



March 20 & 21, 2023, Emmett, Idaho

Pursuant to a recess taken on March 14, 2023, the Board of Commissioners of Gem County, Idaho, met in regular session this 20th day of March, 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:

March 20, 2023

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

PROSECUTING ATTORNEY MATTERS: Deputy Prosecuting Attorney Tahja Jensen discussed various county legal matters including the Noxious Weed Department addition, Code Enforcement, property purchased by the county, copier leases, the Public Defender's Office and Public Defense conflict counsel.

A motion was made by Commissioner Rekow to recess as a Board of County Commissioners and convene as a Board of Canvassers. It was seconded by Commissioner Wille and carried unanimously.

CANVASS OF MARCH 14, 2023 ELECTION: Clerk Tilton talked about the school levy election. There was an 18% turnout. She advised that some of the precincts were combined and that there were no issues. She advised that the school district is meeting next Monday to determine their next steps. She talked about the functionality of the ePoll books which can show the busy times and types of ID's used at the polls. She also talked about legislation that could remove March and August election dates. She advised that if there is an election in May, it would only be for the school district at this time.

A motion was made by Commissioner Wille to accept the canvas of the election results for March 14, 2023 election as

presented. The motion was seconded by Commissioner Rekow and carried unanimously.

A motion was made by Commissioner Rekow to adjourn as a Board of Canvassers and reconvene as a Board of County Commissioners. It was seconded by Commissioner Wille and carried unanimously.

CONSENT AGENDA: A. Road Department surplus item list, B. Letter of intent to budget funds for the Squaw Creek Soil Conservation District for Fiscal Year 2023, C. Charters Estates Preliminary Plat Findings, Conclusions, Conditions, Order, D. Silver Sage Preliminary Plat Findings, Conclusions, Conditions, Order, E. Modjeski Rezone Findings, Conclusions, Conditions, Order, F. Gem County Ordinance 2023-04 Modjeski Rezone, G. Modjeski Rezone Development Agreement and H. Professional services contract with Barnum Law Pllc, Randall Barnum attorney for Public Defense conflict counsel.

A motion was made by Commissioner Rekow to approve items A-H on the consent agenda as presented. It was seconded by Commissioner Wille and carried unanimously.

MINUTES: There were no minutes to review.

PUBLIC WALK-IN: Michael Pierce met with the Commissioners to discuss pictures of Johnson Creek Road that he sent them. He talked about a truck that was blocking the road and another truck is that has been stuck for some time now. Commissioner Butticci advised that they will talk to Road and Bridge Supervisor Neal Capps and the Sheriff and suggested that Michael contact the Sheriff's Department when a vehicle is abandoned. Michael also discussed the condition of the road and a road sign that was knocked down and removed. Commissioner Rekow talked about a possible gate being installed. Michael also expressed concerns with a shooting range on a nearby property.

Brian Morrow met with the Commissioners to discuss the barrier on the JMH Farms subdivision. He does not believe that the height is sufficient, that part of the fence has blown down and that it does not block vehicle headlights. Development Services Director Jennifer Kharrl advised that all the conditions have been met from the public hearing. Deputy Prosecuting Attorney Tahja Jensen advised that there are no other steps that can be taken. Jennifer confirmed that once the plat is signed and recorded after the condition was met, there are no other steps that can be taken. Brian is asking for more height on the fence to make it an 8 foot fence for the full length of the fence. Brian asked if there was an appeal process.

Tahja advised that she will have to research if there is an appeal process.

Stephanie Hughes met with the Commissioners to discuss Last Chance Canal extension. She advised that the easement is only 3 foot instead of 4 foot and that a culvert is needed across Mill Road. Commissioner Butticci advised that she needs to contact Road and Bridge Supervisor Neal Capps regarding these concerns.

LONESOME COYOTE MINOR SUBDIVISION: Development Services Director Jennifer Kharrrl reviewed the Lonesome Coyote Minor Subdivision request. The applicant, Sawtooth Land Surveying, on property owned by Tamera Burke, has applied for a minor subdivision to create three (3), single-family lots on approximately 15.34 +/- acres, comprised of two adjacent parcels, located in the A-2, Rural Transitional Agriculture zone. Items that she talked about were the location of the property and a required private road. There were no letters of concern. She advised that this is separate from her home. She advised that they have not received anything from the Fire District in regards to a turn-around, but it will be required before being recorded.

