



September 6, 2022, Emmett, Idaho

Pursuant to a recess taken on August 23, 2022, the Board of Commissioners of Gem County, Idaho, met in regular session this 6th day of September 2022, at 8:30 a.m.

Present:	Mark Rekow	Chairman
	Bryan Elliott	Commissioner
	Shelly Tilton	Clerk

Whereupon the following proceedings were had, to-wit:

September 6, 2022

**REVIEW AND APPROVAL OF AGENDA:** The Commissioners reviewed the agenda. A motion was made by Commissioner Rekow to approve the agenda as presented. It was seconded by Commissioner Elliott and carried unanimously.

**EMS FISCAL YEAR 2022 BUDGET:** Chief Rick Welch discussed shortfalls in the current EMS budget. He discussed vehicle repair costs and shortages due to fuel costs. He stated that the budget will be about \$14,000 short.

**IMPACT FEE AMENDMENT DISCUSSION:** Sheriff Wunder, Chief Deputy Dave Timony and Road Supervisor Neal Capps met with the Commissioners to discuss next steps in amending Impact Fees in the Capital Improvement Plan. The Sheriff's office would like to have items, such as vehicles and equipment, added to the plan. Deputy Prosecutor Tahja Jensen discussed the steps to accomplish the revision. She will reach out to Anne Wescott who worked on the original plan to see if she is available to work on the revision.

**MAPPING CONTRACT WITH FIX THIS SYSTEM:** Assessor Strang met with the Commissioners to discuss contract hours needed to cover mapping duties until the position is filled. There were duties that had not been completed since 2019 that took more hours than had been anticipated to catch up. That has now been caught up. Expected hours needed per week from here out are 1-2 hours per week. She has interviewed for the mapping position. Hollie Ann anticipates needing 55 hours, 40 in addition to the 15 previously approved, for this contract for this fiscal year.

A motion was made by Commissioner Elliott to add an addendum for 40 additional hours at \$60 per hour to Fix This System for mapping support. It was seconded by Commissioner Rekow and carried unanimously.

**ASSESSOR'S REQUEST FOR AN INCREASE TO PETTY CASH:** Assessor Strang explained the need to increase petty cash in the motor vehicle department. They currently have \$400 and would like to increase to \$600 in order to have sufficient change for increased activity and payment with large bills.

A motion was made by Commissioner Elliott to authorize an increase of petty cash for the Assessor from \$400 to \$600. It was seconded by Commissioner Rekow and carried unanimously.

**RETAIL ALCOHOLIC BEVERAGE LICENSE AMENDMENT FOR SIMPSON ENTERPRISES DBA KT LANES:** While being recorded the Commissioners considered an alcohol beverage license amendment to add wine by the drink for KT lanes.

A motion was made by Commissioner Elliott to approve the alcohol beverage license #37 as presented. It was seconded by Commissioner Rekow and carried unanimously.

**IDAHO ASSOCIATION OF COUNTIES CAPITAL CRIMES DEFENSE PROGRAM BOARD ELECTION BALLOT:** The Commissioners reviewed the list of three candidates for the at large board position on the board for the Idaho Capital Crimes Defense Program. Commissioner Rekow stated that Bob Kunai has been on the board and would like to continue.

A motion was made by Commissioner Rekow to select Bob Kunai, Cassia County Commissioner, for the at large position on the Capital Crimes Defense board. It was seconded by Commissioner Elliott and carried unanimously.

**PUBLIC WALK-IN:** No members of the public attended public walk-in.

**PUBLIC DEFENSE APPLICANT REVIEW:** Information received from applicants to provide public defense for Gem County was reviewed. Gem County needs, funding and public defense structure were discussed. Interviews will be set up with the applicants.

**PROSECUTING ATTORNEY MATTERS:** Prosecutor Thomson and Deputy Prosecutor Tahja Jensen discussed legal matters. Topics discussed included public information officer training that Tahja attended, packets for Avimore meeting next week and updating the commissioner meeting recording system.

**PROSECUTOR OFFICE POSITION SALARY REQUEST:** Prosecutor Thomson discussed salary for the legal assistant position available in his office. He would like to post the position with a range of entry level to the rate the position has budgeted for fiscal year 2023.

A motion was made by Commissioner Elliott for the position legal assistant to set a range of \$31,000 to \$40,000 DOE (Depending On Experience). There was discussion that annual raises will be in effect prior to the start of this position so an increase would not be included for this position. The motion was seconded by Commissioner Rekow and carried unanimously.

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

**JAIL INSPECTION:** The Commissioners conducted an inspection of the jail.

**COURTHOUSE SECURITY DISCUSSION:** Sheriff Wunder, Chief Deputy Timony, Clerk Tilton, Deputy Prosecutor Tahja Jensen and Road Supervisor Neal Capps met with the Commissioners to discuss courthouse and county facility security. Security measures to protect staff and facility visitors were discussed. There have recently been a couple of specific incidents that spurred the discussion. Commissioner Rekow will contact IAC about potential funding for security.

