELLS, AND AGRICULTURAL IRRIGATION WELLS; PROVIDING FOR INSPECTION, TESTING, REPORTING, ENFORCEMENT, AND DISCONTINUANCE OF WATER SERVICE; PROVIDING THAT THE REMAINING EXISTING SECTIONS OF THE RATHDRUM MUNICIPAL CODE SHALL REMAIN VALID AND IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Rathdrum, Kootenai County, Idaho, as follows:

**Section 1. That Title 8, Chapter 1 of the Rathdrum City Code shall be, and the same is amended as follows:**

### Section 8-1-3: APPLICABILITY

A. The provisions of this chapter shall apply to all water users and property owners within the corporate city limits and any water users and owners outside of the corporate city limits who receive water service from the city's domestic water system.

B. All users and owners within the service area described in the municipal water plan of the domestic water system are obligated to pay their proportionate share of assessments, fees and charges established in this chapter. (Ord. 263, 3-13-1980)

C. The rules and regulations applicable to the water department of the city may be adopted by resolution of the mayor and city council. (Ord. 282, 10-9-1984; amd. Ord. 635, passed 5-8-2024) (Ord. No. 282 10/25/1984; Ord. No. 635 05/24/2024)

### Section 8-1-4: ~~RULES AND REGULATIONS~~ PRIVATELY OWNED WATER WELLS RESTRICTED

~~A. Adoption: The rules and regulations applicable to the water department of the city may be adopted by resolution of the mayor and city council. (Ord. 282, 10-9-1984; amd. Ord. 635, passed 5-8-2024) (Ord. No. 282 10/25/1984; Ord. No. 635 05/24/2024)~~

A. Connection to City Water Required. Except as provided in subsection F of this Section, within one (1) year after City water service becomes available to a property served by a private well, the owner shall connect the property to the City water system in compliance with this Chapter and all applicable City standards.

For purposes of this Section, City water service is available when an operational City water main, designed and intended to serve the property, is located within two hundred feet (200') of the property line and is able to serve the property.

Upon connection to the City water system, the private well shall no longer be used to provide water service at the property. The well shall be properly disconnected, secured, and, when required by the City or applicable state law, decommissioned in accordance with Idaho Department of Water Resources (IDWR) and Idaho Department of Environmental Quality (DEQ) requirements.

B. Private Wells Restricted

1. No new building or structure requiring water service, and no development or redevelopment of property requiring water service, shall be approved, constructed, occupied, or connected to water service within the City unless the property is connected to the City water system when City water service is available and capable of providing adequate water quantity, capacity, pressure, storage, treatment, and other facilities necessary to serve the approved development.

2. No private well shall be drilled, installed, or used to provide water service to a newly developed property when City water service is available and capable of adequately serving the property, except as expressly authorized under subsection C of this Section.

3. A dedicated nonpotable well may be approved only in accordance with subsection D of this Section. Approval of a dedicated nonpotable well does not relieve the owner or developer of the obligation to connect the property to the City water system for potable or domestic water service when required by this Section.

4. For purposes of this subsection, City water service is available and capable of serving the property only when:

a. An operational City water main designed and intended to serve the property is located within two hundred feet (200') of the property line; and

b. The City determines that its water system has sufficient quantity, capacity, pressure, storage, treatment, and other facilities necessary to provide adequate water service to the approved development.

C. Temporary Private Well Authorization

1. When a City water main designed and intended to serve a property is located within two hundred feet (200') of the property line, but the City determines that its water system does not presently have sufficient quantity, capacity, pressure, storage, treatment, or other facilities necessary to provide adequate water service to the proposed development, the City may authorize temporary use of a private well.

2. Authorization of a temporary private well shall be conditioned upon the owner or developer executing a written temporary private well agreement, in a form approved by the City. The agreement shall be recorded against the property and shall be binding upon all successors and assigns. At a minimum, the agreement shall provide that:

a. The owner shall connect the property to the City water system within ten (10) months after the City provides written notice that the City water system is capable of serving the

property with adequate water quantity, capacity, pressure, storage, treatment, and other facilities necessary for the approved development;

b. At the time of connection to the City water system, the owner shall construct, at the owner's expense, all water-system improvements determined by the City Engineer to be reasonably necessary to facilitate connection to the City water system and provide adequate water service to the property. Such improvements may include, but are not limited to, service lines, sleeves, meter facilities, valves, main extensions, easements, off-site improvements, and other facilities required by City standards;

c. The owner shall construct, operate, maintain, and, if required by the City or applicable law, decommission the private well in compliance with all applicable federal, state, Idaho Department of Water Resources, Idaho Department of Environmental Quality, Panhandle Health District, and City requirements;

d. The owner shall obtain and maintain all permits, approvals, water rights, and other authorizations necessary for the private well and its use;

e. The owner shall allow the City reasonable access to the property for inspection of the private well and related facilities upon reasonable notice, except that the City may enter without prior notice when necessary to respond to an emergency or an immediate threat to public health or the City water system; and

f. The owner shall provide the City, upon request, records and documentation reasonably necessary to demonstrate compliance with this Section, the temporary private well agreement, and applicable laws and regulations.

3. Approval of a temporary private well does not create a right to continued private well service after the City water system is capable of serving the property. The City may condition, suspend, revoke, or terminate approval when necessary to protect public health, the City water system, or compliance with the terms of the agreement or applicable law.

D. Dedicated Nonpotable Wells

1. The City Engineer may approve the construction, installation, operation, or continued use of a dedicated well for a nonpotable purpose, including irrigation, landscape irrigation, pond supply, industrial process water, cooling water, or another purpose approved in writing by the City, provided the owner complies with this subsection and all conditions of approval.

2. A dedicated nonpotable well may be approved only when the City Engineer determines that the well and its proposed use will not adversely affect the City water system, public health, the City's water supply, or compliance with applicable drinking-water requirements.

