



October 24 & 25, 2022, Emmett, Idaho

Pursuant to a recess taken on October 18, 2022, the Board of Commissioners of Gem County, Idaho, met in regular session this 25th day of October 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:

October 24, 2022

REVIEW AND APPROVAL OF AGENDA: The Commissioners reviewed the agenda. A letter to a member of the public regarding courthouse access was reviewed. A motion was made by Commissioner Butticci to amend the agenda Per IC 74-204(4)(c) due to an emergency that exists and that Mr. Liechty be notified for proper entry into the courthouse and for the letter to be served by law enforcement and to add to the consent agenda as item D. It was seconded by Commissioner Elliott and carried unanimously.

FISCAL YEAR 2022 CLAIMS APPROVAL: The claims presented were reviewed. Commissioner Rekow made a motion to approve the claims as presented and as initialed on the individual claim forms as well as the Indigent claims. It was seconded by Commissioner Elliott and carried unanimously.

RETAIL ALCOHOL BEVERAGE LICENSE NAME CHANGE FOR ELEMENTS KITCHEN LLC: While being recorded, Commissioner Rekow reviewed the name change for retail alcohol beverage license #34 for Elements Kitchen LLC formerly known as Cold Mountain Creek.

A motion was made by Commissioner Butticci to approve the retail alcohol beverage license transfer to Elements Kitchen LLC at 1825 Highway 16, Emmett. The motion was seconded by Commissioner Elliott and carried unanimously.

CONSENT AGENDA: A. Carl's Cycle sales quote for 2023 Honda Rubicon with winch for Weed Department, B. Re-appointment of Debra Jones to the Planning & Zoning Board and C. Request for tax and/or fee cancellation for Assessor's parcel MHP0000018A.

A motion was made by Commissioner Elliott to approve the consent agenda items A-D with the addition of the Leichty letter was added. The motion was seconded by Commissioner Butticci and carried unanimously.

MINUTES: There were no minutes to review.

SALARY SURVEY UPDATE: Clerk Tilton advised that they sent updates that she and Deputy Clerk Leandra Rountree provided to the company doing the salary survey. They will review that information and create the salary ranges. She talked about how other counties are set up, challenges with matching some jobs and salary comparisons with other counties. Leandra talked about job descriptions. Commissioner Rekow talked about creation of highway districts but has heard that there is no real advantage to that. Clerk Tilton reviewed the counties that they have looked at for comparisons.

REQUEST FROM THE RECOVERY CENTER TO PAINT THE EXTERIOR OF THE BUILDING AND RE-ROOF THE GARAGE: Commissioner Butticci advised that Building and Grounds Supervisor Chuck Shambaugh is going to get a bid for the roof of the garage and that painting might not be able to be done due to weather. No action was taken.

FISCAL YEAR 2023 CLAIMS APPROVAL: The claims presented were reviewed. Commissioner Rekow made a motion to approve the claims as presented and as initialed on the individual claim forms as well as the Indigent claims. It was seconded by Commissioner Elliott and carried unanimously.

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

STATE INSURANCE FUND SAFETY REVIEW: Krystin Lamantia from the State Insurance Fund met with the Commissioners to review Workman's Compensation and workplace safety. Items that she talked about were a "no fault system", premiums, cost to the county, claim types, how claims are calculated, bringing employees back to work after an injury and trends for Gem County. She recommends developing a Comprehensive Safety program and a Safety Committee. She also talked about a Department Head safety training that she is willing to provide.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecuting Attorney Tahja Jensen spoke on various county legal matters.

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

SALES YARD ESTATES #2 PRELIMINARY PLAT PUBLIC HEARING: While being recorded, the Commissioners reviewed the Sales Yard Estates #2 preliminary plat request. This meeting was held in person and virtually via Zoom. Those present were Development Services Director Jennifer Kharrrl, Associate Planner Michelle Barron, Deputy Prosecuting Attorney Tahja Jensen, Road and Bridge Supervisor Neal Capps and Amy Rosa from Sawtooth Land Surveying. 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 Kharrrl 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, 1 letter that is neutral and impact agency letters.

A motion was made by Commissioner Butticci to enter the packet into the record described by Jennifer Kharrrl. It was seconded by Commissioner Rekow and carried unanimously.

Development Services Director Jennifer Kharrrl advised that the applicant, Sawtooth Land Surveying, on property owned by Kyle Stratton, has applied for a standard subdivision (Preliminary Plat) application to construct a single-family residential development on approximately 35.91 acres. The property is zoned A-2, Rural Transitional Agriculture. She advised that there are 6 buildable lots and they all meet the minimum lot size. She also talked about roads and that no waiver letters from Fire District 1 has been received at this time, but could be a condition of approval. The Zoning Commission recommends approval.

Amy Rosa from Sawtooth Land Surveying advised that she has been working with the Fire Chief, Southwest District Health and the Irrigation District. She talked about the road design and drainage. She advised that the construction plans are ready. She also talked about power to the lots. She stated that this is a continuation of what Kyle did on the northwest corner and they will just be extending the road and there is no road dedication. There were no one else present to speak in favor, neutral or opposed.

The Commissioners had no questions or concerns.

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

The Commissioners agreed that all criteria have been met other than the letter from the Fire District.

