



January 9 & 10, 2023, Emmett, Idaho

Pursuant to a recess taken on January 3, 2023, the Board of Commissioners of Gem County, Idaho, met in regular session this 9th day of January 2023, at 8:30 a.m.

Present:	Bill Butticci	Chairman
	Mark Rekow	Commissioner
	Kirk Wille	Commissioner
	Sarah Story	Deputy Clerk

Whereupon the following proceedings were had, to-wit:

January 9, 2023

SWEARING IN OF ELECTED OFFICIALS: Clerk Tilton administered the oath of office to Commissioner Rekow. Commissioner Rekow administered the oath of office to Commissioner Butticci, Clerk Tilton, Assessor Strang and Treasurer Keene. Coroner Buck will take the oath at a later date.

REORGANIZATION OF THE BOARD: The Commissioners discussed which of them would like to be the Chair of the Board and Vice-Chair.

A motion was made by Commissioner Rekow to have Commissioner Butticci as Chair and Commissioner Wille as Vice-Chair. It was seconded by Commissioner Wille and carried unanimously.

MAGISTRATE COMMISSION APPOINTMENT: The Commissioners discussed which of them would like to be appointed as the Magistrate Commission representative. Commissioner Butticci stated that is generally taken on by the Board Chair, so he will do this.

A motion was made by Commissioner Butticci that the Chairman serve as the Magistrate Commission. It was seconded by Commissioner Rekow and carried unanimously.

REVIEW AND APPROVAL OF AGENDA: The Commissioners reviewed the agenda. A motion was made by Commissioner Wille to approve the agenda as presented. It was seconded by Commissioner Butticci and carried unanimously.

COURTHOUSE SERVER UPGRADE ADDITIONAL ARPA FUNDING REQUEST:
Information Technology (IT) Support Specialist Corbin Vickery

advised that the approximate cost for parts and labor is \$30,000. He talked about the transition and the work needed to get this done. Commissioner Butticci talked about the available ARPA funding. He advised that this was missed at the previous approval. There was discussion on other projects that may need funding as well, such as an elevator at the new building. Commissioner Butticci believes this is necessary for the county and will be done by Wade Ray with Fix This System. Corbin advised that the cost was based on the hours needed for this project. There was discussion on the knowledge that Wade has with the county system. Commissioner Butticci advised that the county is trying to standardize the system so anyone could come in and work on the system. He advised that an addendum will be done on the current contract with Fix This System.

A motion was made by Commissioner Rekow to approve the ARPA funding and to not to exceed \$30,000 as presented. It was seconded by Commissioner Wille and carried unanimously.

COURTHOUSE SECURITY CAMERA UPGRADE ARPA FUNDING REQUEST:

Information Technology (IT) Support Specialist Corbin Vickery advised that the system needs to be unified. He advised that the 1st request would be to replace the current system with a switch for approximately \$3700. He talked about the savings by using in-house IT and to not have a 3rd party subscription. Commissioner Butticci talked about the benefits with going with this. Corbin talked about the security upgrade and that there was not much interfacing for this. Commissioner Butticci expressed concerns with what will happen when the upcoming security upgrade is done. Corbin advised that these cameras can be moved and used anywhere very easily.

A motion was made by Commissioner Rekow to approve up to \$4000 in ARPA funding for the cameras as presented by our IT employee for the courthouse. It was seconded by Commissioner Wille and carried unanimously.

GEM ISLAND SPORTS COMPLEX SECURITY CAMERA PROJECT ARPA FUNDING REQUEST:

Information Technology (IT) Support Specialist Corbin Vickery talked about having cameras at the Gem Island Sports Complex to help with vandalism. He is proposing a stand-alone system and to use the same cameras as proposed for the courthouse. Building and Grounds Supervisor Chuck Shambaugh talked about vandalism and illegal activity with vehicles at the Island. Corbin talked about placement of the cameras and the number of cameras to be used. Commissioner Wille talked about the importance of signage to let people know they are under surveillance. Commissioner Rekow expressed concerns with vandalism to the cameras. The estimated cost is \$8000 for 6

cameras which includes all needed equipment and labor which is in-house. Corbin explained how they would be wired and that this will not include a live feed but it would cost approximately \$2000 to have this functionality added. He also talked about getting the Road and Bridge department on the courthouse network.

A motion was made by Commissioner Rekow to approve up to \$10,000 to provide the connectivity to the Road Department, Weed Department and to the Island to provide security with ARPA funding. It was seconded by Commissioner Wille and carried unanimously.

