



February 22, 2022, Emmett, Idaho

Pursuant to a recess taken on February 15, 2022, the Board of Commissioners of Gem County, Idaho, met in regular session this 22<sup>th</sup> day of February 2022, at 8:30 a.m.

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

Whereupon the following proceedings were had, to-wit:

**February 21, 2022**

The Commissioners did not meet due to observance of President's Day.

**February 22, 2022**

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

**PEARL ROAD DISCUSSION:** Commissioner Rekow spoke about concerns that members of the public expressed regarding the current road conditions on Pearl Road. Jason Brown from the Road and Bridge Department talked about challenges with plowing snow and grading in that area during this time. Road and Bridge Supervisor Neal Capps talked about the damage that side-by-sides do on the roads and seeing if limiting access for side-by-sides is possible. Jason also talked about the road conditions on Sand Hollow Road. The Road Department is not able to address the issues until the road thaws and dries.

**PUBLIC DEFENSE CONFLICT COUNSEL SELECTION PROCESS:** Public Defender Mark Coonts met with the Commissioners to discuss the selection process for conflict counsel. He talked about a county that sends out a state wide solicitation and another county that uses people that have expressed interest. He advised that the PDC would prefer a state wide solicitation and for the Commissioners to conduct interview for the selection process;

however, he talked about challenges with getting conflict attorney's for a small community. Commissioner Elliott expressed concerns with the Commissioners choosing the conflict attorney's. Commissioner Rekow stated that he believes Mark, being the Public Defense Attorney, would have a better understanding of their qualifications when selecting the attorney's. Prosecuting Attorney Tahja Jensen indicated that the selection process, which is currently in place, could be written as a policy that addresses the concerns of the Public Defense Commission. Mark is currently seeking interested attorneys. The Prosecuting Attorney's office is not involved in the selection process.

**COURTHOUSE RESTROOM REMODEL**: Clerk Tilton talked about the need for updates to the restrooms in the courthouse and getting bids. There was discussion on which bathrooms were in need, ADA requirements and that it is not feasible to make certain restrooms ADA accessible. Commissioner Rekow will contact the ADA Compliance Officer Larry Robertson to look at the restrooms. He will also look at removing the partitions in the bathrooms. Deputy Prosecuting Attorney Tahja Jensen recommends an informal bidding process and to get at least 3 bids.

A motion was made by Commissioner Butticci to move forward with collecting information for an upgrade and to have the ADA Compliance Officer involved. It was seconded by Commissioner Rekow and carried unanimously

**COVID**: Emergency Operations Manager Laurie Boston provided updates on the current weekly COVID numbers, the number of deaths in the county and testing. She advised that the state may not renew the Disaster Declaration that expires at the end of March. Valor Health Marketing Manager Staci Carr provided trend percentages, urgent care, emergency room numbers, the number of tests completed and staffing challenges.

**CONSENT AGENDA**: A. Dave Way Minor Subdivision Findings, Conclusions, Conditions, Order, B. Zimmer Minor Subdivision Findings, Conclusions, Conditions, Order, C. Public Defense Commission FY2021 county expenditure report change sheet and D. Gem County Resolution 2022-10 authorizing destruction of certain records that have been retained per legal requirements.

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

**MINUTES**: The minutes for February 14 & 15, 2022 were reviewed. A motion was made by Commissioner Elliott to approve the minutes

for February 14 & 15, 2022 as amended. It was seconded by Commissioner Rekow and carried unanimously.

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

**ARMY CORP NATIONAL LEVEE SAFETY PROGRAM WEBINAR:** The Commissioners attended the Army Corp National Levee Safety Program webinar.

**JAIL STOVE BIDS:** Deputy Chief Dave Timony provided 3 bids for a jail stove to the Commissioners for review. They received bids from Southbend, Curtis Restaurant Equipment and Bargreen Ellingson Foodservice Supply & Design. He advised that the preferred stove is the Vulcon in the amount of \$21,371.00 from Curtis Restaurant Equipment. He reviewed the details of the bids and compared the stoves to the current one they have. This bid does not include the gas line hook-ups. He advised that they have \$15,000.00 available in their budget and are seeking approval for the remaining balance for the stove and hook-up costs.

A motion was made by Commissioner Elliott to authorize the Sheriff's Office to purchase the Vulcan system from Curtis Restaurant Equipment and to not exceed \$22,000.00. It was seconded by Commissioner Butticci and carried unanimously.

**ASSESSOR VEHICLE PURCHASE:** Assessor Strang talked about possibly trading in a Subaru Outback due to issues with the sunroof leaking that the dealership has not been able to permanently fix. She advised that it was also involved in a minor accident and sustained minor damage to the bumper which would cost just under \$1000.00 to get fixed. She advised that she has the funds for purchasing a used Subaru with low mileage with the trade-in. Commissioner Elliott recommends fixing the bumper and cleaning it first if it is traded in. There was discussion on taking the vehicle to a different dealership to try and repair the leak one more time. Assessor Strang will take it to a different repair shop to see if it can be fixed properly.

**PROSECUTING ATTORNEY MATTERS:** Deputy Prosecuting Attorney Tahja Jensen spoke on various county legal matters. Items that she talked about were compression brakes, Avimor, appraisals for federal buildings, a moratorium, the Comprehensive Plan and the need for a Request for Proposal for someone to do Ordinance revisions.

**CYBER SECURITY POLICY:** Information Technology (IT) Specialist Corbin Vickery advised that adjustments were made to the

existing filters. He stated that people seem to be adjusting to the new changes with email attachments. He explained why these changes have been put in place. Clerk Tilton talked about security for elections.

**ARMSTRONG STEEL PURCHASE ORDER, TERMS AND CONDITIONS, WARRANTY AND ERECTOR REFERRAL AGREEMENT FOR FAIRGROUNDS GRANDSTAND CANOPY:**

Deputy Prosecuting Attorney Tahja Jensen talked about the terms for liquidated damages in the contract. The quote includes delivery, but no installation. There was discussion on getting a building permit. Commissioner Butticci advised that Armstrong Steel Corporation would accept check for payment. Tahja advised that the contract was legally sufficient. Commissioner Butticci will work on getting the engineered plans and will reach out to Building Inspector Vince Lombardo. This will be put on the agenda for next week.

**EXECUTIVE SESSION:** At 4:47 p.m. a motion was made by Commissioner Rekow, seconded by Commissioner Elliott and carried unanimously to go into executive session under Idaho Code 74-206(1)(b) for matters regarding personnel with a roll call vote as follows: Commissioner Butticci, aye, Commissioner Elliott, aye and Commissioner Rekow, aye.

Regular session reconvened at 4:58 p.m.

**The Board recessed at 5:00 p.m. to 8:30 a.m. on February 28, 2022.**

Approved: \_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk