



May 10 & 11, 2021, Emmett, Idaho

Pursuant to a recess taken on May 3, 2021, the Board of Commissioners of Gem County, Idaho, met in regular session this 10th day of May 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:

May 10, 2021

REVIEW AND APPROVAL OF AGENDA: The Commissioners reviewed the agenda. A motion was made by Commissioner Elliott to approve the agenda as presented with the addition of an executive session in the 9:30 a.m. timeslot. It was seconded by Commissioner Butticci and carried unanimously.

HOUSE BILL 308 LOCAL ROADWAY INFRASTRUCTURE FUNDING: Clerk Shelly Tilton discussed the additional disbursement of gas tax that was received. She talked about how the funds could be spent, the timelines as well as the expense and revenue lines that she created for it. Road and Bridge Supervisor Neal Capps spoke of multiple items that he would like to use the funds for and how this will affect the upcoming budget. Clerk Tilton advised there is not a deadline for the funds to be used. Neal will write a proposal for how the funds will be allocated for review in two weeks.

EXECUTIVE SESSION: This executive session was not held.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecuting Attorney Tahja Jensen spoke on various county legal matters. Items that she discussed were the Joint Planning Commission, the Capital Improvement Plan & the Comprehensive Plan. She also talked about jury trials, zoom meetings, an upcoming bid meeting, an intern for the Prosecuting Attorney's office and continued training for department heads and elected officials. She also talked about vaccines for inmates, the Sheriff's Inmate Labor Detail (SILD) program and a land swap.

INDIGENT APPLICATIONS: At 9:57 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.

19-022	Emergency Medical Application
19-031	Emergency Medical Application
21-013	Release of Lien

Regular session reconvened at 10:01 a.m.

Commissioner Butticci made a motion that on case 19-022 to approve and on case 19-031 to approve. On case 21-013 to sign the release of lien. It was seconded by Commissioner Elliott and carried unanimously.

COVID DISCUSSION: Emergency Operations Manager Laurie Boston provided updates on the current weekly COVID numbers, the recovery rate, percentages of county residents that have received vaccinations and upcoming clinics. Valor Health Marketing Manager Stacy Carr provided trend percentages, urgent care and emergency numbers. She advised that they do not currently offer walk-ins for vaccinations but appointments are available. She provided the hours of operation for COVID testing. Valor Health CEO Brad Turpen spoke of the different tests provided, the different vaccines being provided and an upcoming event at the hospital.

CONSENT AGENDA: The consent agenda included: A. Amended review, analysis and recommendations for Comprehensive Plan and Zoning Ordinance updates Request for Proposal, B. Agreement for Noxious Weed Control with the Idaho Transportation Department for spraying of weeds along the ITD corridor in Gem County, C. Addendum to the service level agreement with Access Idaho for electronic transaction and access for Payport electronic payments to Gem County Noxious Weed Department, D. Payroll claims approval for 5/7/21, E. Request from the Chamber of Commerce for the Cherry Festival Pit Spitting contest to be held on the courthouse steps, F. Gem County Resolution 2021-06 dissolving the Gem County/Emmett City Joint Planning Commissioner, and G. Recognition of service for services on the Joint Planning Commissioner for Donald Stansberry, Burton Briggs and Deborah Rouwenhorst.

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

MASK/FACE COVERING USAGE IN COUNTY FACILITIES: The Commissioners discussed the mask/face covering usage in the county facilities. Commissioner Butticci would like it to be recommended to wear a face mask vs. mandated in the common areas in the courthouse but would like input from department heads and elected officials. Commissioner Elliott would like to lift the mandate. Commissioner Butticci will talk with the elected officials for feedback.

PROFESSIONAL SERVICES AGREEMENT FOR INFORMATION TECHNOLOGY

SERVICES WITH FIX THIS SYSTEM: Commissioner Butticci spoke of the increased rate for the Information Technology contractor and a new contract that reflects that. The Commissioners will be more restrictive on what he is asked to assist with. He talked about the goals that were met at the lower rate. There was discussion on the cost to date and how much more they are expecting in the future. Commissioner Elliott expressed concerns on the cost, how long they will need the contract services and the Motorola Spillman project.

A motion was made by Commissioner Butticci to move forward with the contract agreement with Fix This System at the rate of \$120.00 per hour and be retro-active as of May 2, 2021 per the contract. It was seconded by Commissioner Elliott and carried unanimously.

MINUTES: There were no minutes to review.

PUBLIC WALK-IN: There were no members of the public that attended.

DEPARTMENT HEADS: Commissioner Elliott spoke of the mask policy and asked for feedback from the different departments. Commissioner Rekow provided updates on the bleachers at the fairgrounds, advised that they will be going on a road tour and spoke of the new Information Technology employee. He also spoke of budgets. Landfill Supervisor Martin Joyce spoke of landfill usage and out of county customers. Buildings & Grounds Supervisor Chuck Shambaugh spoke of the boilers, seasonal maintenance, roof & lights for the jail, maintenance at the Island and the roof at the Public Defender's Office. Extension Office Coordinator Rebecca Mills provided updates on the Extension office. Items that she talked about were the School Enrichment Program, a vacant position in their office, a Master Gardener clinic, rangeland monitoring, 4-H and funds received from Boise County. Road and Bridge Supervisor Neal Capps talked about various projects and maintenance work they are working on.

