



July 11 & 12, 2022, Emmett, Idaho

Pursuant to a recess taken on July 5, 2022, the Board of Commissioners of Gem County, Idaho, met in regular session this 11th day of July 2022, at 8:30 a.m.

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

Whereupon the following proceedings were had, to-wit:

July 11, 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.

INTERVIEW WITH DANIEL BRICE FOR EMERGENCY MANAGER POSITION: The Commissioners conducted an interview with Daniel Brice for the Emergency Manager Position.

CONSENT AGENDA: A. Payroll claims approval for 7/7/2022, B. Lumen Fiber+ Enterprise SIP and IAD contract for 2022-2023, C. Computer Arts/Harris Master Agreement Software & Support License, Addendum A Annual Software License and Maintenance Fees and Addendum B Annual County Software Support Fees and D. Agreement with Syndaptic, Inc. for jail control panel.

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

PROFESSIONAL SERVICES CONTRACT WITH MALONEY LAW OFFICE, LLC, JOLENE C. MALONEY, ATTORNEY FOR CONFLICT COUNSEL FOR PUBLIC DEFENSE APPROVAL WITH DISCUSSION AND INTERVIEW DETERMINATION:

Deputy Prosecuting Attorney Tahja Jensen recommends the Commissioners meet with Jolene Maloney if Public Defender Mark Coonts continues to assign cases to her. The Commissioners agreed.

A motion was made by Commissioner Butticci to approve the contract for professional services with Maloney Law Office, LLC. It was seconded by Commissioner Rekow 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 Butticci and carried unanimously.

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

DEPARTMENT HEADS: Commissioner Rekow talked about cruise night, the budget and the county wage study. Commissioner Butticci asked the department heads to look at their budgets and see if there are any projects that can be held off for a year. Commissioner Rekow requested that they email those projects to himself as well as Clerk Tilton. He also talked about the upcoming ICRMP training. Commissioner Butticci spoke on the surplus auction.

Road and Bridge Supervisor Neal Capps spoke on various projects they are working on. Noxious Weed Supervisor Larry Shippy talked about a Q&A he attended, chemicals and various projects they are working on. Landfill Supervisor Martin Joyce talked about a fire they had and expressed gratitude to the Weed Department. Buildings & Maintenance Supervisor Chuck Shambaugh talked about parking lot line painting and trees at the island. Information Technology Support Specialist Corbin Vickery talked about the server project upgrade and Wi-Fi and internet at the fairgrounds. Rebecca Mills with the Extension office talked about programs they are working on, the fair and a 4-H exchange they participated in. Deputy Prosecuting Attorney Tahja Jensen talked about quarterly human resources/legal training and the employee wage study.

FUEL BID DISCUSSION: Deputy Prosecuting Attorney Tahja Jensen reviewed the contract for the fuel bid and advised that it is good until September 30, 2023. Tahja and Road and Bridge Supervisor Neal Capps feel that there is no need to revisit this contract until closer to the end of the contract. The Commissioners agreed.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecuting Attorney Tahja Jensen spoke on various county legal matters, which included public records requests and a procurement manual.

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

ROAD NAMING ORDINANCE AMENDMENT DELIBERATION: While being recorded, the Commissioners continued with deliberation on the

public hearing for the Road Naming Ordinance amendment. This meeting was held in person and via phone. Those present were Development Services Director Jennifer Kharrrl, Development Services Coordinator Stephanie Crays, Deputy Prosecuting Attorney Tahja Jensen, Road and Bridge Supervisor Neal Capps, Gem County residents Karen Bruner, Tara Jones and Anthony Jones. The public hearing was previously closed to the public.

Development Services Director Jennifer Kharrrl reviewed changes that were made to the Ordinance amendment. She talked about the notification process, the designated committee, language that was struck, the percentage required for approval, cost/fees, the process and road naming standards. She provided an updated "Private Road Application" for review and advised that any updates to the application is an administrative duty. She also advised that there is a percentage requirement for approval for existing road names only. The Commissioners agree with the changes.

A motion was made by Commissioner Butticci to adopt the amended Title 11 and Title 12 as presented. It was seconded by Commissioner Rekow and carried unanimously.

EMS ARPA FUNDING REQUEST: Chief Welch is proposing to raise the Paramedic rate from \$42,000 to \$48,000 and the EMT from \$34,000 to \$37,400. He is asking for approval of \$112,280, which includes benefits for the budget year. Chief Deputy Clerk Leandra Rountree advised that benefit costs will be increasing.

A motion was made by Commissioner Butticci to amend the ARPA funds allotted to Gem County Fire for 2023 and to increase the Duty EMT salary to \$37,400 and the Paramedic 6 to \$48,000 and have the PERSI and medical increase adjusted to match those salaries. It was seconded by Commissioner Rekow and carried unanimously.

