



July 19 & 20, 2021, Emmett, Idaho

Pursuant to a recess taken on July 13, 2021, the Board of Commissioners of Gem County, Idaho, met in regular session this 19<sup>th</sup> day of July 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:

July 19, 2021

**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 Elliott and carried unanimously.

**DEVELOPMENT SERVICES DEPARTMENT:** Development Services Director Jennifer Kharrrl reviewed an application for LaMore Minor Subdivision. The applicant, Sawtooth Land Surveying, LLC, on property owned by Brian and Stephanie LaMore, has applied for a minor subdivision to create four (4), single-family lots on approximately 34.46 +/- acres located in the A-2, Rural Transitional Agriculture zone. Items that she talked about were the location of the property, access, water and irrigation. Commissioner Butticci advised that he has a conflict due to knowing the applicant and would be abstaining from the vote. Commissioner Elliott expressed his concerns with traffic and irrigation. The Commissioners would like to have legal input and will continue this discussion later today during Prosecuting Attorney matters time.

**ALCOHOL BEVERAGE LICENSE (NAME CHANGE ONLY) FOR JACKSON BEVCO INC. DBA TOBACCO CONNECTION #39:** While being recorded, Commissioner Rekow reviewed alcohol beverage license #11, which is a name change only, for Jackson Bevco Inc. dba Tobacco Connection #39 located at 137 S. Washington Ave. in Emmett Idaho 83617 which is for bottled or canned beer, not to be consumed on the premises and retail wine.

A motion was made by Commissioner Elliott for the retail

alcohol beverage license name change to be approved as presented. It was seconded by Commissioner Butticci and carried unanimously.

**CAMERA SYSTEMS FOR COUNTY FACILITIES:** Information Technology (IT) Support Specialist Corbin Vickery talked about the courthouse camera system upgrade. Items that he talked about were the system specs, cost model, quotes and purchase types. He reviewed the 3 quotes from ISR, M2 Automation and Verkada. He also talked about the pros and cons with each quote. Other items that he talked about were cable updating and CARES funding. He recommends Verkada as the 1st choice, M2 as the 2<sup>nd</sup> and then ISR. There was discussion on the cameras in the jail. Commissioner Butticci would like more information on add-on options and additional cameras for other county offices outside the courthouse.

**COVID UPDATES:** Emergency Operations Manager Laurie Boston provided updates on the current weekly COVID numbers, the recovery rate and percentages of county residents that have received the vaccine. Valor Health Marketing Manager Staci Carr provided trend percentages, urgent care and emergency room numbers and the number of tested completed.

**CONSENT AGENDA:** The consent agenda included: A. Certificate of residence for Junior College tuition for Kenneth Duran, B. Modification to Cooperative Law Enforcement 2021 annual operating plan & financial plan between the Gem County Sheriff's Office and the USDA, Forest Service, Boise National Forest, C. Agreement for professional services between Gem County and Keller Associates Inc. for Gem County Road Standards update, D. Interagency Management Control agreement between Gem County and the City of Nampa regarding Motorola Spillman Insight Server, E. Datatel quote for phone service installation to the Motor Vehicle building and F. Gem County Resolution 2021-11 transferring vehicle from EMS to Fire District #2.

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

**MINUTES:** The minutes from July 6, 12 & 13, 2021 were reviewed. A motion was made by Commissioner Elliott to approve the minutes for July 6, 12 & 13, 2021 as amended. It was seconded by Commissioner Butticci and carried unanimously.

**PUBLIC WALK-IN:** There were not attendees from the public.

**INDIGENT APPLICATIONS:** There was no need to go into Executive Session. Deputy Clerk Sarah Story requested a correction on a previously approved case# 19-053.

19-053      30-Day Medical Emergency

Commissioner Elliott made a motion that on case 19-053 to sign an amended approval. It was seconded by Commissioner Butticci and carried unanimously.

**GEM COUNTY SOLID WASTE ANTIFREEZE DISPOSAL FEE PUBLIC HEARING:**

While being recorded, a public hearing was held for the Gem County Solid Waste Antifreeze disposal fee. Commissioner Rekow read the public notice hearing. Landfill Supervisor Martin Joyce was sworn in.

Landfill Supervisor Martin Joyce advised that Gem State Recovery starting charging \$2.00 per gallon for anti-freeze pick up. He advised that there are generally 2-3 pick-ups a year. He is asking to allow the charge of \$2.50 to the public to help recoup the cost. There are no members of the public in attendance.

