

CANYON COUNTY
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October 10, 2025

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Preston Rutter
Nampa City Attorney
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RE: Open Meetings Act Violation Concern and Opportunity to Cure

Dear City Council, Mayor, and City Attorney:

Our office received a complaint regarding potential violations of the Idaho Open Meetings Act (Idaho Code § 74-201 et seq.) related to discussions about the Ford Idaho Center. As the Prosecuting Attorney for Canyon County, I have a duty under Idaho Code § 74-208(5) to enforce this Act for local public agencies in our jurisdiction. However, since my office handles Nampa City's misdemeanor criminal prosecution contract, pursuing action beyond a preliminary investigation would create a conflict of interest, requiring an appointment of an independent special prosecutor.

A preliminary screening review, including interviews and minutes, indicates two possible violations with executive sessions:

1. **Improper Motions and Minutes:** Under Idaho Code § 74-206(1), motions to enter executive session must identify the specific authorizing subsection. Minutes must also reference that subsection and provide sufficient detail on the purpose and topic without compromising confidentiality (Idaho Code § 74-205(2)). In violation of this section, the motions and minutes here provide no information or detail on the purpose or topic addressed.

October 10, 2025

Page 2 of 2

2. **Inappropriate Topics:** Executive sessions are limited to topics defined in Idaho Code § 74-206(1)(a)-(j), which *must be narrowly construed*. Our preliminary investigation suggests that discussions, debates, and "temperature checks" on individual council members were held on a substantive policy matter --the transfer of Idaho Center to CWI. This topic does not fit any authorized category, and likely further violates the Open Meetings Act.

I share this in the spirit of collaboration, to help ensure compliance without escalation. You may cure these violations by following the procedure prescribed by Idaho Code § 74-208(7). If voluntarily cured, my office will take no further action. If not, I am required to refer the matter to an independent prosecutor for full investigation and action.

Please provide a written response by Tuesday, October 14, 2025, at 5:00 p.m. indicating whether you intend to cure the alleged violations.

Thank you for your attention to this important matter. I am available to discuss if helpful.

Sincerely,

A handwritten signature in blue ink, appearing to read "C Boyd", with a stylized flourish at the end.

Chris Boyd
Canyon County Prosecuting Attorney