A motion was made by Commissioner Butticci to approve the Preliminary Subdivision Plat for Sales Yard Estates #2 adding the condition that the letter of approval from the Fire District on the road waiver is received. It was seconded by Commissioner Elliott and carried unanimously.

ELK VIEW ESTATES #2 PRELIMINARY PLAT PUBLIC HEARING: While being recorded, the Commissioners reviewed the Elk View Estates #2 preliminary plat 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 and Amy Rosa from Sawtooth Land Surveying. 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 to be added into the record which includes the notice of Public Hearing, the application, the Zoning Commission recommendation for approval, the staff report, the Zoning Commission minutes and impact agency letters. There were no letters from the public.

A motion was made by Commissioner Butticci that the information listed by Ms. Kharrl be entered into the record. It was seconded by Commissioner Elliott and carried unanimously.

Planning Director Jennifer Kharrl advised that the applicant, Sawtooth Land Surveying, LLC, on property owned by Roy Sternes, have applied for a Standard Subdivision Permit (Preliminary Plat) application to construct a residential subdivision on approximately 45.62 acres of land. The applicant proposes to create 7 single-family building lots and all lots meet the minimum lot size. The property is zoned A-2, Rural Transitional Agriculture. Items that she talked about were a waiver request from Fire District 1 and that the Zoning Commission recommends approval.

Amy Rosa from Sawtooth Land Surveying advised that this is an extension of the road of the first phase of this project. There is no road dedication. She advised that all requirements have been met. There are no other members of the public present to speak in favor, neutral or opposed.

Commissioner Butticci stated that the packet is complete and there were no other questions.

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

The Commissioners had no questions or concerns.

A motion was made by Commissioner Butticci to move forward with Elk View Estates #2 and to accept the packet as presented. It was seconded by Commissioner Elliott and carried unanimously.

HARMONY MEADOWS FINAL PLAT AND HARMONY MEADOWS CAPITAL

IMPROVEMENT PLAN ROAD MITIGATION AGREEMENT: Development Services Director Jennifer Kharrl reviewed the Harmony Meadows final plat and Capital Improvement Plan Road Mitigation Agreement. Items that she talked about were the size of the property, the location of the property and that the applicant has met all the requirements.

A motion was made by Commissioner Butticci to approve the Harmony Meadows final plat and Harmony Meadows Capital Improvement Plan Road Mitigation and to sign it. The motion was seconded by Commissioner Elliott and carried unanimously.

EMPLOYEE VACATION CARRY OVER: Road and Bridge Supervisor Neal Capps is asking for vacation carry over of 34 hours for an employee due to work that needs to be done immediately and staffing shortages. He advised that it may take 30-60 days to use up this time.

A motion was made by Commissioner Elliott that for the employees 34 hours of vacation time, to allow the carry over time for up to 60 days. The motion was seconded by Commissioner Elliott and carried unanimously.

SHADOW BUTTE INDUSTRIAL PARK STREET LIGHTING: Road and Bridge Supervisor Neal Capps advised that he has been approached by Titus Gilman to have the lights fixed at the Industrial Park. He recommends 9 poles to be changed to LED's with sensors for approximately \$2500. There was discussion as to who is responsible for the lights and current safety concerns in that area. Commissioner Butticci is in support of getting quotes for the lights. There was discussion on gifting the lights to them. Neal advised that the lights are on county property.

A motion was made by Commissioner Butticci to move forward with repairing the street lights at the Shadow Butte Industrial Park, switch to LED lights and not to exceed \$3000. The motion was seconded by Commissioner Elliott and carried unanimously.

GRAVEL ROAD SPEED LIMITS: Road and Bridge Supervisor Neal Capps talked about speed limits on gravel roads. He advised that only about 10% of the gravel roads have a speed limit. He would like

all gravel roads to be put at 35 miles an hour. He talked about some areas that would not support that speed which will need to be re-evaluated. He advised that this would have to be an ordinance, that 90 signs would need to be put up and he would like to start on the Bench this Fall and the rest in the Spring. He advised that he will work with the Sheriff's Department to see if they would be in support for enforcement.

The Board recessed at 5:00 p.m. until 8:30 a.m. on October 25, 2022.

Commissioner Elliott is attending the Southwest District Health meeting.

TRUMP LANE ROAD RENAMING PUBLIC HEARING CONTINUATION: While being recorded, the Commissioners reviewed additional information on the Trump Lane Road renaming 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, Clerk Tilton, Karen Bruner and Alma Willhite. Karen Headley attended via Zoom, but was not identified.

Planning Director Jennifer Kharrl provided a packet of information to the Board to review for this continuation which includes the deeds for all properties that are involved, a letter from Mrs. Willhite, a letter from the Jones' and an email from Marlene Brown stating that she did not support the name change. She advised that with the email from Mrs. Brown, this does not meet the code requirement for the 66% approval of the affected properties which is required to change the name, which makes this an incomplete application.

Commissioner Rekow advised that since the application is not complete, there is no decision to make at this time and there would not be any further testimony at this time.

A motion was made by Commissioner Butticci to close the public hearing. It was seconded by Commissioner Rekow and carried unanimously. There was no further discussion.

ADMINISTRATIVE TIME: The Commissioners worked on various administrative items.

The Board recessed at 5:00 p.m. until 8:30 a.m. on November 1, 2022.

Approved: _____
Chairman

Attest: _____
Clerk