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

A motion was made by Commissioner Butticci to accept the Gem County Resolution 2021-10 for the anti-freeze fee of \$2.50 per gallon. It was seconded by Commissioner Elliott and carried unanimously.

**PROSECUTING ATTORNEY MATTERS:** Deputy Prosecuting Attorney Tahja Jensen spoke on various county legal matters. Items that she talked about were the upcoming hearings and street naming.

**DEVELOPMENT SERVICES DEPARTMENT:** This is a continued discussion on the LaMore Minor Subdivision in which Commissioner Elliott spoke on his concerns of wording with the LaMore Minor Subdivision. Tahja spoke of standardization and necessity of notice to applicants to ensure that they know exactly what is expected of them. She advised that the Board can require the applicant to comply with the Irrigation District requirements.

A motion was made by Commissioner Elliott to approve the LaMore Minor Subdivision as presented. It was seconded by Commissioner Butticci and carried unanimously.

**The Commissioners recessed at 12:10 p.m. for lunch to reconvene at 1:30 p.m.**

**COMPREHENSIVE PLAN APPENDIX AMENDMENT:** While being recorded there was discussion on the Comprehensive Plan Appendix amendment. Commissioner Rekow read the notice of public hearing. Those in attendance were Development Services Director Jennifer Kharrl, Associate Planner Michelle Baron, Development Services Coordinator Lisa Olson, Deputy Prosecuting Attorney Tahja Jensen, Road and Bridge Supervisor Neal Capps, Fire Chief Rick Welch, Clerk Shelly Tilton, Treasurer Megan Keene, Anne Wescott from Galena Consulting and various members of the public.

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 requested that the Board add the packet of information into the record which is the proposed amendment to the Comprehensive Plan.

A motion was made by Commissioner Butticci to enter the packet with the amendment that was sent to the Commissioners by Development Services. It was seconded by Commissioner Elliott and carried unanimously.

Martin Fry spoke in favor and stated that he was happy that the money will help Gem County. There were no attendees that were neutral or opposed that wanted to speak.

Commissioner Elliott spoke of the process the Commissioners had to go through. Commissioner Butticci spoke of the growth in the county and that this is needed to protect the interest of the public.

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

Commissioner Butticci expressed the need to amend the Comprehensive Plan. Commissioner Elliott talked about how growth is not currently paying for itself and is in support of the amendment. Commissioner Rekow spoke on the burdens of different departments and needed road upgrades caused by the growth and that he is in support of the amendment.

A motion was made by Commissioner Butticci to move forward with the amendments to the Comprehensive Plan Appendix A for the impact fee Capital Improvement Plan as presented. It was seconded by Commissioner Elliott and carried unanimously.

**DEVELOPMENT IMPACT FEE ORDINANCE:** While being recorded there was discussion on the Development Impact Fee Ordinance. Commissioner Rekow read the notice of public hearing. Those in attendance were Development Services Director Jennifer Kharrl, Associate Planner Michelle Baron, Development Services Coordinator Lisa Olson, Deputy Prosecuting Attorney Tahja Jensen, Road and Bridge

Supervisor Neal Capps, Fire Chief Rick Welch, Clerk Shelly Tilton, Treasurer Megan Keene, Anne Wescott from Galena Consulting and various members of the public.

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 Kharrrl asked to enter the packet of information into the record

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

Jennifer talked about an impact study that was completed. She advised that there was an impact fee advisory committee that advised the Board to adopt the impact fees. She advised that if adopted, it would replace the current Capital Improvement program that only applies to subdivided lots. She talked about what areas were affected by the Capital Improvement program and the costs associated with it. She advised that this program has not been effective due to the amount of credits that are given in exchange for dedicated right-of-way to the county. She talked about the proposed Ordinance and that it would require impact fees for every new building permit whether the parcel is in a subdivision or not. She talked about how the funds received would affect the Road Department, Fire District #1, Middleton Fire District and the Sheriff's Department.

Other items that she talked about were the fee break downs, exemptions, temporary hardship permits, RV's used as living space, valuation of credit and only used assessed value, not using an outside appraiser. She reviewed the exemptions listed.

