



June 6, 2022, Emmett, Idaho

Pursuant to a recess taken on May 24, 2022, the Board of Commissioners of Gem County, Idaho, met in regular session this 6th day of June 2022, at 8:30 a.m.

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

Whereupon the following proceedings were had, to-wit:

Commissioner Butticci was absent from the meeting due to attendance at a State Historical Society meeting.

June 6, 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.

BROCKETT REZONE PUBLIC HEARING: While being recorded, the Commissioners reviewed the Brockett Rezone request. This meeting was held in person and virtually via Zoom. Those present were Development Services Director Jennifer Kharrl, Associate Planner Michelle Barron, Deputy Prosecuting Attorney Tahja Jensen, Road and Bridge Supervisor Neal Capps, applicant Jeff Storkan and residents KC Kazarian, JoAn Rice and Glenn Flaherty. 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 Kharrl asked to have the packet of information be added into the record which includes the notice of Public Hearing, the application, the Zoning Commission recommendation for denial, the staff report, the Zoning Commission minutes, letters of concern and agency letters.

A motion was made by Commissioner Elliott that the information listed by Ms. Kharrl be entered into the record. It

was seconded by Commissioner Rekow and carried unanimously.

Planning Director Jennifer Kharrl advised that the applicant, Jeff Storkan, on property owned by Harvey and Sherie Brockett, is seeking approval to rezone a portion of 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 1+ 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 they want to sell a 1-acre parcel of their property. She advised that staff recommended approval only if a Development Agreement were to be recorded with only one 1-acre parcel and keeping the remainder of the property zoned as A-2. She advised that the property currently qualifies for a 2nd dwelling on that property, so the impacts to the road would be the same whether they built the 2nd dwelling or sold the 1-acre parcel and a home was built. The Zoning Commission recommended denial based on Finding #2 which states "The requested amendment not material detrimental to the public health, safety or welfare". The Zoning Commission felt that #2 could not be met based off the testimony from the Road and Bridge Department. Jennifer clarified that although the applicant has the legal ability to build a 2nd dwelling on the current parcel, it does not meet their financial need for this request to split their property and sell the 1-acre lot.

Applicant, Jeff Storkan, advised that this application was originally applied for due to financial hardship. He talked about the quality of the road and advised that they are asking for only 1 lot with 1 single dwelling.

KC Kazarian advised that he was unclear of the intention of this application, but after hearing testimony from Jeff, he is no longer opposed of the application. There were no others in favor or neutral that wished to speak.

JoAn Rice advised that she is opposed due to concerns with the roads, water and septic. She does not want the precedence to be set for others wanting to do the same thing. There were no others who opposed that wished to speak.

In rebuttal, Jeff advised that they are willing to work with the neighbors to minimize any impacts.

A motion was made by Commissioner Elliott to close the public hearing. It was seconded by Commissioner Rekow and carried unanimously.

Commissioner Elliott spoke on concerns with traffic and roads. He advised that the Board has denied requests in the past due to concerns with the roads. He agrees with the decision of the Zoning Commission for denial. Commissioner Rekow advised that he is sympathetic to their situation. He talked about the

road and traffic. He also supports the Zoning Commission decision of denial. Commissioner Elliott reviewed the findings from the Zoning Commission. The Commission did not find that finding #2 could not be met. He advised that the Commission found that 1 additional home would be detrimental to the public health, safety and welfare due to the condition of Fuller Road. They also found that finding #5 could not be met as well. He advised that the Commission found that the impacts of development of 1+ acres of R-2 zoned land into one parcel with an additional 5+ acre parcel around the existing home is expected to generate demands on public services beyond the current service demands based on the testimony from the Road and Bridge Department.

A motion was made by Commissioner Elliott that for the rezone request from Jeff Storkan to rezone 6.78 +/- acres owned by Harvey and Sherie Brockett from A-2 Rural Transitional Agriculture, to uphold the Gem County Zoning Commission of denial of the rezone. It was seconded by Commissioner Rekow and carried unanimously.

Commissioner Butticci joined the meeting via phone.