Sheriff Donnie Wunder spoke of a conference he just attended, staffing, and Information Technology needs. There was discussion on the acting supervisor for the Weed Department.

The Commissioners recessed at 11:45 p.m. for lunch to reconvene at 1:30 p.m.

MATT BROWN REZONE PUBLIC HEARING: While being recorded, a public hearing was held for the Matt Brown rezone request. Due to social distancing, this meeting was held virtually via Zoom. Those present were Development Services Director Jennifer Kharri, Associate Planner Michelle Baron, Deputy Prosecuting Attorney Tahja Jensen, applicant Matt Brown, Gem County residents Beth Carter, Eric Hangstefer & Erin Mauer. Commissioner Rekow read the notice of public hearing. Those wanting to present were 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, Matthew Brown, sought approval to rezone his 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 4.98 +/- acres in size, and lies fully within the Area of City Impact, as designated on the Future Land Use Map in the Comprehensive Plan.

Development Services Director Jennifer Kharri asked to add the packet of information into the record which includes the application, the Zoning Commission recommendation, the staff report, the draft Zoning Commission minutes, 3 agency letters, 6 letters of opposition from the Zoning Commissioner hearing and 5 letters of opposition for this hearing.

A motion was made by Commissioner Elliott to enter the packet that was administered into the record. It was seconded by Commissioner Butticci and carried unanimously.

Items that Jennifer talked about was the location of the property and that this is not in a rezone area for water and sewer issues. The Zoning Planning Commission recommended denial for the rezone.

Applicant Matt Brown spoke of the CC&R's and that he understood that it doesn't say anything about reducing the 5-acre lots down. He would just like the same consideration as others have been granted throughout the county. There were no others in favor or neutral.

In opposition, Beth Carter stated that she is very opposed to this rezone and that she submitted a letter. She has concerns of water, traffic, wells and impact fees. Eric Hangstefer

referenced his letter that he submitted. Erin Mauer referenced her letter that was submitted and expressed her concerns on irrigation water. No others spoke in opposition.

Matt explained the watering issues and the schedule for watering. He spoke about wanting to drill a private well. There was discussion on fees that are paid annually for water shares.

A motion was made by Commissioner Butticci to close the public hearing and go into deliberation. It was seconded by Commissioner Elliott and carried unanimously.

Commissioner Elliott talked about city impact, priority growth, the CC&R's and that the Board has no authority over CC&R's. Commissioner Butticci spoke of his concerns of going down to 1-acre lots, city impact and city services. He is in support of the Zoning Commission decision. Commissioner Elliott spoke of the city services and concerns of 1-acre parcels. Commissioner Rekow expressed concerns with growth, sewer, water and traffic. He supports the decision of Development Services for denial.

A motion was made by Commissioner Butticci for rezone application RZ-21-002 for Matthew Brown to follow the recommendations of the Zoning Commission and staff and deny this application on the staff report and Findings of Fact by the Zoning Commission. It was seconded by Commissioner Elliott and carried unanimously.

2022 PUBLIC DEFENSE FINANCIAL ASSISTANCE COMPLIANCE PROPOSAL & APPLICATION:

Public Defender Mark Coontz advised that the application for 2022 has been completed and that he is asking the Commissioners to review and sign it. He spoke of some changes in policy that has happened. He will hear back in a couple of months from the Public Defense Commission as to what the award will be. He talked about the formula for financial assistance and workload compliance, formally known as the 15% (Public Defense Grant).

A motion was made by Commissioner Butticci to move forward with the 2022 Indigent Defense Financial Compliance Proposal and application as presented. It was seconded by Commissioner Elliott and carried unanimously.

LETTER OF INTENT/LEASE AGREEMENT WITH EVERGREEN SHOPPES AT EMMETT LLC FOR LEASE OF DEPARTMENT OF MOTOR VEHICLE:

Deputy Prosecuting Attorney Tahja Jensen reviewed changes that were made on the agreement. She will get back together with the property owner on the changes and have the document ready for next week.

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 Board recessed at 3:45 p.m. to 8:30 a.m. on May 11, 2021.

May 11, 2021

COUNTY ROAD TOUR WITH ROAD DEPARTMENT SUPERVISOR: The Commissioners went on a county road tour with Road and Bridge Supervisor Neal Capps. They toured the northern section of the county.

ADMINISTRATIVE TIME: Administrative time was not held.

The Board recessed at 1:30 p.m. to 8:30 a.m. on May 17, 2021.

Approved: _____
Chairman

Attest: _____
Clerk