**CONSENT AGENDA:** A. Certificate of Residency for Junior College Tuition for Chance Mock, Christopher Phillips, Teresa Campbell and Serah Petros, B. ARPA funding request for purchase of property, C. Request for Tax and/or Fee Cancellation for Assessor's Parcel MH10N01E341200, D. Gem County Resolution 2022-18 Fiscal Year 2023 Budget Adoption, E. Appointment of Stacy Heimlich to the Zoning Commission, F. Appointment of Scott Uhrig to the Gem County Mosquito Abatement District, G. Gem County Resolution 2022-19 Destruction of Court Records, H. Fiscal Year 2023 Public Defense Financial Assistance Agreement, I. Re-Appointment of Michele Chadwick to the Mosquito Abatement Board, J. Special Events Application for Use of Gem County Island Sports Complex from Calvary Christian Academy for football practice and games, K. Gem County Special Events Application for Bar 2 Bar Off-Road Racing at Little Gem Cycle Park, L. Sunset Farms Amended Development Agreement, M. Sunset Farms Amended Development Agreement Findings, Conclusions, Conditions, Order, N. Whispering Sands Minor Subdivision Plat, O. Pulley Minor Subdivision Plat, P. Alice's Restaurant Minor

Subdivision Plat, Q. Gem County Geographic Information System and Use Agreement with Zillow, Inc. and R. Gem County Polling locations for November 8<sup>th</sup> Election.

A motion was made by Commissioner Elliott to approve the consent agenda items A-R with the removal of item J. special events application for discussion. The motion was seconded by Commissioner Rekow and carried unanimously.

The Commissioners discussed waiving the fee for this school type activity. It was decided to waive the fee.

A motion was made by Commissioner Elliott to approve item J as per the discussion and decision. It was seconded by Commissioner Rekow and carried unanimously.

**MINUTES:** The minutes for August 22 & 23, 2022 were reviewed. A motion was made by Commissioner Elliott to approve the minutes for August 22 & 23, 2022 as presented. It was seconded by Commissioner Rekow and carried unanimously.

**ROAD DEPARTMENT UPDATE:** Road and Bridge Supervisor Neal Capps discussed road projects.

**FOREST SERVICE SECURE RURAL SCHOOLS (SRS) FUNDING ALLOCATION:**

The Commissioners reviewed the information provided regarding the differences between Title 1, 2 and 3 allocations. In the past the county has allocated 80% of the funds to the county road department (Title 1) and 20% to Title 2 which allowed the county to apply for Resource Advisory Council (RAC) Grants.

Commissioner Elliott made a motion to allocate 80% to Title 1 and 20% to Title 2. It was seconded by Commissioner Rekow and carried unanimously.

**INDUSTRIAL PARK WEED AND GOPHER CONTROL:** Road Supervisor Neal Capps and Noxious Weed Supervisor Larry Shippy met with the Commissioners about weed and gopher issues in the Shadow Butte Industrial Park. Neal had been contacted by a property owner in the park who was concerned about Poisoned Hemlock and Canada Thistle on her property. Larry sprayed along the mitigation ditch and fenceline removing the weeds from that area. The property owner is asking what the county will do regarding gophers on her property. It was discussed that weed and gopher control isn't something the county can do for private property owners. Neal will draft a letter to the property owner addressing the concerns and advising the county is unable to assist with gopher eradication on private property.

**PUBLIC DEFENSE COMMISSION UPDATE:** Jennifer Roark with the

Public Defense Commission met with the Commissioners via telephone. Public Defender Mark Coonts attended the meeting. Jennifer provided updates including financial assistance award letters. She said each county receives financial awards of 15% of what the county spent on public defense. This year each county received 4% additional for staff recruitment and retention. That 4% isn't required to be used for that purpose, but rather is recommended. She discussed continuing education requirements with free credit options, there are also scholarship opportunities available.

Commissioner Elliott informed Jennifer that Mark will no longer be the public defender for Gem County at the end of September and asked about expenditure of the funding. Jennifer stated that general financial assistance can be used for any public defense purpose. The workload financial assistance has a dedicated use and must be used as it was specified in the application. She said the county is not tied to that; if the new public defender wants to use the funding differently they can submit a request to the PDC to have it changed.

**PUBLIC DEFENDER UPDATE AND FUNDING REQUEST:** Public Defender Mark Coonts met with the Commissioners to provide an update. Mark will stay on through September 30<sup>th</sup> to help with transition of new Public Defender. Mark will provide a list of conflict attorneys with contact information in case the Commissioners need to contact them to obtain their annual reports. Mark will send reminder emails to each of the conflict attorneys also. Additionally, Mark requested the Commissioners consider a one month severance and medical insurance coverage for the two staff in the Public Defender's office to help them while searching for new employment.

A motion was made by Commissioner Elliott to authorize a one month severance and medical insurance coverage for two staff members for up to \$3500. It was seconded by Commissioner Rekow and carried unanimously.

**NACO OPERATION GREENLIGHT IN SUPPORT OF VETERANS:** This will be discussed next week.

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

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

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