



March 14 & 15, 2022, Emmett, Idaho

Pursuant to a recess taken on March 8, 2022, the Board of Commissioners of Gem County, Idaho, met in regular session this 14th day of March 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:

March 14, 2022

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 Elliott and carried unanimously.

FISCAL YEAR 2022 BUDGET ADJUSTMENT PUBLIC HEARING/ GEM COUNTY RESOLUTION 2022-11 ADJUSTING THE FISCAL YEAR 2022 BUDGET: While being recorded Commissioner Rekow read the public hearing notice. Those present were Clerk Tilton and Deputy Prosecuting Attorney Tahja Jensen. Clerk Tilton reviewed various items that are being adjusted and how they are funded. Replacement of the Assessor's vehicle was discussed. The existing vehicle may be fixed removing the need for a replacement. The funds for a vehicle replacement for the Assessor's office will be added, but would require approval from the Commissioners before a purchase.

A motion was made by Commissioner Elliott to approve Gem County Resolution 2022-11 as presented with the annotation in the minutes for the Assessor's vehicle. It was seconded by Commissioner Butticci and carried unanimously.

PUBLIC HEALTH DISASTER EMERGENCY DECLARATION: Emergency Operations Manager Laurie Boston recommends allowing the emergency declaration to lapse on March 31, 2022 and the Emergency Operation Center (EOC) to be deactivated since the county does not need to be in an emergency state at this point with the declining COVID cases. She suggests that the COVID meetings with Valor do not need to continue but that they would notify the Commissioners if there is any important information

that they need to be aware of. If necessary, the Commissioners can re-enact the state of emergency at any time.

A motion was made by Commissioner Butticci to allow the Emergency Declaration for COVID-19 to expire on March 31, 2022 and to allow the deactivation of the EOC at that time. It was seconded by Commissioner Elliott and carried unanimously.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecuting Attorney Tahja Jensen spoke on various county legal matters which included a Road Naming Ordinance.

EXECUTIVE SESSION- ACQUISITION OF REAL PROPERTY: At 9:30 a.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)(c) for matters of real estate with a roll call vote as follows: Commissioner Butticci, Commissioner Elliott, aye and Commissioner Rekow, aye.

Regular session reconvened at 9:38 a.m.

ACQUISITION OF REAL PROPERTY- ARPA REQUEST: A motion was made by Commissioner Butticci to move forward with the acquisition of real property with a \$500 earnest amount using Alliance Title with a 30-day standing offer, to be contingent on the receipt of ARPA funding and meets appraisal value. It was seconded by Commissioner Elliott and carried unanimously.

AUTHORIZE REAL ESTATE PURCHASE/SALE AGREEMENT: This will be moved to next week's agenda for discussion and action.

CONSENT AGENDA: A. Certificate of Residency for Junior College tuition for Tristen Dunbar, B. Letter of support to the Idaho Department of Commerce and the USDA Idaho State Office of Rural Development for a Development Grant in the re-establishment of the Economic Development District and Administration for District #3, C. Letter of intent to budget funds for Gem Coil and Water Conservation District for Fiscal Year 2023, D. Letter of intent to budget funds for Squaw Creek Soil Conservation District for Fiscal Year 2023, E. Schofield Variance Findings of Fact, Conclusions of Law, Decision on Motion for Reconsideration and Order, F. Kaiser Minor Subdivision plat, G. Blue Spruce Minor Subdivision Findings, Conclusions, Condition, Order, H. White Owl Subdivision Preliminary Plat Findings, Conclusions, Conditions, Order, I. Letha Meadows Subdivision Preliminary Plat Findings, Conclusions, Conditions, Order, J. Gem County Mosquito Abatement District 2021 year-end report, K. 2022 Bureau of Reclamation contract for patrol of Black Canyon Reservoir and surrounding reclamation lands and L. Request for tax and/or fee

cancellation for Assessor's parcel RP07N01E159200.

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

PUBLIC WALK-IN: Dan Siebler met with the Commissioners to discuss concerns with trees that his neighbors had planted which causes debris on his property which he has to clean. He advised that he has sent letters to the neighbor and contacted Code Enforcement but was advised that there was no merit to his complaint. He believes that this should fall within the county Ordinance under "high vegetation" and would like the county to take action on this matter but Commissioner Rekow advised that this is a civil matter.

DEPARTMENT HEADS: Commissioner Rekow advised that they are going to let the State of Emergency lapse at the end of March. Commissioner Butticci talked about county printers. Clerk Tilton asks that supervisors to review the ICRMP Supervisor training courses and to provide her with details of safety training that is done within their departments. ICRMP training needs to be completed by March 31, 2022 in order for the county to receive the insurance discounts. Noxious Weed Supervisor Larry Shippy talked about various projects they are working on. Information Technology (IT) Support Specialist Corbin Vickery talked about the digital scale at the landfill, Extension Office IT issues, Sparklight at Juvenile Probation and a ticketing program for the Maintenance Department. Rebecca Mills from the Extension Office talked about their fairgrounds car, surplus items, a promotion she received and programs & projects that they are working on. Buildings and Grounds Supervisor Chuck Shambaugh talked about plumbing issues and various projects they are working on. Juvenile Probation Supervisor Shannon Carter talked about their case load, their policy/procedures manual and parents involvement. Landfill Supervisor Martin Joyce talked about clean-up, inspections and staffing.

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.

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

WALKER BUILDING LLC REZONE: While being recorded, the

Commissioners held a public hearing for the Walker Building LLC rezone request. This meeting was held virtually via Zoom. Those present were Development Services Director Jennifer Kharrrl, Associate Planner Michelle Baron, Deputy Prosecuting Attorney Tahja Jensen, applicants Jay Walker, Nicolette Womack & Brandon Walker, representative Bob Pelcher and resident Jon Robertson. Commissioner Rekow read the notice of public hearing. Those wishing to testify were sworn in.