3. As a condition of approval, the owner shall execute a written dedicated nonpotable well agreement, in a form approved by the City. The agreement shall be recorded against the property and shall be binding upon all successors and assigns. The agreement shall include, at a minimum, the following provisions:

a. The owner shall construct, operate, maintain, repair, replace, and, if required, decommission the well and all related pumps, piping, controls, appurtenances, access facilities, and distribution facilities in compliance with applicable federal, state, Idaho Department of Water Resources, Idaho Department of Environmental Quality, Panhandle Health District, and City requirements;

b. The owner shall obtain and maintain all water rights, permits, approvals, and other authorizations necessary for the well and its intended use;

c. The well and all related piping, appurtenances, and nonpotable distribution facilities shall be physically separated from the City water system and shall not create an actual or potential cross-connection. The well shall not be used for potable water or domestic water service;

d. The owner shall install and maintain all backflow protection, identification, signage, labeling, separation, access controls, monitoring equipment, and other safeguards required by the City to protect the City water system and public health;

e. Unless expressly waived or modified in writing by the City Engineer, the well and all related facilities shall be designed and constructed in accordance with City standards and requirements. If the City authorizes payment in lieu of construction, the owner shall pay an amount established by the City Engineer as reasonably necessary to provide equivalent facilities meeting City standards;

f. The owner shall allow the City reasonable access to inspect the well and related facilities upon reasonable notice, except that the City may enter without prior notice when necessary to respond to an emergency or an immediate threat to public health or the City water system;

g. At the City's written request, and subject to applicable law and any required approvals, the owner shall convey or cause to be conveyed to the City, without cost to the City, ownership of the well, pumps, controls, appurtenances, necessary easements, and any associated water right or water-right interest identified in the agreement. The owner shall execute all documents reasonably required to effectuate the conveyance and any required notice, application, or approval process;

h. As determined by the City, the owner shall either: (i) maintain the well and all related facilities at the owner's expense; or (ii) reimburse the City for City-performed operation, maintenance, repair, replacement, testing, and administration of the well and related facilities; and

i. If the owner is responsible for maintenance, the owner shall be solely responsible for all costs and shall provide insurance, indemnification, defense, and hold-harmless obligations in a form approved by the City Attorney, to the fullest extent permitted by law, for claims, damages, costs, and liabilities arising from the owner's construction, operation, maintenance, repair, replacement, or use of the well and related facilities.

4. If the owner fails to comply with this Section, the written agreement, or applicable law, the City may exercise any available remedy, including suspension or revocation of approval; issuance of a stop-use order; discontinuance of City water service if necessary to protect the City water system or public health; repair, replacement, maintenance, or decommissioning by the City with costs charged to the owner; enforcement of the recorded agreement; requiring conveyance of facilities as provided in the agreement; or requiring the well to be decommissioned.

5. Approval under this subsection is a revocable privilege and does not create a vested right to construct, operate, or continue use of a dedicated nonpotable well. The City may impose additional conditions or suspend, modify, or revoke approval when necessary to protect the City water system, public health, or compliance with applicable law.

E. Existing Private Wells

1. A private well lawfully existing on the effective date of this Section may continue to be used in accordance with its lawful use as of the effective date of this Section, subject to this Section and all applicable federal, state, Idaho Department of Water Resources, Idaho Department of Environmental Quality, Panhandle Health District, and City

requirements.
2. An existing private well used to provide potable or domestic water service shall be discontinued, and the property shall connect to the City water system, within one (1) year after the City provides written notice that City water service is available and capable of providing adequate water quantity, capacity, pressure, storage, treatment, and other facilities necessary to serve the property.
3. An existing private well may remain in use after City water service becomes available only if:
a. The well is authorized as a temporary private well under subsection C of this Section;
b. The well is approved as a dedicated nonpotable well under subsection D of this Section;
c. The property qualifies for the agricultural irrigation exception under subsection F of this Section; or
d. The City Engineer otherwise approves continued use of the well in writing pursuant to a written agreement or other approval authorized by this Code.
4. Upon connection to the City water system, an existing private well shall no longer be used for water service. The owner shall disconnect, secure, maintain, or decommission the well as required by the City and applicable law.
5. Continued use of an existing private well under this subsection does not create a vested right to continue private well service after the City determines that City water service is available and capable of adequately serving the property, except as expressly provided in a written agreement approved by the City.

F. Agricultural Irrigation Exception
1. Notwithstanding subsections A and B of this Section, a private well and associated irrigation water right may remain in use on property located within the City where:
a. The property is not developed with a building or structure requiring potable or domestic water service;
b. The property is actively used for agricultural irrigation or another agricultural use approved by the City;
c. The private well is used solely for irrigation or agricultural purposes and is not used to provide potable water or domestic water service; and
d. The private well is operated and maintained in compliance with all applicable federal, state, IDWR, DEQ, and City requirements.
2. This exception shall remain in effect only while the property remains undeveloped and actively used for agricultural purposes. Upon development of the property, subdivision of the property, construction of a building or structure requiring water service, or use of the well for potable or domestic water service, the property owner shall comply with the connection requirements of this Section if City water service is available.
3. The continued use of a private well under this subsection shall not create a vested right to continue private well service following development of the property, subdivision of the property, construction of a building requiring water service, or other change in use requiring connection to the City water system.
4. A private well authorized to remain in use under this subsection shall be physically separated from the City water system and shall not create a cross-connection or other condition that may endanger the City water system or public health.
5. Nothing in this subsection shall be construed to authorize use of a private well or

irrigation water right in a manner inconsistent with the terms of the applicable water right, Idaho law, requirements of IDWR or DEQ, or City requirements.

G. Additional Requirements. Nothing in this Section limits the City's authority to impose additional conditions through annexation, zoning, subdivision approval, development agreements, utility extension agreements, water service agreements, or other applicable provisions of this Code. Nothing in this Section shall be construed to interfere with requirements imposed by IDWR, DEQ, or any other governmental agency having jurisdiction.

**Section 8-1-10: ~~FEES~~ CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION.**

A. Purpose. The purpose of this Section is to protect the City water system and public health by preventing contamination or pollution of the City water system through actual or potential cross-connections and backflow and ensure compliance with state requirements, wherein the City shall maintain and enforce a cross-connection control program consistent with Idaho Administrative Code, including IDAPA 58.01.08.543 and IDAPA 58.01.08.552, as amended, and all other applicable federal, state, and local requirements.

B. Definitions. For purposes of this Section:

BACKFLOW: means the undesirable reversal of flow of water or other substances into the City water system.

BACKFLOW PREVENTION ASSEMBLY: means an approved, testable mechanical assembly designed to prevent backflow into the City water system.

CROSS-CONNECTION: means any actual or potential connection, piping arrangement, or other condition through which water, wastewater, chemicals, or another substance may enter the City water system from a source other than the City water system.

C. Inspection and Determination of Required Protection

1. For those properties that do not have a backflow prevention device installed, the City shall have the right to inspect a premises that is served by the City’s water system, review plumbing and irrigation information, require documentation from the owner or occupant, or otherwise investigate to identify actual or potential cross-connections and determine if backflow protection is required.

