



April 19 & 20, 2021, Emmett, Idaho

Pursuant to a recess taken on April 12, 2021, the Board of Commissioners of Gem County, Idaho, met in regular session this 19th day of April 2021, at 8:30 a.m.

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

Whereupon the following proceedings were had, to-wit:

April 19, 2021

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.

LAND EXCHANGE BETWEEN IDAHO DEPARTMENT OF LAND AND AVIMORE:

Those in attendance were Zane Lathim and David Lehmen from Department of Lands and Brad Pfannmuller and Josh Purkiss from Avimore. Josh spoke of an exchange of 800 acres of endowment land that Avimore owns. He spoke of the sections that are part of the exchange stating that they want to consolidate them. Brad spoke of leased land for a gravel pit, the reason for the exchange and access to the land. Josh talked about tax implications. This was a courtesy meeting to notify the Commissioners of this project; however they asked for a letter of support for the exchange. Josh advised that all roads will remain public. Commissioner Butticci would like to have the Road Department and Development Services review the information.

COVID DISCUSSION: Emergency Operations Manager Laurie Boston provided updates on the current weekly COVID numbers, a vaccine clinic, the Johnson & Johnson vaccine hold, vaccines for inmates, the vaccine rate for ages 16+ population and the Local Emergency Planning Committee meeting tomorrow. Valor Health Marketing Manager Staci Carr provided updates on the 30-day and 7-day trends, the number of patients seen in the Urgent Care & Emergency Room, the number of vaccines given and an upcoming vaccine clinic. Valor Health CEO Brad Turpen spoke of groups

that have not yet received the vaccine. There was also discussion of "natural immunity".

CONSENT AGENDA: The consent agenda included: A. Gem County Ordinance 2021-5 amending title 13 (Flood Damage Prevention Ordinance), chapter 5 of the Gem County Code and B. Idaho Public Safety and Security Information System Criminal Justice Information Management Control agreement for ILETS network.

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

MINUTES: There were no minutes to review.

INDIGENT APPLICATIONS: At 10:13 a.m. a motion was made by Commissioner Rekow 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, Commissioner Elliott, aye, and Commissioner Rekow, aye.

19-053	Emergency Medical Application
21-015	Emergency Medical Application
21-012	Notice of Hearing
21-017	Notice of Lien

Regular session reconvened at 10:21 a.m.

Commissioner Butticci made a motion that on case 19-053 to approve, on case 21-015 to deny because applicant is not an Idaho resident, unable to determine if an emergency existed and unable to determine if services were medically necessary. On case 21-012 to sign a notice of hearing and on case 20-017 to sign a release of lien. It was seconded by Commissioner Elliott and carried unanimously.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecuting Attorney Tahja Jensen spoke about various Gem County legal matters. Items that were discussed included were the Rouwenhorst case, the effects of the Supreme Court's decision, the need to update the Gem County Ordinance, the Comprehensive Plan, the Joint Planning Commission and an Impact Fee Ordinance. Prosecuting Attorney Erik Thomson provided updates on the retirement of his Chief Prosecutor, out of county city contracts and workloads. He also talked about the current on-going open investigation of the most recent case. There was also discussion on financial concerns of a possible homicide case.

INDIGENT HEARING 21-003: At 10:51 a.m. a motion was made by

Commissioner Rekow 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 Elliott, aye and Commissioner Rekow, aye. Indigent Director Sarah Story was sworn in.

Regular session reconvened at 10:58 a.m.

A motion was made by Commissioner Butticci that on case# 21-003 to continue until May 17, 2021 at 11:15 am. It was seconded by Commissioner Elliott and carried unanimously.

PUBLIC WALK-IN: Those in attendance were residents Joe Morton, Marty Fry, Denny Wiley, Shell Wiley and Del Gray from the Messenger Index. Joe talked about the priority need for changes to the Comprehensive Plan for impact fees and a need for a 180-day moratorium. Commissioner Rekow advised that it is a priority, he reviewed the steps that have been taken as well as funding and potential meeting dates. Deputy Prosecuting Attorney Tahja Jensen spoke of the timeline for the Comprehensive Plan revision. Marty talked about a 180-day moratorium and possibly limiting the number of applications after. Dennis talked about his previous experience as a planner, growth management and transferable development rights. Shell shared concerns of the current level of development continuing and asked that a moratorium be put in place. Dennis also talked about low-income housing.

PUBLIC DEFENDER UPDATE: Public Defender Mark Coonts talked about updates from the legislature for the Public Defender Commission (PDC) regulations. He reviewed a report from the Regional Coordinator Jennifer April Roark on how the indigent fund is run in Gem County. Mark talked about conflict counsel, how they are assigned, cost and payment. He also spoke about providing updates with the Commissioners, the expense requests and how he manages the finances. He also talked about the potential financial need should the public defender be appointed on a homicide case. There is potential funding from the PDC for extraordinary litigation which would be made available upon application of the County or Public Defender. He also talked about the PDC Capital Roster (death penalty certified) and what the requirements are. If he was appointed on a capital murder case a capital certified attorney would be required to chair and Mark could be second chair. He advised that their current case load is going up but is still manageable.

The Commissioners recessed at 12:15 p.m. for lunch to reconvene at 1:30 p.m.

BADGER LAND MINOR SUBDIVISION: Development Services Director Jennifer Kharrl reviewed the request for Badger Land Minor Subdivision. The applicant, Sawtooth Land Surveying, on property owned by Rhiannon Kamo, has applied for a minor subdivision to create two (2), single-family lots on approximately 40.00 +/- acres located in the A-3, Rural Agriculture zone. She advised that this would max out the private road. She spoke of road access and that there were no concerns with irrigation. She stated that it is a hillside subdivision and that there were no letters of opposition. This will be put back on next week for decision as this was not scheduled as an action item.

ADMINISTRATIVE TIME: The Commissioners worked on various administrative duties.

OPEN FORUM AT THE FIRE STATION IN OLA: The Commissioners attended an open forum at the fire station in Ola. Items that were discussed were roads, the stimulus money, the bleachers at the fairgrounds, shortage of office space and the Motor Vehicle Department.

The Board recessed at 8:00 p.m. to 8:30 a.m. on March 20, 2021.

March 20, 2021

LOCAL EMERGENCY PLANNING COMMITTEE (LEPC): The Commissioners attended the LEPC meeting via telephone.

The Board recessed at 10:30 a.m. to 8:30 a.m. on April 26, 2021.

Approved: _____
Chairman

Attest: _____
Clerk