



June 27 & 28, 2022, Emmett, Idaho

Pursuant to a recess taken on June 21, 2022, the Board of Commissioners of Gem County, Idaho, met in regular session this 27th day of June 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:

June 27, 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 Rekow and carried unanimously.

PLUMBING & FLOORING QUOTES FOR COURTHOUSE BATHROOM UPDATES:

Buildings & Maintenance Supervisor Chuck Shambaugh reviewed quotes from Paige Mechanical Group (PMG) in the amount of \$12,370 and Rocky Mountain Mechanical in the amount of \$19,250 for the courthouse bathroom upgrades. He advised that flooring is separate from these 2 bids. Bill Kurta from Rocky Mountain Mechanical talked about the differences of the 2 bids. Chuck advised that the PMG quote does not include grab bars. The Commissioners would like more information on the cost for installation of grab bars before making a decision. Bill advised that material pricing & availability may change and new bids may be needed.

WHISPERING SANDS MINOR SUBDIVISION: Development Services Director Jennifer Kharrrl reviewed the Whispering Sands minor subdivision request. The property owners, Rebecca and Alden Vawter, have applied for a minor subdivision to create two (2), single-family lots on approximately 11.38 +/- acres located in the A-2, Rural Transitional Agriculture zone. The lots comply with the minimum 5-acre lot size established for this zone. She talked about the location of the property, advised that there were no letters of concern and the road dedication.

A motion was made by Commissioner Elliott that for the

Whispering Sands Minor Subdivision at 3801 Star Lane to approve as presented. It was seconded by Commissioner Butticci and carried unanimously.

COUNTY FACILITY EXPANSION OPTIONS: Commissioner Butticci does not believe adding onto the current courthouse is the best option. He talked about removing the current buildings that the county owns and building a new one. There was discussion on looking at other properties that may be available and parking needs. There was discussion on working with a realtor to see what options are available.

CONSENT AGENDA: A. Briscoe Homestead Minor Subdivision plat and B. Briscoe Homestead Minor Subdivision Capital Improvement Plan Road Mitigation Agreement.

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

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. It was seconded by Commissioner Elliott and carried unanimously.

MINUTES: The minutes for June 21, 2022 were reviewed. A motion was made by Commissioner Elliott to approve the minutes for June 21, 2022 as amended. It was seconded by Commissioner Butticci and carried unanimously.

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

INTERVIEW JEFF ULMER FOR DISASTER SERVICES/EMERGENCY MANAGER: The Commissioners conducted an interview with Jeff Ulmer for the Disaster Services/Emergency Manager position.

PROSECUTING ATTORNEY MATTERS: There were no items to discuss.

EXECUTIVE SESSION FOR PERSONNEL MATTERS: At 12:03 p.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)(b) for matters regarding personnel with a roll call vote as follows: Commissioner Butticci, aye, Commissioner Elliott, aye and Commissioner Rekow, aye.

Regular session reconvened at 12:22 p.m.

PERSONNEL MATTER APPROVAL: A motion was made by Commissioner Butticci to have legal move forward with the agreement that was

set forth in Executive Session. It was seconded by Commissioner Elliott and carried unanimously.

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

ROAD NAMING ORDINANCE AMENDMENT PUBLIC HEARING: While being recorded, the Commissioners held a public hearing on the Road Naming Ordinance amendment. 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, residents Karen Bruner and Anthony Jones. 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 spoke of a previous appeal of the naming of a private road which was denied by the Board. She advised that the Commissioners requested that the existing code be amended to have better road naming standards. She provided the Commissioners with updated standards and advised that they added a notification section and a section for renaming a private road. The Zoning Commission recommends approval with added considerations which are requiring a 75% approval from the property owners to change the name, limiting the road names to 13 letters and not allowing the use of first names, last names or initials. She also advised that staff has some considerations as well which are guidelines on the review process, who they would send the notices to and to remove or clarify the wording that requires a Development Application since it is always required.

Deputy Prosecuting Attorney Tahja Jensen talked about proposed changes under 12-8-6-B3 which addresses the need for an approval of a simple majority (51%) of the property owners along the subject street in order to make an application of initiation of change. She advised that this percentage shall be for a 1-time application process and any subsequent applications would require 75% approval.