2. The owner or occupant shall provide the City reasonable access to the premises and information reasonably necessary to administer the City’s cross-connection control program.

3. When the City determines that an actual or potential cross-connection exists, the owner shall install, maintain, and operate an approved backflow prevention assembly of a type and at a location approved by the City.

4. For new water service connections, required backflow protection shall be installed and approved before the City provides water service.

D. Testing and Reporting.

1. Each installed backflow prevention assembly shall be inspected and tested for proper operation by a certified backflow assembly tester who is included on the City's posted list of approved testers. The owner remains responsible for selecting and paying a qualified tester.

2. The certified backflow assembly tester shall submit the completed backflow test report directly to the City through the City's adopted backflow testing procedure.

3. Backflow test reports shall be submitted to the City no later than:

a. May 25 of each year for commercial service addresses; and

b. June 25 of each year for residential service addresses.

4. The City may establish different testing schedules for particular classes of premises, assemblies, or hazards when necessary to protect the City water system or comply with applicable law.

E. Failed, Defective, or Unapproved Assemblies.

1. A backflow prevention assembly that fails a required test, is defective, is bypassed, is improperly installed, or otherwise does not provide required protection shall be repaired, replaced, or isolated within ten (10) business days after the owner or occupant receives notice from the City or the certified tester, unless the City approves a different deadline in writing.

2. If a failed, defective, or unapproved assembly is not repaired, replaced, or isolated within the required time, the City may discontinue water service to the assembly, premises, facility, or service address until the required protection is restored and approved by the City.

F. Enforcement; Discontinuance of Water Service.

1. The City may discontinue water service to a premises when:

a. Suitable backflow protection required under this Section has not been installed where it is required;

b. A required backflow prevention assembly has not been timely tested;

c. A required backflow test report has not been timely submitted;

d. A required backflow test report was submitted by someone who is not on the City's list of approved testers;

e. A required backflow prevention assembly has failed, is defective, is bypassed, or is otherwise not providing required protection;

f. The owner or occupant refuses to allow an inspection, fails to provide requested information, or submits false or incomplete information concerning an actual or potential cross-connection; or

g. The City determines that an actual or potential cross-connection presents a threat to the City water system or public health.

2. Except when immediate action is necessary to protect the City water system or public

health, the City shall provide written notice of the violation and a reasonable opportunity to cure before discontinuing water service.

3. When the City determines that an actual or potential cross-connection presents an immediate threat to the City water system or public health, the City may immediately discontinue water service without prior notice. The City shall provide notice to the owner and occupant as soon as practicable after discontinuance.

4. Water service discontinued under this Section shall not be restored until the City determines that the violation has been corrected, all required testing and reports have been completed, and all applicable fees have been paid.

G. Owner Responsibility. The owner is ultimately responsible for all costs associated with installation, testing, maintenance, repair, replacement, inspection, reporting, and operation of backflow prevention assemblies required under this Section.

H. Additional Requirements. This Section establishes minimum requirements. The City may impose additional or more protective requirements through its cross-connection control program, water service agreements, development approvals, construction standards, utility regulations, adopted policies or standards, or other applicable provisions of this Code.

(Ord. No. 539 11/21/2013)

**Section 2. Validity of Existing Ordinances**

Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution or enforcement for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the city of Rathdrum City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

**Section 3. Severability.**

The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been exempt therefrom.

**Section 4. Repealing of Conflicting Provisions.**

All provisions of the current Rathdrum municipal Code or ordinances of the City of Rathdrum which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 5. Effective Date.**

After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the newspaper of the city of Rathdrum, and upon such publication shall be in full force and effect.

ENACTED BY City Council as an ordinance of the City of Rathdrum on the 10th day of November, 2026.

CITY OF RATHDRUM

_____

John Hodgkins, Mayor

ATTEST:

_____

Lorrann Morrell, City Clerk

DRAFT

**PUBLIC WORKS DEPARTMENT**
8047 W. Main Street
Rathdrum, ID 83858
P 208.687.2700
F 208.687.1377

# Memo

**To:** Rathdrum City Council
**From:** Kevin Jump
**Date:** November 2, 2026
**Re:** Water Master Plan – Software Issues related to City SCADA data

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At the 10.14.26 City Council meeting, I offered to provide City Council with an update regarding the City's ability to retrieve historical SCADA data needed to support J-U-B Engineers' water-system hydraulic model review.

**BACKGROUND - UPGRADE TO CITY'S SCADA SOFTWARE**

In January '26, the City contracted with Bigfoot Technical Services to convert the City's SCADA software platform from Wonderware® to Aveva®. The scope of work included transferring the City's historical SCADA data into Aveva Historian.

**INITIAL REVIEW OF J-U-B ENGINEER'S COMPUTER MODEL OF CITY'S WATER SYSTEM**

During a September '26 coordination meeting with J-U-B, we identified an apparent difference between J-U-B's hydraulic model of the City water system and actual/observed water system performance (during the July '25 simulated fire flow event). J-U-B agreed to investigate and requested historical operational data, specifically: the water levels of our 1MG reservoir along with water production well flow/pump data for the month of July '25.

Following that meeting, Chris Bain promptly contacted Bigfoot to request retrieval of the archived SCADA information needed by J-U-B. Bigfoot's initial attempts to retrieve the requested historical data, from Aveva Historian, were unsuccessful.

**ATTEMPTS TO RETRIEVE THE HISTORICAL SCADA DATA**

From a 10.29.26 meeting with Bigfoot, we learned that during the course of their work (scope of services for the January '26 contract for SCADA software switchover), Bigfoot indicated that they had spot-checked that the historical data was transferring from Wonderware® to our new software package (Aveva®). With the water-system data appearing to transfer and populate correctly

within the Aveva platform, Bigfoot indicated that they did not conduct a detailed review of every historical data record at that time.

The retrieval issue was subsequently identified only when the City requested the specific July 2025 records needed by J-U-B.

After Bigfoot repeatedly attempted to retrieve the historical data from our new software provider, Aveva, through their SCADA Historian package, Bigfoot reached out directly to Aveva in an attempt to resolve the retrieval request. Aveva technical support initially experienced the same challenges that Bigfoot had experienced – the transferred historical SCADA data was there; but, exporting queries were being met with "NULL" or "Error" replies.