Chief Welch is also requesting the second half of the ARPA funding that was previously approved to continue employment for the Firefighter/EMT that was hired in March of 2022 for Fire District 1. He is asking for \$55,440 for salary and benefits and to extend that position through FY2023. He advised that this is to help cover the large amount of calls they are receiving. He advised that Fire District 1 should be able to fund it after next year. Commissioner Butticci is in support due to the growth in the county.

A motion was made by Commissioner Butticci to continue another year for 2023 ARPA funds for Gem County Fire District 1 for the Firefighter/EMT with a salary of \$42,000 with benefits to match. It was seconded by Commissioner Rekow and carried unanimously.

PROFESSIONAL SERVICES AGREEMENT BUILDING OFFICIAL APPROVAL OF CONTRACT WORDING AND RATES:

Development Services Director Jennifer Kharrl would like to change Building Official Vince Lombardo from a part-time employee to a contract employee on an as needed basis. She reviewed the pay rates based on what kind of plan would be reviewed. She would also like to be able to use him as a backup inspector when needed and reviewed the pay rates based on location per inspection. She talked about the current workload. She is asking for \$7800 for the upcoming budget year for the contract employee. She would like this contract to become effective July 1, 2022 if possible. Chief Deputy Clerk Leandra Rountree recommends making the contract effective July 18th instead of the 1st because the benefits were already paid for July. She will budget \$10,000 for the next fiscal year.

A motion was made by Commissioner Butticci to enter into a Professional Services Agreement for the Building Official with Vince Lombardo for residential plan reviews at \$30 and commercial plan reviews for \$100 per plan as needed and for building inspections for \$30 in Gem County a visit and \$45 a visit in the Sweet/Ola area as needed. It was seconded by Commissioner Rekow and carried unanimously.

SALARY INCREASE FOR BUILDING OFFICIAL CERTIFICATION:

Development Services Director Jennifer Kharrl is asking for a pay increase of \$1000 for the Building Official since he has completed his first required certification. He still need to complete his commercial certification. Chief Deputy Clerk Leandra Rountree advised that the Assessor's office is the only known office to have done this. Commissioner Butticci is in favor for this increase. There was discussion on the need for a clear policy on wage increases to be fair and equitable for all employees. Deputy Prosecuting Attorney Tahja Jensen talked about conditions of employment and probationary periods.

A motion was made by Commissioner Butticci to approve the \$1000 for the Building Inspector for completing his certification. It was seconded by Commissioner Rekow and carried unanimously.

ADMINISTRATIVE TIME: The Commissioners worked on various administrative items.

The Board recessed at 5:00 p.m. to 8:30 a.m. on July 12, 2022.

ADMINISTRATIVE TIME: The Commissioners worked on various administrative items.

LETHA SEWER DISTRICT ARPA FUNDING REQUEST: Richard Berglund from the Letha Sewer District advised that they need to get jet cleaning done for the pipes, add a Flume flow meter and power for the ponds. They have previously received \$50,000 in ARPA funding and are now asking for an additional \$40,000. He advised that DEQ has not yet funded their grant, so they are not able to use the \$50,000 at this time. He advised that they need the \$40,000 for the engineer to come up with a plan for their project. Deputy Prosecuting Attorney Tahja Jensen advised that ARPA funding cannot be used for "rainy day" funds. Richard advised that they have other funding that they are holding onto for a "rainy day" which is not the ARPA funding. He talked about options for acquiring property to build a pond to support growth. He advised that they pay \$29 a month for sewer. Commissioner Butticci talked about needing a fee schedule for rate increases. Richard advised that they are working on that. The Commissioners are in support of granting the additional \$40,000. Richard stated that there are approximately 58-64 users. Richard provided a planning phase that breaks down the estimated costs which states that the estimated cost of the entire project is \$116,000. With the approved \$50,000 of ARPA funding and the additional \$40,000, there will be a remaining balance of approximately \$26,000 which he is working on getting a loan for. Commissioner Butticci would like Richard to get an updated spreadsheet of the scope of work showing the use of all the ARPA funds.

A motion was made by Commissioner Butticci to award Letha Sewer District an additional \$40,000 of ARPA funding to upgrade the Flume flow meter and cleaning of the lines with the condition that they bring back a revised budget showing the use of the previously \$50,000 granted funds and the additional \$40,000. It was seconded by Commissioner Rekow and carried unanimously.

