



February 1, 2021, Emmett, Idaho

Pursuant to a recess taken on January 25, 2021, the Board of Commissioners of Gem County, Idaho, met in regular session this 1st day of February 2021, at 8:30 a.m.

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

Whereupon the following proceedings were had, to-wit:

The Pledge of Allegiance was said.

February 1, 2021

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

CONSENT AGENDA: The consent agenda included: A. NORCO service agreement for cylinder lease for Noxious Weed Department, B. Ratification of approval and signature of a letter of support for AARP volunteer tax aide preparation site at the Emmett Senior Center, C. Memorandum of Understanding with Southwest District Health , Public Health District 3 for closed Point Of Distribution (POD) for COVID vaccinations, D. Memorandum of Agreement with Oregon Social Learning Center to activate Parent Project (Project Leap), E. Ola Highway Powerline Road to 2nd Fork Road progress report and pay request #11 and F. Denial of Certificate of Residency for Junior College tuition for Hannah Meuser being submitted past statutory deadlines.

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

APPROVAL OF GEM COUNTY POLLING LOCATIONS WITH SOME REVISED LOCATIONS AND COMBINATION OF SOME PRECINCT STAFFING FOR MARCH 9, 2021 SCHOOL LEVY ELECTION: Clerk Shelly Tilton spoke about the March 9, 2021 election for the 2021 school levy. She discussed previous school levy election turnout and stated she would like to combine some polling locations for this upcoming election.

This would not combine the precincts, but just locations and precinct staffing providing cost savings & efficiency for the expected turnout. This request is only for this election.

A motion was made by Commissioner Butticci to approve the Gem County polling locations with some revised locations and combination of some precinct staffing for March 9, 2021 school levy election. It was seconded by Commissioner Rekow and carried unanimously.

RECOVERY CENTER REQUEST FOR TRASH BIN: Commissioner Butticci advised that a 96-gallon receptacle was delivered which is required by city code. He expressed concerns of illegal dumping with a dumpster.

A motion was made by Commissioner Butticci to maintain the 96-gallon receptacle at the Recovery Center which is required by City Ordinance. It was seconded by Commissioner Rekow and carried unanimously.

MINUTES: The minutes from January 25, 2021 were reviewed. A motion was made by Commissioner Butticci to approve the minutes for January 25, 2021 as amended. It was seconded by Commissioner Rekow and carried unanimously.

AMBULANCE ORDER CHANGE DISCUSSION: Chief Rick Welch spoke of changes in the ambulance order for a 2020 AEV TraumaHawk F450 4x4 V8 gas custom ambulance. He advised of items that were missed on the original bid, plus an add-on, which would be an extra costs of \$4050.00 and the match up for the ambulance with the proposed changes would be \$38,391.00. He advised he will still continue to negotiate the prices to try and bring the cost down further.

A motion was made by Commissioner Butticci to approve the ambulance change order in the amount of \$4050.00 as presented. It was seconded by Commissioner Rekow and carried unanimously.

COVID DISCUSSION: Emergency Operations Center (EOC) Manager Laurie Boston provided updates on the current positive COVID cases in Gem County, that there are no new deaths, that Gem County is still in the Orange category, the school vaccination clinic, eligible recipients, an upcoming drive-thru clinic, where the clinic will be located and the process for distribution. She also talked about possible alternative locations for vaccine distribution, her move to her new office and needed equipment for the new office. Valor Health Marketing Manager Staci Carr provided updates on the number of patients

that were seen in the last week in the Urgent Care, Emergency Room, transfers and that there are no patients in the COVID wing. The 30-day trend is at 18.52%. Valor Health CEO Brad Turpen spoke about vaccine distribution, supply & demand challenges and vaccine prioritization. He also advised that there is no need to quarantine after receiving the vaccine. Laurie spoke of the logistical challenges of providing the 1st and 2nd dose of the vaccine.

PROSECUTING ATTORNEY MATTERS: Road and Bridge Supervisor Neal Capps spoke about Johnson Creek Road and a concerned citizen, Bryce Walker, that has been billed by BLM for use of the road. He talked about RS2477 (Revised Statute 2477) and a 299-Form, which is for a maintenance right-away agreement. Deputy Prosecuting Attorney Tahja Jensen recommends that the 299-Form is the best route to go to resolve the issue. There was discussion that this road is a Gem County road, but is on BLM land. Neal discussed the timeline for the completion of this process. There was also discussion about Vandeussen Road, change in road structure and right-way. Neal advised that if the 299-Form was signed, any pending charges will be eliminated.