Ultimately, an Aveva software development engineer(s) was consulted about our situation. The Aveva software development engineer suggested for us to upload Patch No. 4 for our software package. For reference purposes, a software patch is a small piece of code designed to update, fix, or improve an existing program or operating system. Instead of replacing the entire application, a patch targets a specific issue. After Patch No. 4 was uploaded/applied, Aveva still experienced unsatisfactory results with exporting our historical SCADA data. We were then told that a team of Aveva software engineers was assigned to investigate our situation. Bigfoot explained to us that the Aveva software engineering team erased/purged all of the previously-transferred historical SCADA data and re-imported it into the Aveva Historian package (with Patch No. 4 being in-place). This action (purging the previously-imported SCADA data and then re-importing it) resulted in positive results.

## J-U-B ENGINEER'S SUPPLEMENTAL AGREEMENT NO. 3

At the 10.14.26 City Council meeting, City Council advised City staff to present J-U-B with a revised Supplemental Agreement No. 3, which set the work completion date (for a creating a functional water system model of Rathdrum's existing system performance – along with a summary of their findings and recommendations) by 11.30.26. We provided the revised agreement to J-U-B on 10.15.26. J-U-B indicated that they would agree to the noted 11.30.26 completion date so long as the City could assure them that the requested historical SCADA could be furnished to them by 10.23.26.

## CONVEYANCE OF RETRIEVED HISTORICAL SCADA DATA

Aveva/Bigfoot successfully retrieved the historical SCADA data. The data collection set was provided to J-U-B on M10.26.26. The data collection set includes level readings of the City's 1MG water reservoir and the water production well pumping data, both on 15-minute intervals, from 7.1.25 to 10.1.25. On W10.28.26, J-U-B responded to the supplied SCADA data package stating their initial cursory review indicated that the data appears to satisfy their needs. Once it can be confirmed that the recently-supplied SCADA data is successfully imported into the created computer software model, J-U-B is expected to execute Supplemental Agreement No. 3.

## NOTES ABOUT AVEVA SOFTWARE PATCHES

Aveva offers their proprietary software to 1,000s of customers who operate similar water systems to ours.

As is necessary to address any created software packages, software patches are commonly created to address/fix an encountered software functionality issue. However, in the situation of Aveva's software, a patch is NOT applied to all holders of their software package. In other words, an Aveva software patch is only applied to address an experienced problem. Aveva does not provide customers with software patches unless there is a noted specific problem/issue.

**STAFF CONCLUSION**

The historical SCADA data-retrieval issue initially appears to have been resolved. The issue appears to have been an isolated anomaly associated with the transfer and export functionality of the Aveva Historian data. Aveva's software engineers resolved the issue by re-importing the historical data after Patch No. 4 had been applied.

Staff will continue coordinating with J-U-B to confirm successful model-data importation and execution of Supplemental Agreement No. 3.

*City of Rathdrum*
8047-1 W Main Street
Rathdrum, ID 83858-6476

**Legal Department**
City Hall (208) 687-0261

**MEMORANDUM**

**To:** Rathdrum Mayor and City Council
**Subject:** Bigfoot Technical Services: SCADA Modernization Contract Review
**Prepared by:** City Attorney Emily Smith
**Date:** November 2, 2026

**Purpose of Review**
At Council's direction, I reviewed the January 2026 agreement with Bigfoot Technical Services and evaluated whether Bigfoot was fulfilling its contractual obligations when the City encountered difficulty retrieving historical SCADA data needed for J-U-B Engineer's water-system modeling work. This memorandum addresses the contractual and legal issues. The accompanying City Engineer memorandum provides the detailed relevant chronology and technical facts.

**Contractual Scope**
The January 2026 SCADA Modernization agreement was a project-specific agreement, rather than an ongoing system-maintenance or technical-support agreement. Under the agreement, Bigfoot was required to complete the following deliverables:

- Provide AVEVA Reports/Historian;
- Set up the Historian reporting system and import historical data;
- Import the City's current historical data going back several years into the new reporting system, allowing immediate use in AVEVA Reports/Historian; and
- Complete the project scope before receiving the final payment of $4,565.00.

**Legal Analysis**
The relevant legal question is whether Bigfoot failed to perform a specific obligation under the January 2026 agreement. Based on the facts summarized in the City Engineer's memorandum and the information obtained from Bigfoot, there is no basis establishing that Bigfoot breached the agreement.

The information currently available indicates that Bigfoot completed the software installation and data-transfer work, conducted spot checks to confirm that historical data was populating in the new system, and had no identified indication at final payment that the system would later return export or reporting errors.

The later inability to retrieve certain historical data does not establish incomplete performance of the contract or defective work by Bigfoot. As outlined in the City Engineer's memorandum, the historical data was present in the AVEVA system, but export queries returned "NULL" or "Error" responses. Bigfoot and AVEVA technical support both encountered the same issue, and AVEVA ultimately involved its software engineers in the investigation and corrective process.

The available facts support the conclusion that the issue was a unique software anomaly requiring high level engineering intervention, rather than a demonstrated failure in Bigfoot's installation, configuration, or transfer of the City's data. Bigfoot appears to have promptly escalated the problem to AVEVA and assisted with resolution efforts until the requested data could be provided to J-U-B.

**Conclusion**
Based on the currently available evidence, Bigfoot appears to have substantially fulfilled its contractual obligations and acted reasonably in responding to the later AVEVA software issue.

The City does not currently have an active maintenance or technical support agreement with Bigfoot. The prior ongoing support agreement located by the City was with Automated Electrical Systems, Inc. ("AES") in 2006, before Bigfoot acquired or assumed AES's operations. Bigfoot has continued providing the services contemplated in that AES agreement. The 2026 SCADA Modernization proposal was a project-specific agreement and did not establish a continuing obligation for Bigfoot to provide ongoing monitoring, maintenance, response times, software support, or system administration after project completion. However, the incident demonstrates the need for a written ongoing technical-support and maintenance agreement. Staff will be working on a new agreement with Bigfoot that clearly identifies Bigfoot's responsibility for monitoring, technical support, and maintenance of the City's water-system SCADA infrastructure to present to Council at a future meeting.

**City of Rathdrum**
**Parks and Recreation**
**7851 Main Street**
**Rathdrum, ID 83858**

**To: Mayor & City Council**

**From: Eric Singer, Parks and Recreation Director**

**Date: 11/10/2026**

**Re: November 10th City Council Staff Report**

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## Recreation

- Fall Adult Co-Ed Softball finished up on Saturday October 24. We had 12 teams for the fall season.
- K-4th Grade Basketball started on Monday, November 2nd. All games will be played at LMS and Mountain View Alternative School.