A motion was made by Commissioner Wille to approve the Lonesome Coyote Minor Subdivision as presented. It was seconded by Commissioner Rekow and carried unanimously.

CONCRETE QUOTES FOR FARMERS CO-OP BRIDGE: Road and Bridge Supervisor Neal Capps advised that they only received 2 bids for concrete work to be done at the Co-Op bridge. They were Innovative Concrete for \$16,000 and JH Concrete for \$12,750. He recommends going with JH Construction.

A motion was made by Commissioner Rekow to approve the JH Concrete quote that they provided for \$12,750 for the Farmers Co-Op bridge. It was seconded by Commissioner Wille and carried unanimously.

INVITATION TO BID HOT MIX ASHALT FOR GEM COUNTY ROAD & BRIDGE DEPARTMENT AT EMMETT, IDAHO: Road and Bridge Supervisor Neal Capps talked about the process to go out for bid for asphalt. He is seeking approval to put it out for notice for invitation to bid for 2000 tons of hot mix asphalt.

A motion was made by Commissioner Wille to move forward with the invitation to bid for hot mix asphalt as presented. It was seconded by Commissioner Rekow and carried unanimously.

FARMERS CO-OP BRIDGE PROPERTY ACQUISITION OF ASSESSOR'S PARCEL RP06N03W175410 PURCHASE AGREEMENT AND LETTER TO ALLIANCE TITLE: Deputy Prosecuting Attorney Tahja Jensen advised that all the negotiations have been completed and it is ready to move

forward. Road and Bridge Supervisor Neal Capps talked about funding for \$30,159.70. He would like this to be taken from the Impact Fees line.

A motion was made by Commissioner Rekow to move forward with the Farmer's Co-op bridge property acquisition and the purchase agreement letter to Alliance Title in the amount of \$30,159.70, to come out of the Impact Fee line item for the Road Department and to pay that claim today. It was seconded by Commissioner Wille and carried unanimously.

NOTICE OF BIDS FOR ASPHALT CONCRETE PAVING FOR GEM COUNTY ROAD & BRIDGE DEPARTMENT: Road and Bridge Supervisor Neal Capps advised that they will be going out to publish for notice of bids for asphalt concrete paving. This will be a sealed bid process and is asking for approval to move forward to put this out for publication.

A motion was made by Commissioner Wille to move forward with the notice of bid for asphalt concrete paving for Gem County Road and Bridge Department as presented. It was seconded by Commissioner Rekow and carried unanimously.

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

IDAHO DEPARTMENT OF JUVENILE CORRECTIONS ANNUAL UPDATE: Joe Langan with the Idaho Department of Juvenile Corrections and Gem County Juvenile Probation Administrator Shannon Carter met with the Commissioners to review the Annual Juvenile Justice Report. Youth arrests, probation, diversion and recidivism were included in the report. Joe discussed funding which included legislative passthrough, behavioral health funding, cigarette and tobacco tax and a portion of lottery funds.

ADMINISTRATION TIME: The Commissioners worked on various administrative items.

OPEN FORUM AT OLA COMMUNITY HALL: The Commissioners attended an open forum at the Ola Community Hall. Items that they talked about were a possible commercial shooting range off of Butte Road, roads, legislature and the Comprehensive Plan.

The Board recessed at 8:30 p.m. to 8:00 a.m. on March 21, 2023.

March 21, 2023

THE COMMISSIONERS WILL ATTEND STATE TAX COMMISSION BOARD OF EQUALIZATION TRAINING AT THE CANYON COUNTY ADMINISTRATION

BUILDING: The Commissioners attended State Tax Commission Board of Equalization training at the Canyon County Administration building.

OPEN FORUM AT THE SYRINGA HALL IN SWEET: This open forum will be rescheduled to a later date.

The Board recessed at 5:00 p.m. to 8:00 a.m. on March 27, 2023.

Approved: _____
Chairman

Attest: _____
Clerk