Deputy Prosecuting Attorney Tahja Jensen talked about various county legal matters. Items that she discussed included county growth, language that is used when writing orders, an Indigent case that is still before the Supreme Court, a new Chief Justice, existing agreement with Emergency Management Services (EMS), jail phone bid extension, Little League Memorandum of Understanding (MOU), island use, drive-thru vaccine clinics, challenges of prioritization of vaccine recipients, supply of vaccines and the sewer district. There was also discussion on a Request for Proposal (RFP) for the Gem County Comprehensive Plan and Impact Fee Ordinance.

INDIGENT APPLICATIONS: At 10:57 a.m. a motion was made by Commissioner Butticci, seconded by Commissioner Rekow and carried unanimously to go into executive session under Idaho Code 74-206(1)(d) for indigent matters with a roll call vote as follows: Commissioner Butticci, aye, and Commissioner Rekow, aye.

21-008	Medical Emergency
21-010	Notice of Lien
14-115	Discussion
14-115	Release of Lien

Regular session reconvened at 11:03 a.m.
Commissioner Butticci made a motion that on case 21-008 to

deny because the applicant is not medically indigent and the county is not the last resource, on case# 21-010 to sign a notice of lien and on case# 14-115 to sign release of lien. It was seconded by Commissioner Rekow and carried unanimously.

ROAD DEPARTMENT UPDATE: Road and Bridge Supervisor Neal Capps provided updates on multiple projects that they have been working on. Items that he talked about were radar signs on El Paso Road & Dewey Road, speed limit violations, average speed, violation times, road structure, signage and shoulder material. He spoke of run-off issues with the current rain and challenges with the roads in High Valley with rutting from trucks. He also talked about problems with high speed traffic on gravel roads throughout the county, a First Aide class that they have taken, illegal camping at the school bus turn-around, accidents on Black Canyon Road and Highway 16 and challenges with Transportation Department (ITD) asking for assistance. He also talked about a Gem County Road & Bridge safety handbook and a new Roadway Standard policy that he is working on. He advised that they are fully staffed at this time.

The Commissioners recessed at 12:00 p.m. for lunch to reconvene at 1:30 p.m.

SUNSET FARMS & EVENT CENTER REZONE & DEVELOPMENT AGREEMENT

PUBLIC HEARING: While being recorded, a public hearing was held for a rezone and development agreement request. Due to social distancing, this meeting was held virtually via Join Me. Commissioner Rekow read the Notice of Public Hearing for the virtual meeting. Those present were Development Services Director Jennifer Kharrl, Associate Planner Michelle Baron, Deputy Prosecuting Attorney Tahja Jensen and applicant Dennis Lapham. Gem County resident Rick Addison attended the meeting virtually. Those wanting to present were all sworn in.

There were no indications of conflict from the Commissioners, nor were there any declarations pertaining to this meeting such as site reviews or conversations outside of this hearing.

The applicant 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 10.16 +/- acres in size, and lies fully within the Priority Growth Area 1 of the Gem County Residential Area, as designated on the Future Land Use map in the Comprehensive Plan.

Development Services Director Jennifer Kharrl requested to have the packet of information entered into record including the

application, the Zoning Commission recommendation, staff report, the draft Zoning Commission minutes, the draft Development Agreement conditions, letters from the Road & Bridge Department & Emmett School District, 1 letter of opposition from the Zoning Commission Public Hearing which was signed by 5 members of the public, a letter in opposition from Gem County resident Joe Morton with attached documentation and 1 letter of support. She also advised that at the Board Meeting they received 1 letter of opposition that was signed by 15 members of the public and 1 letter of support.

A motion was made by Commissioner Butticci to enter the requested items into the record. It was seconded by Commissioner Rekow and carried unanimously.

Jennifer reviewed the summary of the application. She advised that the applicants' intention is to develop 3 parcels and to leave the remaining parcel as-is. She advised that the Zoning Commission recommends approval with the Development Agreement. She explained the restrictions listed in the Development Agreement and that if future development is requested, the Development Agreement would be required to be amended at that time with a Public Hearing and possible further requirements.

Applicant Dennis Lapham spoke about the Comprehensive Plan and that his neighbors have been previously approved for rezones without a Development Plan. He advised that the parcel being left intact is used to farm hay. There were no others in favor, neutral or opposition that wished to speak.