In favor, Karen Bruner appreciates the Commissioners for sticking with this process. She advised that having a voice is very important. She would like the Commissioners to amend this ordinance with the simple majority 51% and limit the number of characters allowed.

Jennifer talked about font size and she is in favor or

limiting the characters allowed. Road and Bridge Supervisor spoke of the standard size and font for other road signs. Tahja states that this would not affect existing road signs, unless there was a re-naming done.

In favor, Anthony Jones spoke of the problems that they have endured due to not being able to have a voice with the current ordinance. He spoke on the challenges of requiring 75% approval. He supports the simple majority approval of 51% for the re-naming process. He spoke on the growth in Gem County, how much money he has spent throughout this process and the frustration he has experienced.

Commissioner Elliott advised that they have to follow the law when making decisions and he agrees that this ordinance does need to be updated.

Karen spoke on a proposed "Private Road Application" that she provided for consideration.

Neal recommends that signs have 13 or less letters which includes spaces and abbreviations. Jennifer reviewed the current standards for private road signs in Gem County.

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

Commissioner Elliott is in support of a 66% approval requirement. Jennifer advised that the application will have to be updated in order to conform to the new Ordinance. She advised that those changes would not have any effect on updating the Ordinance. Commissioner Butticci talked about the percentage of approval that is needed. He agrees with the 13 characters on the road signs.

Jennifer advised that section 12-8-5 has some confusing language and needs to be simplified. Tahja talked about other sections in the ordinance that need to be cleaned up such as the section addressing sending out notices.

The Commissioners would like to move forward with the 66% requirement and to not adopt the language that was proposed by legal. Jennifer will make the requested changes and will bring it back to the Commissioners for final approval. There was discussion on who pays for new signs on county roads. The Commissioners agree that the applicant should pay for re-naming of signs. Jennifer also talked about the process for plats that are recorded with the county.

A motion was made by Commissioner Butticci to move forward with the amended changes made today to Title 12, Chapter 6 1, Subdivision Design and Improvement Standards with the purpose of adding some road name standards and bring it back for final approval at the soonest available agenda. It was seconded by Commissioner Elliott and carried unanimously.

INLINE ASPHALT QUOTE: Road and Bridge Supervisor Neal Capps reviewed a quote he received from Inline Asphalt in the amount of \$53,454.80. The portion for Tom's Cabin Road will be removed as the Road Department did that road themselves.

A motion was made by Commissioner Elliott to remove the Tom's Cabin portion and to accept the Inline Asphalt bid for \$52,264.80. It was seconded by Commissioner Butticci and carried unanimously.

FISCAL YEAR BUDGET DISCUSSION: Clerk Tilton and Chief Deputy Clerk Leandra Rountree met with the Commissioners to discuss the budgets for the Road & Bridge Department, Disaster Services and the General Fund.

The Board recessed at 5:00 p.m. to 9:00 a.m. on June 28, 2022.

June 28, 2022

ADMINISTRATION TIME: The Commissioners worked on various administration items.

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

ADMINISTRATION TIME: The Commissioners worked on various administration items.

STEVENS RANCHETTES PRELIMINARY PLAT PUBLIC HEARING: While being recorded, the Commissioners reviewed the Stevens Ranchettes preliminary plat. 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 Nic Stevens and various members of the public. Commissioner Rekow read the notice of public hearing. Those wishing to testify were sworn in.

Commissioner Rekow advised that he was near a conversation on this topic but walked away. Commissioner Elliott had no conflict. Commissioner Butticci had a conversation on the process, but then walked away. There were no other conflicts or declarations pertaining to this meeting such as site reviews or other 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, the staff report, the Zoning

Commission minutes, a water study, 9 letters of concern and impact agency letters.

A motion was made by Commissioner Butticci to add the packet of information that was presented by Development Services. It was seconded by Commissioner Elliott and carried unanimously.