## Parks/Cemetery

- Park staff completed irrigation blowouts and winterizing restrooms.
- Staff has finished irrigating the swale on the Majestic Park frontage.
- Staff is busy decorating for the Holidays and the Holiday events.
- Cub Scout Pack 216 installed bat boxes on Rathdrum Mountain on Sunday, November 1st. The bat boxes will help mitigate the mosquito issues we have on the trails.

## Special Events/Classes/Programs

- The Trunk or Treat was held on Saturday October 31st at the Lakeland High School. We estimated between 3000-3500 kids.
- The Haunted Hustle 5K was also held on Saturday, October 31st. We had 37 participants.
- The Veterans Recognition Ceremony was held on Saturday, November 7th at the Lakeland High School.
- December D' Lights will be on December 4th & 5th this year. The Tree Lighting and Lighted Vehicle Parade will be on Friday night and the Winter Market & Carriage Rides will be on Saturday.

## Administration

- Staff has been coordinating with contractors on the new pavilion and playground at the Mark Worthen Memorial Park.

# Monthly Crime Report
# October 2026

## Rathdrum Police Department

**PURPOSE**: The purpose of this report is to provide an analysis of Rathdrum crime for the calendar month and year to date.

- Compstat Report for calendar month and year to date
- Arrest statistics
- Calls for Service

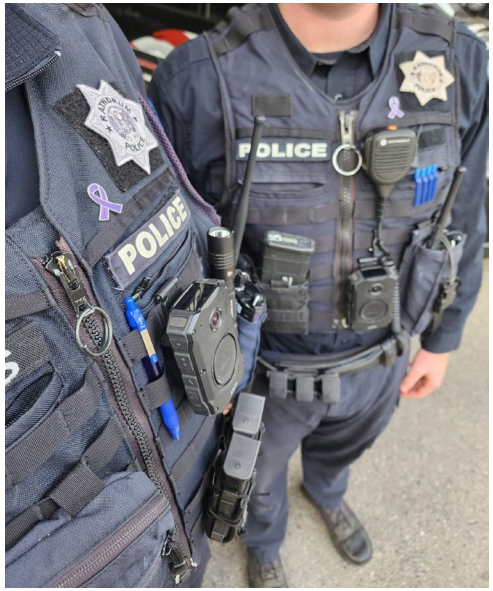
**DATA SOURCE**: The information used for this analysis was obtained from Spillman data, compiled by using Crystal Reports and Excel Statistical Charts.

The statistics provided in this report are preliminary counts of the original police incident reports and may vary from the final UCR (Uniform Crime Reporting) statistics published by the FBI.

# CompStat: Part 1 Crimes

| Part 1 Crimes - Monthly Analysis | | | | | | |
|---|---|---|---|---|---|---|
| Offense | Normal Range for October | October 2026 | September 2026 | Percent Change | Amount Change | Normal Range for November |
| Aggravated Assault | 0-3 | 3 | 0 | N/C | 3 | 0-1 |
| Homicide | 0-0 | 0 | 0 | N/C | 0 | 0-0 |
| Rape | 0-1 | 1 | 0 | N/C | 1 | 0-0 |
| Robbery - Commercial | 0-0 | 0 | 0 | N/C | 0 | 0-0 |
| Robbery - Person | 0-0 | 0 | 0 | N/C | 0 | 0-0 |
| Person Crime Totals | | 4 | 0 | N/C | 4 | |
| Arson | 0-0 | 0 | 0 | N/C | 0 | 0-0 |
| Auto Burglary | 0-1 | 0 | 0 | N/C | 0 | 0-0 |
| Burglary - Nonresidential | 0-2 | 1 | 0 | N/C | 1 | 0-1 |
| Burglary - Residential | 0-0 | 0 | 1 | -100% | -1 | 0-1 |
| Theft | 4-10 | 5 | 15 | -67% | -10 | 2-9 |
| Vehicle Theft | 0-1 | 1 | 0 | N/C | 1 | 0-1 |
| Property Crime Total | | 7 | 16 | -56% | -9 | |
| Grand Total | | 11 | 16 | -31% | -5 | |

These statistics are preliminary counts of the original police incident reports and may vary from the final UCR (Uniform Crime Reporting) statistics published by the FBI.






# CompStat: Part 1 & 2 Crimes YTD

| Rathdrum Police: Part 1 Crimes | | | |
|---|---|---|---|
| OFFENSE | Jan-Oct 2026 | Jan-Oct 2025 | % Chg |
| Aggravated Assault | 24 | 13 | 85% |
| Arson | 0 | 0 | N/C |
| Auto Burglary | 2 | 6 | -67% |
| Burglary - Non Resid | 10 | 4 | 150% |
| Burglary - Resid | 6 | 10 | -40% |
| Rape | 4 | 4 | 0% |
| Homicide | 0 | 0 | N/C |
| Robbery - Commercial | 0 | 1 | -100% |
| Robbery - Person | 0 | 0 | N/C |
| Theft | 74 | 77 | -4% |
| Vehicle Theft | 3 | 3 | 0% |
| Part 1 Crimes Total | 123 | 118 | 4.24% |

These statistics are preliminary counts of the original police incident reports and may vary from the final UCR (Uniform Crime Reporting) statistics published by the FBI.