MEYER SUBDIVISION PRELIMINARY PLAT PUBLIC HEARING: While being recorded, the Commissioners held a public hearing to review the Meyer Subdivision preliminary plat. This meeting was held in person and virtually via Zoom. Those present were Development Services Director Jennifer Kharrl, Development Services Coordinator Stephanie Crays, Deputy Prosecuting Attorney Tahja Jensen, Road and Bridge Supervisor Neal Capps and applicant Amy Rosa from Sawtooth. Commissioner Rekow read the notice of public hearing. Those wishing to testify were sworn in.

There were no 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 and impact agency letters. There were no letters from the public received.

A motion was made by Commissioner Butticci to enter the packet that was described by Jennifer Kharrl from Development Services into the record. It was seconded by Commissioner Rekow and carried unanimously.

Jennifer reviewed the Meyer Subdivision preliminary plat request. The applicant, Sawtooth Land Surveying, LLC, on property owned by Richard F. Meyer, have applied for a Standard Subdivision Permit application to construct a residential subdivision on approximately 40.00 acres of land. The applicant proposes to create 7 single-family building lots. The property is zoned A-2, Rural Transitional Agriculture. The Zoning Commission recommends approval. Items that she talked about were the location of the property, area of city impact and proposed conditions of approval. Road and Bridge Supervisor Neal Capps explained the layout of the property. Jennifer talked about access. Neal talked about concerns with the intersection and the approach to the subdivision, additional signage and a traffic study. He advised that there is no room to change the radius of the current road. Jennifer advised that a subdivision engineer report has already been signed off on. She also advised that all conditions must be met prior to signing of the final plat.

Applicant Amy Rosa from Sawtooth Land Surveying advised that conditions have been met except the traffic study and the approval of the irrigation plan. There were no others present at the hearing to testify in favor, neutral or opposed.

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

Commissioner Butticci is in support of the application. Commissioner Rekow believes that they met the requirements to move forward.

A motion was made by Commissioner Butticci to approve the Meyer Subdivision Preliminary Plat and accept the Findings Of Facts from the Zoning Commission and staff. It was seconded by Commissioner Rekow and carried unanimously.

PUBLIC DEFENDER UPDATE: Public Defender Mark Coonts advised that he has to hire an expert which is \$5000 for the retainer with additional cost if they need to testify on a case he is working. He advised that this expert is well respected and local. He also advised that the Public Defense Commission (PDC) is going away in 2024, that funding is expected to come from the state and

challenges with the logistics that were not considered when this change was approved. Other items that he talked about was their case load, conflict counsel and their office. He stated that he has appreciated working with the county, but provided his 60-day written notice to terminate his contract for public defense with the county.

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

UNITED STATES GEOLOGICAL SURVEY (USGS) WATER STUDY PROJECT:

Kenneth Skinner from USGS met with the Commissioners to review a water study. He stated that the base line was made in 2015. He advised that their goal is to determine if the water is safe to drink and if anything has changed. He provided a list of everything that they sample for. Other items that he talked about were gases, Volatile Organic Carbons (VOC's), changes in the water at different wells, depth of the wells, water contamination and filtration. Commissioner Butticci advised that the well by the hospital had to be shut down due to methane gas. Kenneth would like to find the areas of concerns in the area. He talked about the effect on water quality from increased growth and that variability can be very high for wells that are close. He talked about how they chose the wells for the study and that when they do a study they want to study the aquifer water, not the well water. He is working on trying to figure out what is affecting ground water quality. Commissioner Butticci stated that the goal of this study is to get a clean baseline. He would like another round of testing to get the best data. In order to do another test, it would be another 5-year study. Kenneth advised that homeowners that allow their wells to be tested get a full report. He talked about how long it takes to get results. He advised that no VOC's have been detected so far. Commissioner Butticci advised that VOC's were their main concern. Kenneth advised that the budget is currently \$18,000 a year, but because of rising costs it would be \$22,000 for the county. Development Services Director Jennifer Kharrl talked about concerns from the public regarding water quality and quantity. Kenneth advised that there are some concerns with some wells, but levels are still low. Commissioner Butticci would like to know the level of the wells during the study. Kenneth will provide the cost for a ground level study. No action was taken.

EXECUTIVE SESSION TO CONSIDER ACQUISITION OF REAL PROPERTY-

OFFSITE PROPERTY VISIT: At 2:25 p.m. a motion was made by Commissioner Rekow, seconded by Commissioner Butticci and carried unanimously to go into executive session under Idaho

Commissioner Minutes 7-11 & 12-22

Code 74-206(1)(c) for matters of real estate with a roll call vote as follows: Commissioner Butticci, aye and Commissioner Rekow, aye.

Regular session reconvened at 4:00 p.m.

ADMINISTRATIVE TIME: The Commissioners worked on various administrative items.

The Board recessed at 5:00 p.m. to 8:30 a.m. on July 18, 2022.

Approved: _____
Chairman

Attest: _____
Clerk