Jennifer reviewed the application from the applicant, Stevens and Sons Drilling, on property owned by the Jumper Living Trust and Janet Youngberg, have applied for a Standard Subdivision Permit (Preliminary Plat) application to construct a residential subdivision on approximately 40.00 acres of land. The applicant proposes to create 32 single-family lots. The property is zoned R-2, Residential Transitional. She talked about 2 new public roads and waiver requests. She advised that staff does not support double cul-de-sacs but would recommend approval with a u-road. She also talked about a water study that was requested. Road and Bridge Supervisor Neal Capps advised that Edgemont Road was not considered for access due to the impact it would have. Looking at the road structure and speaking to the engineers, W. Idaho is the best choice. He advised that a road study was not required due to the size of W. Idaho Blvd and that it is a minor collector. He also talked about the impact from vehicle use. He also discussed concerns with the bus stop and additional traffic. He advised that they do not have any issues with plowing snow in cul-de-sacs or u-shaped roads. He talked about an encroachment code that allows them to ticket vehicles if necessary in a cul-de-sac. Commissioner Butticci reviewed the recommendation letter from Keller Associates in regards to traffic.

Applicant Nic Stevens advised that they are asking for 32 lots to build a small community that fits the standards of the current area. He talked about the design of the access roads. Commissioner Elliott questioned the statement that stated that the "average owners purchasing homes are anticipated to be non full-time commuters". He stated that there is no way to know that information. He also talked about green space. Nic advised that he is in support of green space for kids. Commissioner Rekow reviewed a letter from the Gem Soil and Conservation District. Nic advised that they would be installing a pressurized irrigation system. He advised that he is a driller and there would not be any impact on surrounding wells. Commissioner Elliott talked about concerns with water quality and quantity on 1-acre lots.

In favor, Amy Watson, who is the applicants' realtor, talked about the demographics of buyers that they are expecting. She talked about green space and other communities close by that are very similar which have worked. Vaughn Youngberg advised

that his wife owns half of the parcel. He advised that he is a farmer and it is difficult to farm this land because of the surrounding homes. He believes it is a wise to have these as 1-acre lots. Commissioner Elliott advised that surrounding properties are zoned as agriculture land. Kristen Jumper, who is partial owner of the land, advised that they decided to move forward with this application due to their children moving on and her husbands' health. She advised that she was raised on this property. She hopes that the current neighbors will be neighborly to the new occupants. Gary Jumper talked about legal property rights and septic. He talked about how badly they have been treated by some of the neighbors. He advised that the water is at 100 feet. He advised that they do not want to do anything to hurt the community. Kurt Smith with Intermountain Engineering advised that they do not have any issues in meeting the required conditions. He talked about standards of care, well drilling, access layout, parking, a turning lane and wells & septic. He believes in the checks and balances process and believes that this is a good project for the county. There were no others in favor.

In neutral, Andrew Griggs from Emmett Irrigation advised that they have not received the irrigation plan. They won't be able to give the authorization on this until that is received. He also talked about a required engineer plan and a water user agreements. Dale Atkinson would like there to be a requirement to pump out the septic tanks and an access point on Edgemont.

Opposed, Michelle Fink expressed concerns with traffic, the speed limit, CC&R's, owner's renting out their lots and the length of time it will take to develop. Connie Linley reviewed parts of the land use plan. She expressed concerns with the lack of walking paths. She talked about access, roads, and the visual impact to the area and the lack of a community design. Richard Rice expressed concerns with water and nearby properties doing the same thing. He does not believe this benefits the community. He also talked about his current water pressure. Gary White expressed concerns with water, traffic and the size of the project. Linda Hall expressed the same concerns as Gary White. There were no others that wished to speak.

Associate Planner Michelle Barron advised that during the preliminary review in their office, a letter from the Fire Department was required.

Commissioner Elliott advised that it is the Boards decision to approve a cul-de-sac or a u-road. Commissioner Butticci would like more information from the County Engineer on the possible need for a traffic impact study and the need for a bus stop.

In rebuttal, Kurt advised that there will be CC&R's. He also talked about open spaces and a bus stop. He advised that

this property has been zoned for 1-acre lots for a long time. He advised that he has been working with Emmett Irrigation.

Neal advised that they are looking at lowering the speed on W. Idaho Blvd. He also talked about encroachments and snow removal.

Deputy Prosecuting Attorney Tahja Jensen advised that since additional information will be presented for review, the public hearing should remain open at this time.

A motion was made by Commissioner Butticci to continue this public hearing on July 18, 2022 at 1:30 in the Commissioners Chambers. It was seconded by Commissioner Elliot and carried unanimously.

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

Approved: _____
Chairman

Attest: _____
Clerk