CONSENT AGENDA: A. Professional services agreement employee job classification and compensation study with Calyx-Weaver and Associates, B. Titles for most of the vehicles currently listed in county auction as follows: 1FDKE30F5SHB38116 1995 Ford AM truck E350 (EMS), 1FDWF36F2YEE28815 2000 Ford AM F35 Type 1 (EMS), 1HFTE310274203172 2007 Honda MV ATV (Weed), 2B3AA4CT1AH303477 2010 Dodge Charger (Sheriff), 2C3CDXAT2CH30460 2012 Dodge Charger (Sheriff), 1FTRX18W9XKA52730 1999 Ford F150 (Landfill), 1J7FJ36L5KL602563 1989 Jeep Comanche (Weed), 4XATY76A7A6906064 2010 Polaris UTV Ranger (Weed), 2B3KA43H68H149343 2008 Dodge Charger (Sheriff), 2B3KA43H08H149340 2008 Dodge Charger (Sheriff), 1FDWK84E6PVA41072 1993 Ford F800 Truck (Road), C. Letter of support for the 2022 Lower Payette River Heritage Byway Project grant, D. Leading Idaho Local Bridge Program Memorandum of Understanding with Local Highway Technical Assistance Council (LHTAC), E. Gem County Resolution 2022-16 Leading Idaho Local Bridge Program, F. Remote records access and use agreement for recorded and GIS parcel layer/tabular information with Venture Title & Escrow Company, G. Thornock Rezone Findings, Conclusions, Conditions, Order, H. Gem County Ordinance 2022-04 Thornock Rezone and I. Thornock Rezone Development Agreement.

Commissioner Butticci talked about item "C" which is a grant for signage for the byway that allows for travelers to

view historical sites.

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

WESTERN IDAHO ECONOMIC DEVELOPMENT ALLIANCE LETTER OF SUPPORT AND BUDGET CONFIRMATION: Commissioner Butticci talked about a letter of support for Western Idaho Economic Development Alliance. He also advised that Gem County has already approved \$10,000 for the budget and that Tina Wilson from Western Alliance is asking to increase the approved that amount an additional \$2000 for a total of \$12,000 for the next fiscal cycle. He talked about the projects that they are working on.

A motion was made by Commissioner Elliott to approve the letter of support for the Western Idaho Economic Development Alliance and to confirm that Gem County is committed to providing \$12,000 for the Western Idaho Economic Development Alliance. It was seconded by Commissioner Rekow and carried unanimously.

Commissioner Butticci left the meeting to rejoin the Historical Society meeting.

INDIGENT APPLICATIONS: There was no need to go into Executive Session. Deputy Clerk Sarah Story is asking for release of liens to be signed on the following closed cases: 12-029, 13-013, 13-017, 13-020, 13-022, 13-023, 13-025, 13-035, 14-040, 14-041, 14-049, 14-094, 15-006, 15-007, 15-019, 15-023 and 15-028.

A motion was made by Commissioner Rekow to sign Releases of Liens as presented by the Indigent Clerk. It was seconded by Commissioner Elliott and carried unanimously.

PROSECUTING ATTORNEY MATTERS: A motion was made by Commissioner Elliott to move PA time to 12:45. It was seconded by Commissioner Rekow and carried unanimously.

PUBLIC WALK-IN: Marty Fry met with the Commissioners to discuss property taxes, petitions to the Legislature and the need for the Legislature to come to Gem County and understand the needs of the county. He also talked about concerns with drug use in the community, the need for action and a shelter for abused women.

Harvey Stetzel met with the Commissioners to discuss the need of a walk-way on Mill Road & 12th Street. Road and Bridge Supervisor Neal Capps talked about the work, materials and cost that would be needed for that project. Harvey also talked about speed limits. Neal advised that an engineer would have to look

at this project and would have to be budgeted for.

ROAD DEPARTMENT UPDATES: Road and Bridge Supervisor Neal Capps provided updates on the county auction, the Pearl area, a cost analysis from LHTAC and funding that is expected to be received which is separate funding for the bridges. He also talked about the weather, the Comprehensive Plan, the Transportation Plan and a new Grader. He provided updates on various projects they are working on throughout the county. He also talked about the Ola generator.

GEM COUNTY SPECIAL EVENTS APPLICATION FOR USE OF ISLAND SPORTS COMPLEX: Buildings and Maintenance Supervisor Chuck Shambaugh met with the Commissioners to discuss the use of the Island Sports Complex by the high school soccer department and also for soccer tournaments. He advised that after numerous attempts over the last 3 months, he has not received the required forms or insurance information from them to use the Island. Commissioner Elliott stated that these forms are needed if they are to continue using the fields since this is county policy. There was discussion on possible fee waivers. Chuck will try and reach out to high school soccer coach to get these forms completed.

GEM COUNTY SPECIAL EVENTS APPLICATION FOR FIREWORKS SHOW AT THE ISLAND SPORTS COMPLEX: Buildings and Maintenance Supervisor Chuck Shambaugh is requesting that the Commissioners approve and sign the application for the Fireworks Show at the Island Sports Complex for Fourth of July. The Commissioners have previously approved the waiver of fees for this event.