CONSENT AGENDA: A. Certificate of Residency for Junior College tuition for Hannah Meuser, Kaylee Hiebert and Amelia Keene, B. Payroll claims approval for 1/7/2023 and C. Gem County Resolution 2023-02 approving Gem County salary range and scale & Kinds and Levels.

A motion was made by Commissioner Rekow to approve items A-C as presented. It was seconded by Commissioner Wille and carried unanimously.

MINUTES: There were no minutes to review.

PUBLIC WALK-IN: There were no members of the public present.

GEM SOIL AND WATER CONSERVATION DISTRICT ANNUAL LUNCHEON: The Commissioners attended a luncheon with the Gem Soil and Water Conservation District at Elements Restaurant.

The Commissioners recessed at 11:00 a.m. for lunch to reconvene at 1:30 p.m.

THORNTON REZONE PUBLIC HEARING: While being recorded, the Commissioners held a public hearing to review the Thornton Rezone request. This meeting was held in person and virtually via Zoom. Those present were Development Services Director Jennifer Kharrrl, Development Services Coordinator Stephanie Crays, Deputy Prosecuting Attorney Tahja Jensen, Road and Bridge Supervisor Neal Capps, applicant Shawn Nickel and property owner Renee Thornton. Commissioner Butticci read the notice of public hearing. Those wishing to testify were sworn in.

There were no conflicts or declarations pertaining to this meeting such as site reviews or other conversations outside of this hearing.

Development Services Director Jennifer Kharrrl asked to have the packet of information be added into the record which includes the notice of Public Hearing, the application, the

Zoning Commission recommendation for approval, the draft Zoning Commission minutes, draft Development Agreement and impact agency letters.

A motion was made by Commissioner Rekow to enter the packet into the record as presented. It was seconded by Commissioner Wille and carried unanimously.

The applicant, Shawn Nickel, on property owned by Creston and Renee Thornton, is seeking approval to rezone their property from A-1 Prime Agriculture (40-acre minimum) to A-2 Rural Transitional Agriculture (5-acre minimum). The property proposed to be rezoned is 85.54 +/- acres, comprised of 2 adjacent parcels owned by the property owner, and the majority of the property lies within the Priority Growth Area 2 of the County Residential Area, as designated on the Future Land Use Map in the Comprehensive Plan. The applicant is wanting to create a subdivision. She talked about the property location and that staff recommended approval with a consideration of a Development Agreement. The Zoning Commission recommends approval with a Development Agreement with a water quality/quantity study.

Applicant, Shawn Nickel stated that if approved they would apply for a subdivision with 11 5-acre lots with private streets. He advised that they will be doing the water quality/quantity study if approved. There were no others present that wished to speak in favor, neutral or opposed.

Jennifer advised that there would be 11 additional parcels in addition to the current 2 for a total of 13. She advised that the private road would limit the number of parcels, not allowing the full build-out. Jennifer advised that she has been in communication with a neighbor that had concerns. Road and Bridge Supervisor Neal Capps talked about access and that there is no bridge over the canal as of now. She talked about engineering studies that would need to be done for any hillside property. Neal talked about the site triangle and that the requirements are met.

A motion was made by Commissioner Rekow to close the public hearing. It was seconded by Commissioner Wille and carried unanimously.

Commissioner Butticci believes that the requirements have been met and has no concerns. Commissioner Wille has no concerns. Commissioner Rekow advised that his questions have been answered.

A motion was made by Commissioner Rekow to approve the rezone for Shawn Nickel, property owned by Creston and Renee Thornton as presented with the recommendations as outlined including the quality/quantity study and to accept the Findings and Facts from Gem County Zoning Board, Exhibit B and Exhibit 2. It was seconded by Commissioner Wille and carried unanimously.

EXPENSE CLAIMS APPROVAL: The claims presented were reviewed. Commissioner Rekow made a motion to approve the claims as presented and as initialed on the individual claim forms as well as the Indigent claims. It was seconded by Commissioner Wille and carried unanimously.

EDGEMONT ESTATES REZONE PUBLIC HEARING: While being recorded, the Commissioners held a public hearing to review the Edgemont Rezone request. This meeting was held in person and virtually via Zoom. Those present were Development Services Director Jennifer Kharri, Development Services Coordinator Stephanie Crays, Deputy Prosecuting Attorney Tahja Jensen, Road and Bridge Supervisor Neal Capps, Arli Stile and Amy Rosa with Sawtooth Land Surveying. Commissioner Butticci read the notice of public hearing. Those wishing to testify were sworn in.