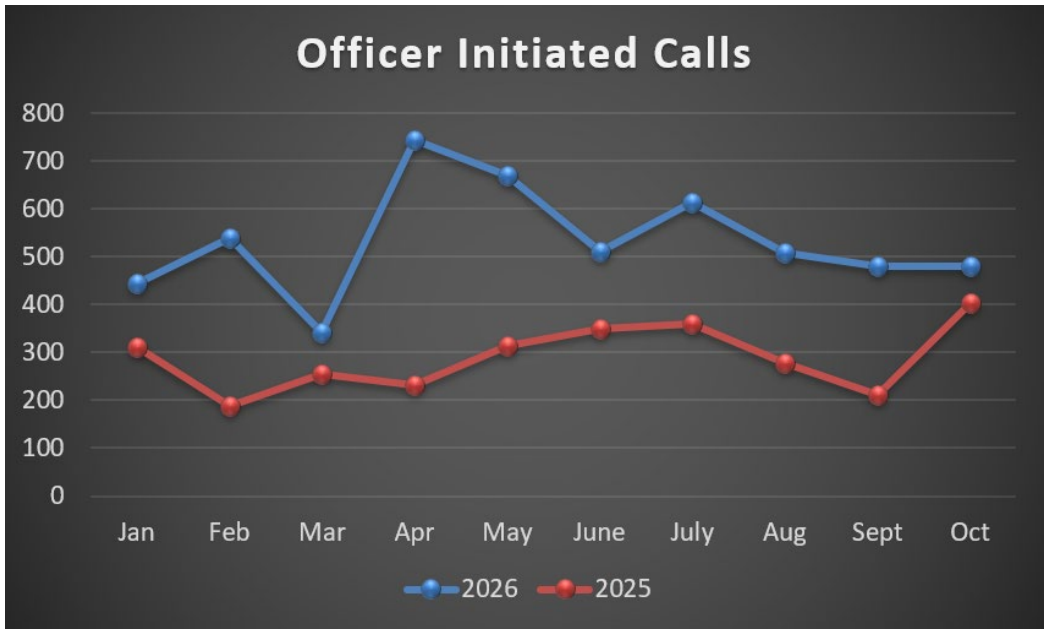


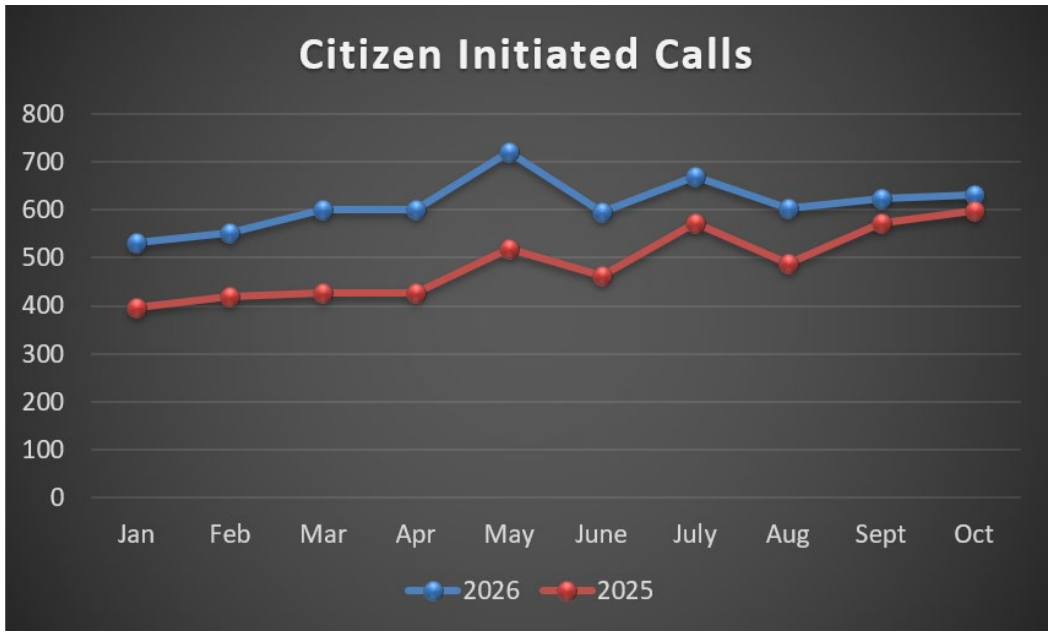

| Rathdrum Police: Part 2 Crimes | | | |
|---|---|---|---|
| OFFENSE | Jan-Oct 2026 | Jan-Oct 2025 | % Chg |
| Alcohol Offense | 53 | 23 | 130% |
| Assault | 86 | 46 | 87% |
| Child Abuse | 35 | 8 | 338% |
| Communications Off. | 3 | 2 | 50% |
| Conspiracy | 2 | 0 | N/C |
| CPOR/NCOV Violations | 12 | 6 | 100% |
| Custodial Interference | 4 | 2 | 100% |
| Disturbing the Peace | 16 | 5 | 220% |
| Drugs | 325 | 199 | 63% |
| DUI | 91 | 48 | 90% |
| Embezzlement | 0 | 0 | N/C |
| False Info to LE | 3 | 3 | 0% |
| Fraud/Forgery | 11 | 2 | 450% |
| Harassment | 7 | 3 | 133% |
| Intimidation | 8 | 8 | 0% |
| Juvenile Problem | 23 | 12 | 92% |
| Kidnapping | 2 | 1 | 100% |
| Mail Tampering | 0 | 0 | N/C |
| Neglect (Elderly) | 0 | 0 | N/C |
| Obstructing | 27 | 20 | 35% |
| Pornography | 4 | 1 | 300% |
| Recovered Stolen Prop. | 1 | 1 | 0% |
| Sex Offender Violation | 0 | 0 | N/C |
| Sex Offense | 15 | 11 | 36% |
| Trespassing | 5 | 2 | 150% |
| Vandalism | 55 | 31 | 77% |
| Weapon Offense | 12 | 3 | 300% |
| Other | 8 | 3 | 167% |
| Part 2 Crimes Total | 808 | 440 | 83.64% |

# Calls for Service By Month
# Officer / Citizen Initiated

| Rathdrum Police: Calls for Service | | | | |
|---|---|---|---|---|
| | Month | 2026 | 2025 | % Chg |
| Jan | Officer Initiated | 444 | 312 | 42.31% |
| | Citizen Initiated | 535 | 397 | 34.76% |
| Feb | Officer Initiated | 538 | 187 | 187.70% |
| | Citizen Initiated | 556 | 420 | 32.38% |
| March | Officer Initiated | 360 | 255 | 41.18% |
| | Citizen Initiated | 586 | 428 | 36.92% |
| April | Officer Initiated | 744 | 232 | 220.69% |
| | Citizen Initiated | 600 | 426 | 40.85% |
| May | Officer Initiated | 669 | 313 | 113.74% |
| | Citizen Initiated | 722 | 518 | 39.38% |
| June | Officer Initiated | 511 | 350 | 46.00% |
| | Citizen Initiated | 596 | 463 | 28.73% |
| July | Officer Initiated | 614 | 361 | 70.08% |
| | Citizen Initiated | 671 | 573 | 17.10% |
| August | Officer Initiated | 507 | 278 | 82.37% |
| | Citizen Initiated | 603 | 489 | 23.31% |
| Sept | Officer Initiated | 479 | 210 | 128.10% |
| | Citizen Initiated | 623 | 572 | 8.92% |
| Oct | Officer Initiated | 479 | 403 | 18.86% |
| | Citizen Initiated | 631 | 598 | 5.52% |
| Total | Officer Initiated | 5,345 | 2,901 | 84.25% |
| | Citizen Initiated | 6,123 | 4,884 | 25.37% |

Officer Initiated Activity: Traffic stops, ped/bike checks, business checks, community engagement & suspicious




| Warrant Arrests | | | |
|---|---|---|---|
| | Jan-Oct 2026 | Jan-Oct 2025 | % Chg |
| Warrant Arrests | 31 | 37 | -16.22% |

| | Jan-Oct 2026 | Jan-Oct 2025 | % Chg |
|---|---|---|---|
| Code Enforcement | 412 | 363 | 13.50% |
| Animal Calls | 340 | 330 | 3.03% |
| Total | 752 | 693 | 8.51% |

# MEMORANDUM

**Chief Daniel Haley**

**Rathdrum Police Department**

**"Professionalism through Service with Integrity"**

**Date:** November 4, 2026

**To:** Mayor and Council

**From:** Chief Daniel Haley

**Subject:** Council Packet for November 10, 2026

Mr. Mayor and Members of the Council,

Beyond the statistics that have been provided, the following highlights some other important things the police department has been doing.