A motion was made by Commissioner Rekow to approve the special event application for the fireworks show at the Island Sports Complex. It was seconded by Commissioner Elliott and carried unanimously.

SCHITT'S CREEK MINOR SUBDIVISION: Development Services Director Jennifer Kharrrl reviewed the Schitt's Creek Minor Subdivision request. Sawtooth Land Surveying, LLC, on property owned by Jeremy Grapatin and Angela Cochell, have applied for a minor subdivision to create two (2), single-family lots on approximately 11.54 +/- acres located in the A-2, Rural Transitional Agriculture zone. Items that she talked about were the location of the property, that each lot will have its own approach, letters of concern, land dedication and that a license agreement will be needed. Road and Bridge Supervisor Neal Capps advised that there will be no other access points granted in the future. Jennifer talked about the requirements and conditions that need to be met before the final plat could be signed.

A motion was made by Commissioner Elliott to approve the Schitt's Creek Subdivision as presented. It was seconded by Commissioner Rekow and carried unanimously.

BUILDING INSPECTOR VEHICLE MOBILE CAPABILITY- ARPA FUNDING

REQUEST: Development Services Director Jennifer Kharrl is asking for ARPA funding for the Building Inspector's vehicle to have remote capability. She advised that the total cost would be approximately \$5000. She advised that there would be a \$55.00 per month data plan fee and that this would be greatly beneficial for his essential duties and that it will help the entire office be more efficient.

A motion was made by Commissioner Elliott to use ARPA funding to fulfill the request for the Building Inspector vehicle mobile capability in the amount of \$5000. It was seconded by Commissioner Rekow and carried unanimously.

RETAIL ALCOHOL BEVERAGE LICENSE TRANSFER FOR IDAHO PIZZA

COMPANY: While being recorded, Commissioner Rekow reviewed the retail alcohol beverage license transfer for license #18 CLC Incorporated doing business as Idaho Pizza due to relocation of their restaurant. There is a transfer fee of \$5.00.

A motion was made by Commissioner Elliott to approve the retail alcohol beverage license transfer #18 for CLC Incorporated doing business as Idaho Pizza Company as presented. It was seconded by Commissioner Rekow and carried unanimously.

MINUTES: The minutes for May 23 & 24, 2022 were reviewed. A motion was made by Commissioner Elliott to approve the minutes for May 23 & 24, 2022 as amended. It was seconded by Commissioner Rekow and carried unanimously.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecuting Attorney Tahja Jensen spoke on various county legal matters. Items that she talked about were public record requests and real estate.

The Commissioners did not take a lunch break.

ZONING & SUBDIVISION ORDINANCE REQUEST FOR PROPOSAL OPENING:

While being recorded, Commissioner Rekow opened the Request for Proposal (RFP) that was received by Logan Simpson which was received timely and included a packet and quote. They also attended the mandatory pre-proposal meeting with the county. There were no other bids received. Development Services Director Jennifer Kharrl advised that if they adopt the whole ordinance revision at one time, it would be \$146,859. If they did the project by modules (optional Phase 3A) it would be \$170,650. The

optional Phase 4 is an additional \$14,410. Commissioner Elliott would like to know if the optional Phase 4 could be added at a later time. Jennifer advised what the next steps are and that funding this project would be best if broken up into 2 Fiscal Years. Jennifer will contact Logan Simpson for clarification on questions.

A motion was made by Commissioner Elliott to advise that they opened 1 bid from Logan Simpson, the packet included the amount and that they attended the pre-proposal meeting with the county. It was seconded by Commissioner Rekow and carried unanimously.

DETENTION FACILITY MATTRESS/PILLOW REPLACEMENT- ARPA FUNDING

REQUEST: Chief Deputy Dave Timony is asking for ARPA funding for the purchase of mattresses and pillows for jail inmates. He advised that the current ones are worn and ripped which does not allow them to effectively complete the decontamination process. The estimated cost is \$4485.30.

A motion was made by Commissioner Elliott to approve up to \$5000 from the ARPA funding for the replacement of mattresses and pillows for the detention center as requested. It was seconded by Commissioner Rekow and carried unanimously.

TRAVEL TO IDAHO ASSOCIATION OF COUNTY COMMISSIONERS & CLERKS

CONFERENCE: The Commissioners attended the Idaho Association of County Commissioners & Clerks Conference in Burley for the remainder of the week.

The Board recessed at 2:00 p.m. to 8:30 a.m. on June 13, 2022.

Approved: _____
Chairman

Attest: _____
Clerk