There were no conflicts or declarations pertaining to this meeting such as site reviews or other conversations outside of this hearing.

Development Services Director Jennifer Kharri asked to have the packet of information be added into the record which includes the notice of Public Hearing, the application, the Zoning Commission recommendation for approval, the staff report, the draft Zoning Commission minutes, draft Development Agreement conditions and impact agency letters.

A motion was made by Commissioner Rekow to enter the packet and associated information into the record for Edgemont Estates. It was seconded by Commissioner Wille and carried unanimously.

The applicant, Kyle Stratton, on property owned by Edgemont Estates, LLC, is seeking approval to rezone their property from A-2 Rural Transitional Agriculture (5-acre minimum) to R-2 Residential Transitional (1-acre minimum). The property proposed to be rezoned is 4.96 +/- acres and lies fully within the Priority Growth Area 1 of the County Residential Area, as designated on the Future Land Use Map in the Comprehensive Plan. The applicants intention is to apply for a minor subdivision to create 4 parcels. The Zoning Commission recommends approval with a Development Agreement for a water quality/quantity study. She advised that a letter from Road and Bridge was supposed to be included in the Development Agreement.

Amy Rosa with Sawtooth Land Surveying advised that the water study has been completed, that they are working with Emmett Irrigation and a private road for access will be built.

There were no others present in favor. Neutral, Arli Stiles expressed concerns with irrigation water, the ditch and challenges with cleaning the ditch. He would like these issues resolved before approved. There was no others present that

wished to speak in neutral or opposition.

Amy Sosa advised that this is a rezone application and those concerns would be addressed at the subdivision application time in which an engineer would be involved.

Jennifer explained the requirements for a rezone application and a subdivision application.

A motion was made by Commissioner Wille to close the public hearing. It was seconded by Commissioner Rekow and carried unanimously.

Commissioner Butticci talked about the location of the property and that the rezone application meets the county requirements. Commissioner Wille talked about the surrounding properties and has no concerns. Commissioner Rekow does not have any concerns.

A motion was made by Commissioner Rekow to accept the Findings of the Zoning Commission as provided in Exhibit B. On Exhibit 2, to add item 6 under the Conditions for the Road Department stating that they will only grant 1 access to the property in question and to accept #1-5, add #6 for the Road Department. It was seconded by Commissioner Wille and carried unanimously.

EXECUTIVE SESSION- ACQUISITION OF REAL PROPERTY: At 4:00 p.m. a motion was made by Commissioner Rekow, seconded by Commissioner Wille and carried unanimously to go into executive session under Idaho Code 74-206(1)(c) for matters of real estate with a roll call vote as follows: Commissioner Butticci, aye, Commissioner Wille, aye, Commissioner Rekow, aye.

Regular session reconvened at 4:10 p.m.

DECISION/DIRECTION AS TO PURCHASE OF REAL PROPERTY DISCUSSED IN EXECUTIVE SESSION: No action was taken today.

GEM COUNTY RESOLUTION 2023-03 SETTING A TEMPORARY SPEED LIMIT FOR BOWMAN ROAD: Road and Bridge Supervisor Neal Capps talked about the Farmer's Coop project and the traffic. He would like to either do a decreased temporary speed limit for Bowman Road or increase signage. He prefers to lower the speed limit from 40mph to 30mph. He advised that he has notified the Sheriff's Department and that he would be putting this change in the newspaper for notification. He advised that the bridge is currently barricaded.

A motion was made by Commissioner Wille to approve the Resolution for the temporary speed limit as discussed for Bowman Road and to reduce to 30mph. It was seconded by Commissioner Rekow and carried unanimously.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecuting Attorney Tahja Jentsen talked about various legal matters in the county. Items that she talked about were the building at Noxious Weed, the Public Defense Commission, a salary policy, a performance evaluation policy and Valor Health.

The Board recessed at 5:00 p.m. to 8:30 a.m. on January 10, 2023.

January 10, 2023

ADMINISTRATIVE TIME: The Commissioners worked on various administrative items.

SQUAW CREEK SOIL CONSERVATION DISTRICT ANNUAL APPRECIATION DINNER: The Commissioners attended the Squaw Creek Soil Conservation District annual appreciation dinner at Roystone Hot Springs.

The Board recessed at 8:15 p.m. to 8:30 a.m. on January 17, 2023.

Approved: _____
Chairman

Attest: _____