



January 24 & 25, 2022, Emmett, Idaho

Pursuant to a recess taken on January 18, 2022, the Board of Commissioners of Gem County, Idaho, met in regular session this 24th day of January 2022, at 8:30 a.m.

Present:	Mark Rekow	Chairman
	Bill Butticci	Commissioner
	Bryan Elliott	Commissioner
	Shelly Tilton	Clerk

Whereupon the following proceedings were had, to-wit:

January 24, 2022

REVIEW AND APPROVAL OF AGENDA: The Commissioners reviewed the agenda. There was discussion about moving the Covid discussion scheduled at 9:00 a.m. to the afternoon when Deputy Prosecutor Tahja Jensen will be available.

A motion was made by Commissioner Butticci to move the 9:00 Covid discussion to 2:30 and to approve the rest of the agenda as presented. It was seconded by Commissioner Elliott and carried unanimously.

CONSENT AGENDA: The consent agenda included: A. Amended FY2021 Indigent Defense Expenditure report, B. Alice's Restaurant Minor Subdivision Findings, Conclusions, Conditions, Order, C. Gem County Resolution 2022-09 adopting the amended appendix of the Gem Community Joint Comprehensive Plad adding the Capital Improvement Plans the purpose of enacting a Development Impact Fee Ordinance, D. Ratification of CISA Cybersecurity Assessment Appendix A Selection of Assessment Services, E. Juvenile Probation surplus items and F. Gem County Recreation District Island Maintenance Memorandum of Understanding (MOU).

A motion was made by Commissioner Butticci to approve items A-F as presented. It was seconded by Commissioner Elliott and carried unanimously.

MINUTES: The minutes for January 18, 2022 were reviewed. A motion was made by Commissioner Rekow to approve the minutes for January 18, 2022 as amended. It was seconded by Commissioner Elliott and carried unanimously.

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

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

INDIGENT APPLICATIONS: There were no indigent applications presented.

11300 OLA SCHOOL ROAD EVICTION: Deputy Prosecuting Attorney Tahja Jensen said that the court issued a judgement for eviction last week. The renters asked to be given until Sunday the 30th to be out of the residence. They have a couple of items that are frozen in the snow that they are unable to remove until the ground thaws including camper, steel posts, straw bales and yard tools. It was discussed that it could become a liability issue if items are left on the property. Where costs associated with this will be paid from was discussed.

A motion was made by Commissioners Butticci to move forward with the eviction of 11300 Ola School Road and authorize the Prosecutor's office to have the writ served on January 30, 2022. It was seconded by Commissioner Elliott and carried unanimously.

VACATION TIME CARRYOVER REQUEST: The Commissioners considered a request by the Prosecutor's office for an employee to carry over 40 hours of vacation time to be used by the end of February.

A motion was made by Commissioner Elliott to approve vacation time carryover requested for 40 hours until the end of February. It was seconded by Commissioner Butticci and carried unanimously.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecuting Attorney Tahja Jensen spoke on various legal matters. An independent contractor agreement for Development Services was discussed.

At 11:22 a.m. a motion was made by Commissioner Rekow to go into executive session under Idaho Code 74-206(1)(a) for hiring or filling a vacancy with a roll call vote as follows: Commissioner Butticci, aye, Commissioner Elliott, aye, and Commissioner Rekow, aye.

Regular session reconvened at 12:08 p.m.

An independent contractor agreement for Development Services was discussed.

The Commissioners recessed at 12:16 p.m. for lunch to reconvene at 1:30 p.m.

MEHARRY REZONE PUBLIC HEARING: This hearing was held via Zoom. Development Services Director Jennifer Kharrl stated that the intent of the applicant is to withdraw the application; however, the applicant would still like to speak about his request. The applicant, Steve Meharry, said he wanted to address his neighbors in a formal way. He provided written comments regarding the Covenants or Maintenance Agreement (CMA) for Panorama Ranches and discussed CC&Rs for his area. He said that there were not enough neighbors in favor of his application which is why he is withdrawing it.

DEVELOPMENT SERVICES: The Commissioners reviewed Pheasant View Minor Subdivision. Development Services Director Jennifer Kharrl stated this application is for a 3 lot minor subdivision on Morehouse road. Jennifer said there were no letters of concern. It is nearly 100% in the flood plane with the new maps, so building permits will have to comply with the new ordinance. Jennifer stated there was a condition for irrigation.

A motion was made by Commissioner Elliott to approve the Pheasant View subdivision application as presented. It was seconded by Commissioner Butticci and carried unanimously.

At 1:58 p.m. a motion was made by Commissioner Rekow to go into executive session under Idaho Code 74-206(1)(a) for hiring or filling a vacancy with a roll call vote as follows: Commissioner Butticci, aye, Commissioner Elliott, aye, and Commissioner Rekow, aye.

Regular session reconvened at 2:43 p.m.

COUNTY FACILITY/EMPLOYEE COVID POLICY DISCUSSION: Deputy Prosecutor Tahja Jensen discussed current Covid policies and CDC recommendations. The existing 50 hours of Covid sick leave was discussed and left in place. Currently the CDC has different guidelines for vaccinated versus unvaccinated people. Not knowing or asking for vaccination status provides difficulty in determining what guidance to use. Using the most stringent guideline regardless of vaccination status was discussed. The Commissioners would be in favor of looking at updating the county Covid policy to reflect this. Tahja will look at the current policy to amend this change and bring back to the Commissioners for review.

LETHA SEWER DISTRICT REQUEST FOR ARPA FUNDING: Richard Bergland

representing the Letha Sewer District and Gregory Dye with Great West Engineering met with the Commissioners to discuss the Letha sewer system. A 10 year test discovered that they have some leakage and are not compliant with DEQ regulation. The district is looking to obtain funding to bring it into compliance. They are applying for a grant and requesting ARPA funding for the match. Commissioner Rekow asked about the overall project. Greg said it could be in the millions of dollars depending upon what is needed. He said part of the \$50,000 would go toward the facility plan to determine what is needed. Richard said the North pond is not leaking, the South pond has anomalies that they are not able to account for, leakage is suspected. The pond may need to be raised. He stated the ponds are at capacity.

A motion was made by Commissioner Butticci to use ARPA funding for a grant to the Letha Sewer District for \$50,000 to go towards their plan as presented. It was seconded by Commissioner Elliott and carried unanimously.

JAIL INSPECTION: The Commissioners went on an inspection at the jail.

ADMINISTRATIVE TIME: The Commissioners worked on various administrative items.

The Board recessed at 5:00 p.m. to 8:30 a.m. on January 25, 2022.

January 25, 2022

ADMINISTRATIVE TIME: The Commissioners worked on various administrative items.

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

ADMINISTRATIVE TIME: The Commissioners worked on various administrative items.

The Board recessed at 5:00 p.m. to 8:30 a.m. on February 7, 2022.

Approved: _____
Chairman

Attest: _____
Clerk