Jennifer advised that if there is a future minor subdivision application, Southwest District Health will require an engineering report for septic. Commissioner Butticci spoke of the difficulties of getting permits for 1-acre parcels with the new higher standards that have been put in place by Southwest District Health even if the Board approves the application. He expressed his concerns on ground water quality. Dennis advised that he currently and will continue to flood irrigate all acres which will put water into the aquifers. Jennifer advised that the Zoning Commission did not request water studies in lieu of limiting the number of parcels at this time. There was discussion on who sets the standards of the Development Agreement.

A motion was made by Commissioner Butticci to close the public hearing for rezone RZ20-007. It was seconded by Commissioner Rekow and carried unanimously.

Commissioner Butticci advised that he had no further questions or concerns. Commissioner Rekow spoke of his concerns with the current growth and infrastructure needs. He also expressed pleasure with the higher standards that have been put

into place with Southwest District Health.

A motion was made by Commissioner Butticci to approve the rezone application for RZ20-007 for Dennis Lapham as presented with the Development Agreement, Exhibit #2, as presented. It was seconded by Commissioner Rekow and carried unanimously.

ROBIN LANE (SMITH, MATTHEWS, ETHINGTON, ALLEN) REZONE PUBLIC HEARING:

While being recorded, a public hearing was held for a rezone request. Due to social distancing, this meeting was held virtually via Join Me. Commissioner Rekow read the Notice of Public Hearing for the virtual meeting. Those present were Development Services Director Jennifer Kharrrl, Associate Planner Michelle Baron, Deputy Prosecuting Attorney Tahja Jensen and applicant Brent Smith. Those presenting were all sworn in.

There were no indications of conflict from the Commissioners, nor were there any declarations pertaining to this meeting such as site reviews or conversations outside of this hearing.

The applicants Mark and Carla Mathews, on behalf of themselves and Brent and Tonya Smith and Christina Allen and Florence Ethington are seeking approval to rezone their property from R-2 Rural Residential Transitional (1-acre minimum) to A-2 Rural Transitional Agricultural (5-acre minimum). The property proposed to be rezoned is 40.00 +/- acres in size (comprised of 4 parcels), and lies fully within the Priority Growth Area 3 of the Gem County Residential Area, as designated on the Future Land Use map in the Comprehensive Plan.

Development Services Director Jennifer Kharrrl requested to have the packet of information entered into record including the application, the Zoning Commission recommendation, the staff report, the draft Zoning Commission minutes, 1 letter from the Road & Bridge Department, 1 letter of opposition with attached documentation and 1 letter of support.

A motion was made by Commissioner Butticci that the documentation as described by Jennifer Kharrrl from Development Services for RZ20-008 be entered into the record. It was seconded by Commissioner Rekow and carried unanimously.

Jennifer reviewed the summary of the application. She advised that the purpose of this request is to minimize population density in a rural agricultural environment. She spoke of the private road, existing bridge and that if approved it aligns with the Comprehensive Plan allowing for 5-acre parcels. She advised that staff and the Zoning Commission recommends approval of the application.

Applicant Brent Smith advised that their intentions are to keep the rural atmosphere. There were no others in favor, neutral or opposition that wished to speak.

A motion was made by Commissioner Butticci to close the public hearing for RZ20-008. It was seconded by Commissioner Rekow and carried unanimously.

The Commissioners advised that they were in favor of the application and had no further questions.

A motion was made by Commissioner Butticci to approve the rezone application RZ20-008 as presented. It was seconded by Commissioner Rekow and carried unanimously.

SCHOOL LEVY DISCUSSION WITH THE EMMETT SCHOOL DISTRICT

SUPERINTENDANT: Emmett School District Superintendent Craig Wood talked about the number of students currently receiving face to face instruction, various accomplishments in extra-curricular activities, the move of Emmett Middle School 5th graders and that they are looking for a new district office location. He talked about the on-line schooling that is currently available and how that works. He also spoke about funding challenges, the homecoming parade, the previous mask mandate and the supplemental levy that will drop off in June 2021, which is on the ballot for March 9, 2021. He reviewed the levy priorities for programs, curriculum and staffing. He also explained what the School Plant and Facility levy is and what it can be used for. He discussed the cost of the current levy as well as what the proposed levy would cost the taxpayers. He also advised that they will be transitioning next spring from a trimester schedule, to a semester schedule.

The Board recessed at 4:30 p.m. to 8:30 a.m. on February 8, 2021.

Approved: _____
Chairman

Attest: _____
Clerk