In favor, Simone Wade expressed thanks and is fully in support. Jana Munsen asked about the impact fees and how they would affect the school district. Wanda Coleman spoke of the road conditions and that help is needed. Patty Bowman asked what lots would be impacted. Bonnie Cronquest would like a consideration of exemption since they are in the process of building. There were not attendees that wanted to speak in neutral or opposed.

Jennifer advised that per Idaho Code, the schools could not be included. She also advised that any new single-family residence would be impacted. She also talked about special use permits for new business buildings. She advised that the impact fees would be effective in 30 days from the signed approval from the Commissioners. Homes that are in process would need to be completed before the 30 days. Commissioner Elliott expressed concerns on homes that are waiting on studies from other entities. Anne Wescott from Galena Consulting talked about

language that could be put into the Ordinance to exempt those in the process of building. Commissioner Elliott spoke on the septic studies. Jennifer advised that this will affect those that previously purchased land with the intent to build. Commissioner Elliott explained the well monitoring process. Jennifer talked about a possible exemption with a complete application with a septic permit prior to the 30 days deadline. Deputy Prosecuting Attorney Tahja Jensen talked about a possible window of time for waiving the impact fee for people already in the process of building and if it would need to be in the Ordinance. Jennifer stated that septic studies generally end around September/October. Commissioner Butticci spoke of possibly giving a septic monitoring waiver for a period of time. Tahja talked of an individualized assessment in the current Ordinance which would be an administration decision with the option to appeal to the Board. Anne agrees that this would be a good option. Jennifer spoke on the fees for building permits, that impact fees are separate and what the Capital Improvement fees affect. Commissioner Butticci recommends that in order to be considered for a monitoring waiver that a completed application must be received before 30 days. Jennifer also talked about applications that have been approved but that the septic study started late, which could run through the next year. Jennifer spoke of a temporary hardship permit for RV's in the amount of \$1000.00. Road and Bridge Supervisor Neal Capps talked about how they came up with the \$1000.00 based off the temporary impact they cause.

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

Commissioner Elliott spoke on the Individualized Assessment currently in the Ordinance and the need to update the Resolution with specific guidelines. Commissioner Rekow does not want the monitoring waiver to go into the next cycle.

A motion was made by Commissioner Butticci to move forward with the impact fees as presented by staff with the additional recommendations brought forth by staff, page 7 under roads and bridges under category temporary hardship that allow for a temporary motorhome or RV to be lived in per standards by the Gem County Code Title 11, Chapter 19 Temporary Hardships and that staff recommends a fee for \$1000.00. Page #8, item 4 at the top part of the exemptions to include RV used as living space per standard from Gem County Code Title 11, Chapter 19 for RV's. Page #11 C-1, Evaluation of Credit, removing the option B that allows the hiring of a private appraiser. Staff feels that it should be the same for everyone by using the values from the current assessment from the Assessor's Office. It was seconded

by Commissioner Elliott and carried unanimously.

**EMS FISCAL YEAR 2022 BUDGET**: Fire Chief Rick Welch met with the Commissioners and Clerk Shelly Tilton to discuss the EMS Fiscal Year 2022 budget.

**The Board recessed at 5:00 p.m. to 8:30 a.m. on July 20, 2021.**

**July 20, 2021**

**LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)**: The Commissioners attended this meeting virtually.

**GUTHRIE REZONE DELIBERATION**: While being recorded, the Guthrie Rezone deliberation continued from a prior public hearing held on June 21, 2021. This meeting was held virtually via Zoom. Those present were Associate Planner Michelle Baron, Deputy Prosecuting Attorney Tahja Jensen, applicants Katherine and Tod Guthrie and Emmett resident Karl Ross.

The Commissioners had reviewed the updated conditions and general terms that were provided by Planning and Zoning. Commissioner Elliott stated that the general conditions met his requirements. Commissioner Butticci agreed and is satisfied. Commissioner Rekow stated that the language that they wanted to see was done and all concerns have been addressed.

A motion was made by Commissioner Butticci to approve the rezone for the Guthrie Zone RZ-21-005 with Exhibits 1 and 2 as presented with the Development Agreement which is in Exhibit 2. It was seconded by Commissioner Elliott and carried unanimously.

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

**FISCAL YEAR 2022 BUDGET**: The Commissioners reviewed the Fiscal Year 2022 budget.

**The Board recessed at 5:00 p.m. to 8:30 a.m. on July 26, 2021.**

Approved: \_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