- Chief Haley and Lt Friis attended the International Association of Chiefs of Police: attending trainings, meeting with vendors, viewing new products, and making further contacts within the law enforcement community.
- Department members recognized Domestic Violence Awareness month by wearing purple ribbon pins and putting out several social media messages. We continue to be devoted to helping the victims of this crime.
- A second arrest was made in a severe case of child abuse.
- Almost 50% of the fraudulently taken cryptocurrency in a case from 2025 was able to be returned to the victim through the efforts of Ofc Short and the Spokane Valley Investigative Unit.
- Drones were deployed 10 times, assisting with the containment of a felony domestic violence suspect.
- Liberty was deployed four times. Our current staffing levels due to differing reasons have precipitated our K9 officer working regular patrol shifts reducing availability for deployments.

# COMMUNITY DEVELOPMENT STAFF REPORT

## Engineering & Planning Departments

## November 2, 2026

**This is a summary of active Rathdrum Public Works' projects and Private Development projects:**

a. **City-Wide Speed Studies**: We have compiled notable special conditions/hazards for specific Rathdrum roadways. The Rathdrum City Council approved of these conditions in May '24.

   We presented our preliminary findings for the Phase 2 Speed Study Report on 6.25.25. The Phase 2 Speed Study Report is complete.

   We're in the process of reviewing the collected speed data for Phase 3 (major collector and arterial roadways). Mitigation measures are currently being evaluated and discussed with the Rathdrum Police Department.

b. **Water Master Plan Update**: We are meeting regularly with the consultant (JUB Engineers) on the Water Master Plan Update. JUB has prepared a GIS-based map from provided record drawings. As the computer model is continuously being refined, our aim is to begin analysis(es) on potential areas of the system.

   JUB is wrapping-up their hydraulically-modeling our water system (existing conditions). When reviewing their preliminary modeling, we recognized that there was a discrepancy in the 1MG water storage tank levels (actual) compared to what was being observed in the computer model. JUB has requested hourly water tank levels for the time period when the fire-flow field testing (July '25) was conducted. Due to our change-over in the SCADA system, we don't have immediate access to this data; thus, we've asked our integrator (Bigfoot Technical Services) to recover this data so that we can forward it to JUB. On 10.26.26, Bigfoot provided this information to JUB. JUB is currently reviewing the supplied data to ensure that it comprehensively addresses their request.

   It was our initial target that JUB would deliver the 2 primary Master Plan deliverables in late-September '26 (existing conditions) and December '26 (future conditions). We anticipate that these deliverables will be provided to us, for initial review, in late-November '26 (existing conditions) and February '27 (future conditions).

c. **Lancaster / Meyer Intersection and Meyer Road Reconstruction**: This project is complete.

d. **Decommissioning of Lift Station #2**: We are preparing construction drawings for the extension of 7,000 LF of 21" sewer pipe, which will allow us to decommission Lift Station No. 2. There still remains some utility coordination and there is a need to acquire easements from 2-to-3 property owners.

   The legal descriptions for the easements have been prepared by Stratton Land Services. We reached-out to the affected property owners and discussed the need to procure of easements.

   We haven't advanced the preliminary engineering design work due to our current workload.

e. **Street Rehabilitation Work**:

**Washington Street**: Liberty Landworks has completed the asphalt paving for this project. There remains some underground utility work on the south-side of Washington Street – between Main Street and the Lakeland School District parking area. We also have 1 drive approach which we need to make some adjustments. The drive approach is functional; however, the property owner has requested for it to be modified/extended. Once these underground utilities and the aforementioned drive approach are both addressed, the project will be complete.

**Copper Valley Estates**: Cole Concrete completed the concrete ramp replacement work in the Copper Valley Estates subdivision on 8.5.26. This project is complete.

**Meyer Road**: Interstate Concrete & Asphalt successfully completed the work on this project. There are 2 thermoplastic left-turn arrows which need to be installed in 2 weeks. Meyer Road was re-opened to traffic on 9.1.26.

**Tombstone Street**: We are also seeking to reconstruct Tombstone Street, between Meyer Road and Flagstaff Street. This work was performed starting on 9.21.26 and being completed on 9.30.26. This project is complete.

**f. Main Street** (Phase 1): This project is complete.

**g. Main Street** (Phase 2): We are preparing to submit a CDBG funding application for continuation of Main Street improvements, including a sidewalk extension on 2nd Street, between Mill Street and CDA Avenue.

**h. Lancaster Road Water Main Extension – east of SH41**: This project is complete.

**i. Pavement Conditions Inventory Evaluation**: The field work associated with assessing the existing asphalt pavement conditions is substantially complete. When the construction season semi-concludes for this year, we are going to prepare an Existing Conditions Map, which will be utilized for the preparation of a Pavement Management Plan. Our target is to have the Pavement Management Plan completed by early-Summer '27.

**j. Commercial Site Developments**:

1. Sky Meadow Villas – a multi-family residential development with construction paused: *The new owner has begun receiving permits*
2. Westwood Apartments – a multi-family residential development. Site development plans were approved on 11/12/24. Construction is nearing completion. *Certificates of Occupancy are being issued for individual structures in this project*
3. Calvary Worship Church recently submitted a site improvement plan; *Site and Landscape plans have been reviewed and approved: construction is underway*
4. Serenity Bridge: Site development plans have been received and approved for this proposed development on Commercial Parkway. The applicant is revising their project (smaller building footprint) and we are awaiting a re-submittal at any time: the project engineer indicates that the resubmitted project will have approximately ½ the footprint of the original submittal, and will only house the serenity bridge project, not the grooming facility. This project is now beginning construction
5. Epic/Meyer Storage Phase IV: The final phase of this project is underway, including site wide landscape revisions
6. Brookshire Commons – plans have been received for phase 1 of the project consisting of 8 buildings (5 residential units each) and clubhouse: plans are under review. Plans have been received for phases 2 and three of the project; review is underway, pending corrections from the engineer of record
7. Beyond Green – the developer is wrapping up the construction of the water main extension in Greensferry Road, south of Lancaster Avenue. The

Greensferry/Lancaster intersection is once again open to the public. The work is substantially complete. We are waiting on the contractor to return and complete clean-up work.