There were no indications of conflict from the Commissioners. There were no other declarations pertaining to this meeting such as site reviews or conversations outside of this hearing.

Development Services Director Jennifer Kharrrl asks that the packet of information be added into the record which includes the application, Zoning Commission recommendation, draft conditions for a Development Agreement & project plan, staff report, Zoning Commission minutes and impact agency letters.

A motion was made by Commissioner Butticci to enter the packet into the record as described by Jennifer Kharrrl. It was seconded by Commissioner Elliott and carried unanimously.

Jennifer advised that the applicant, Jay Walker, on property owned by Walker Building, 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 5.00 +/- acres in size, 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. She advised that the Zoning Commission recommends approval with a Development Agreement. She talked about the location of the property and advised that staff was aware of the future plans for this property along with 2 continuous properties owned by the same party that are already zoned R-2. This request is specific to the 5-acre parcel, but the entire picture needs to be looked at in regards to impact. One of the conditions is to have a water quality/quantity study done for the entire project prior to a subdivision application.

Applicant Brandon Walker believes that it will benefit the community. Applicant, Nicolette Womack shared a presentation with the Commissioners that talked about the location of the property, agency comments and the Development Plan. Applicant Jay Walker advised that he is in favor of the rezone. Jon Robertson advised that he is opposed. There was no others in attendance that wished to speak.

Jennifer advised that the 5-acre parcel is included in the project plan that is proposed. She talked about access points and that there was no traffic study completed at this time. Jay advised that they have met the truck turning radius requirements

for the Fire Department and that there will be connection between the 2 private roads per the request of the Fire Department. He also talked about open space areas.

A motion was made by Commissioner Elliott to close the public input for this hearing. It was seconded by Commissioner Butticci and carried unanimously.

Jennifer advised that the included project plan is a proposed plan and reviewed the access points per the Road and Bridge letter which is 2 private roads. She advised that the letter from the Road and Bridge Department was completed prior to the project plan. Commissioner Elliott has no further concerns and believes that the applicant has met all requirements. Commissioner Butticci agrees, but would like to add a condition for the Development Agreement to include a traffic study for Lower Bluff Road. Commissioner Rekow would like to have a comprehensive study completed in regards to water & sewer. Jennifer talked about the water quality/quantity studies & monitoring wells. Commissioner Butticci would like to move forward with a Development Agreement with a water quality/quantity study. Jennifer advised that a water quality/quantity study is already a condition.

A motion was made by Commissioner Elliott to approve the rezone with a Development Agreement for the Walker Building LLC rezone, 5.00 +/- acres, from A-2 Rural Transitional Agriculture to R-2 Residential Transitional at E. Idaho Blvd, Township 7n, Range 1W, Section 31, Parcel RP07N01W317505 with the addition of a traffic study to be included in the Development Agreement. It was seconded by Commissioner Butticci and carried unanimously.

MINUTES: The minutes for March 7 & 8, 2022 were reviewed. A motion was made by Commissioner Rekow to approve the minutes for March 7 & 8, 2022 as amended. It was seconded by Commissioner Elliott and carried unanimously.

JOINT MEETING WITH THE ZONING COMMISSION REGARDING THE COMPREHENSIVE PLAN: Miriam McGilvray from Logan Simpson met with the Commissioners, Dan Eichelberger, Debra Jones and Justin Vickery from the Zoning Commission, Development Services Director Jennifer Kharrl and Associate Planner Michelle Baron to review where they are with the Comprehensive Plan process. She advised that they are in phase 2 of the plan. Other items that she talked about were the project process, a draft plan and adoption hearings. She reviewed the project schedule and talked about public engagement. She also talked about the visioning process, a comment analysis and a draft vision. There was discussion on what affordable housing means for the county.

Justin talked about possible secondary dwellings instead of rezoning land. She spoke on the current plan structure and a proposed plan structure. There was discussion on state statute guidelines. Miriam intends for this plan to be easily updated and user friendly. She reviewed some limitations with the current future land use map. Commissioner Elliott would like organized growth. There was discussion on how to control growth in the rural areas, a transportation plan and what areas of the current map needs to have their own designations. There was discussion on the advantages and disadvantages for hard property lines for parcels on the map or a map with more vague boundary lines. Miriam talked about the upcoming public meeting, a zoom meeting and on-line survey.

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

March 15, 2022

Commissioner Elliott was absent for the day.

LOCAL EMERGENCY PLANNING COMMITTEE (LEPC): The Commissioners attended this meeting at the Emergency Operations Building.

STORYMAP EMERGENCY INFORMATION SHARING PROGRAM DEMONSTRATION: The Commissioners attended this meeting at the Emergency Operations Building.

Commissioner Butticci attended a County Preservation Plan presentation with Logan Simpson at Syringa Hall in Sweet.

NOXIOUS WEED DEPARTMENT FACILITY REMODEL- ARPA REQUEST: This discussion will be moved to next weeks agenda.

NOXIOUS WEED SALARY REQUEST: This discussion will be moved to next weeks agenda.

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

Commissioner Butticci rejoined the meeting.

ADMINISTRATIVE TIME: The Commissioners worked on various administrative items.

COMPREHENSIVE PLAN WORKSHOP: The Commissioners attended a Comprehensive Plan Workshop at Carberry Elementary.

The Board recessed at 8:00 p.m. to 8:30 a.m. on March 21, 2022.

Approved: _____
Chairman

Attest: _____
Clerk