8. A 3-unit commercial building has been proposed at 14747 Kimo Ct; pre-application meeting has been held, site plans have been submitted: site plan review has been completed and approved: construction is expected to begin soon.
9. A gas station/mini mart (Circle K) has been proposed at the SE corner of the intersection of Highway 41 and Boekel Rd. Plans have been submitted, planning redlines have been returned to the applicant for revisions. Communication are ongoing: fees are under review by corporate
10. Ragged Ridge Machinery, a machine shop, was proposed north of Ace Hardware on Boekel Rd: Site plan review has been completed: construction is underway
11. C&S Auto: construction is ongoing
12. Outlaw Coffee: a drive through coffee shop has been proposed in lot 5 of the Westwood Commercial Park; the final plat has been approved and infrastructure accepted. We expect construction to begin in the immediate future
13. Old European Coffee: a drive through coffee shop has been proposed in the Hadley Meadows Commercial Lots; a pre-application meeting has been held:
14. Damiano: Review of the Construction yard has been completed, construction has not yet begun

**k. Long Plats:**

1. Raghorn Estates – Preliminary Plat has been approved. Subdivision plans have been reviewed and approved. Construction activity has begun.
2. City Hall Addition – Site plans have been approved and construction is underway.
3. Westwood Pines Commercial Park, the preliminary plat has been approved by Council; the final plat has been approved and infrastructure has been accepted. This plat is complete/
4. "Solara" – the first phase of Solara has moved to final plat, construction of infrastructure is underway in the second phase of the project, Solara 1st Addition
5. Thayer Farms West 1st Addition – subdivision construction plans have been submitted and approved by City Staff. Construction activity has begun.
6. Meyer Meadows 1st Addition – this 71 lot residential subdivision has passed through final plat
7. Beta Industrial Park: A 13 lot commercial/industrial park has been submitted and has been approved by council; Review of plans is underway
8. Selkirk Center Subdivision and PUD: the preliminary plat and PUD have been approved; earthmoving activity has commenced on the subject property.
9. Rathdrum Commercial Park; a 6 lot commercial subdivision has been proposed at the NE corner of Lancaster and 41 (north of the Jifi Stop). A pre-application meeting has been conducted.

**l. Short Plats**

1. A 2-lot short plat (Hollice Wood Short Plat) has been proposed for the commercially zoned remainder parcel of Hollice Woods (south of the railroad tracks): this short plat would separate the lot to be dedicated to the

Northern Lakes Fire District from the balance of the property, which is proposed to be a 19-unit mixed business park. A pre-application has been held: we are waiting for submission of an application.

2. A two lot short plat has been submitted for the property located at the SW corner of the intersection of highway 41 and Lancaster Rd: the purpose of the short plat is to separate the commercially zoned portion of the property from the residential portion: The Lancaster 41 West short Plat was approved by Council: The final plat has been approved, no infrastructure was required. This plat is complete
3. Parkside Townhomes (formerly True North Subdivision): infrastructure construction is underway

**m. Zone Change**

The Bunchgrass Zone Change has been approved: we are waiting for final required documentation to be submitted.

**n. Annexation**

The Viking Boekel Annexation was approved. Grubbing/earth-clearing activities are underway, a ~80 lot subdivision is expected to be submitted soon

**PUBLIC WORKS DEPARTMENT**
8047 W Main Street
Rathdrum, ID 83858
Ph: 208-687-7242
Fax: 208-687-1377
www.rathdrum.org
**Building Department** 208-687-7244
**Planning and Zoning** 208-687-7241

# Council Report for November 10, 2026, Council Meeting

66 Work Orders
200 Locates
65 Chlorine samples
10 Bacteriological Samples

Field staff is continuing to verify programming and installing new ERTs throughout the City.

Bigfoot Technical Services has begun this year's round of PLC upgrades to our sites. Completing the upgrade at Thayer 1 so far.

Winter preparations are ongoing with our plow trucks.

City Field staff has been on site repeatedly for force main crossings on McGuire Road and continued work on the Seltice Way project in Post Falls.

Field staff completed two very large locates in the Thayer Farms subdivision for telecom installation. Thes two locates took multiple people multiple days to complete.

A new Itron ERT radio programmer has been received. This will increase the capabilities of field staff to diagnose and reprogram ERTS in our system.

# *PROCLAMATION*

***WHEREAS,*** *the citizens of the City of Rathdrum and the United States of America live in freedom because of the contributions and personal sacrifices made by those who have served and by those now serving in the Armed Forces; and*

***WHEREAS,*** *our nation has fought and continues to fight battles around the world for the ideals of liberty and justice. The words of the first Veterans Day proclamation signed by President Eisenhower still ring true: "Let us solemnly remember the sacrifices of all those who fought so valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage and freedom, and let us reconsecrate ourselves to the task of promoting an enduring peace so that their efforts shall not have been in vain"; and*

***WHEREAS,*** *the City of Rathdrum has always provided its best and brightest sons and daughters to serve bravely in America's Armed Forces. We remember with somber and grateful hearts those men and women who have served in the military with distinction and valor as sailors, soldiers, airmen, and Marines, and offer our sincere prayers for those who continue to defend the principles on which our nation was founded; and*

***WHEREAS,*** *we will endeavor to always honor the contributions and sacrifices of those who have, over the centuries, served in the military and the tens of thousands presently serving, both at home and abroad; and*

***WHEREAS,*** *the City of Rathdrum is home to veterans and our nation's military families. We are proud to recognize our country's veterans and extend the appreciation of our citizens to those who wear the uniform of the United States Armed Forces and serve on the front lines, preserving freedom and liberty;*

***NOW, THEREFORE,*** *I, John Hodgkins, Mayor of the City of Rathdrum, do hereby proclaim the month of November 2026, as a month of Support and Recognition to recognize the service and sacrifice of our brave men and women in uniform and encourage all citizens of the City of Rathdrum to observe and appreciate these sacrifices and contributions of our veterans who fought for peace and defended democracy in our land and abroad.*

*DATED this 7th day of November 2026.*

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*John Hodgkins, Mayor*