



November 13 & 14, 2023, Emmett, Idaho

Pursuant to a recess taken on November 7, 2023, the Board of Commissioners of Gem County, Idaho, met in regular session this 13<sup>th</sup> day of November, 2023, at 8:30 a.m.

Present:	Bill Butticci	Chairman
	Kirk Wille	Commissioner
	Mark Rekow	Commissioner
	Shelly Tilton	Clerk

Whereupon the following proceedings were had, to-wit:

**November 13, 2023**

Commissioner Rekow was absent from the meeting.

**REVIEW AND APPROVAL OF AGENDA:** The Commissioners reviewed the agenda. A motion was made by Commissioner Wille to approve the agenda for Monday, November 13<sup>th</sup> and Tuesday, November 14<sup>th</sup>, 2023 as presented. It was seconded by Commissioner Butticci and carried unanimously.

**PROSECUTING ATTORNEY MATTERS:** Deputy Prosecutor Tahja Jensen met with the Commissioners to discuss legal matters which included; resolution for speed limits on gravel roads, Americans with Disabilities (ADA) and Family Medical Leave Act (FMLA) training for the department heads and code enforcement regarding homeless individuals living on private property.

A motion was made by Commissioner Wille to recess as a Board of Commissioners and convene as a Board of Canvassers. It was seconded by Commissioner Butticci and carried unanimously.

**CANVASS OF NOVEMBER ELECTION:** Clerk Shelly Tilton and Elections Director JoAnn Colangelo reviewed the November election with the Commissioners. The election included City of Emmett Mayor and City Council, School District Trustees and Letha Sewer District Bond. There was a 24% turnout, with the anticipated turnout some polling locations were combined and staffing reduced. The election ran well and everything has been verified and balanced.

A motion was made by Commissioner Wille to accept the canvas of the election on November 7, 2023 as presented. It was seconded by Commissioner Butticci and carried unanimously.

A motion was made by Commissioner Wille to adjourn as a Board of Canvassers and return as the Board of Commissioners. It was seconded by Commissioner Butticci and carried unanimously.

**OPIOID SETTLEMENT COMMITTEE FUNDING REQUESTS:** The Commissioners reviewed requests for opioid funds received by the Opioid Settlement Committee. One request was for training for first responders. There are 3 trainings at \$8,000 each for a total of \$24,000. The second request is for \$7,000 for a targeted trauma response group. Commissioner Wille asked what the timeframes for each of the requests are. Commissioner Butticci will obtain timeframe information from the committee.

A motion was made by Commissioner Butticci to approve the request from the Opioid Settlement Committee in the amount of \$7000 for Redefined Counseling and Consulting and the request with a total of \$24,000 for three trainings of \$8,000 each with Dr. Kimberly Crawford with Willness Innovations. It was seconded by Commissioner Wille and carried unanimously.

**CONSENT AGENDA:** A. Lombard Conrad Architects Courthouse Entry Remodel Fee Proposal, B. ARPA Funding Approval for Weed Building Addition Overage, C. Information Technology (IT) Equipment Surplus Item Request, D. Timeclock Plus Quote, Service Agreement and Schedule Anywhere on Demand License Agreement for Sheriff's Office Scheduling Program, E. Idaho Transportation Department (ITD) Permission to Access Private Property, Assessor's Parcel RP06N01W181805, F. Fiscal Year 2023 Defending Attorney Annual Reports for Chastain Law/Robert Chastain, Maloney Law/Jolene Maloney, Ali Perkins Law/Ali Perkins, Case Legal Counsel/Donna Case and Kiiha & Monaghan/Jay Kiiha, Tom Monaghan and Allison Olsen, G. Treasure Valley Trail Machine Association Appreciation Little Gem Cycle Park Appreciation Event Dumpster Request, H. White Owl Ranch Final Plat, I. Agreement for Professional Services and Scope of Work with Keller Associates for Fairgrounds/RV Park Irrigation Line Replacement, J. County Annual Juvenile Justice Report to the Idaho Department of Juvenile Corrections for Fiscal Year 2023 and K. Idaho Department Juvenile Corrections Juvenile Justice Annual Financial Report for Fiscal Year 2023.

A motion was made by Commissioner Wille to approve the Consent Agenda for Monday, November 13th, 2023 item A. through K. as presented. It was seconded by Commissioner Butticci and carried unanimously.

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

**DEPARTMENT HEADS - AMERICANS WITH DISABILITIES ACT (ADA) FAMILY MEDICAL LEAVE ACT (FMLA) AND PREGNANT WORKERS FAIRNESS ACT**

**(PWFA) TRAINING:** Deputy Prosecutor Tahja Jensen reviewed ADA, FMLA and PWFA policies with county Department Heads and Supervisors.

**SALARY INCREASE REQUEST FOR SHERIFF'S INVESTIGATION POSITION(S):**

Sheriff Donnie Wunder met with the Commissioners to discuss changes to Investigator positions. The positions are currently Lead Investigator and Investigator. With the Lead Investigator position being vacated he is looking to add duties to the Investigator that fall between the two existing levels; creating Investigator 1 and Investigator 2 positions was discussed. Both positions would be within Level 6 on the county Kinds and Levels chart. He requested that the current investigator be moved to Investigator 2 and a patrol deputy is going to be moved temporarily into the Investigator 1 position to see if it is a fit.

A motion was made by Commissioner Wille to move forward with creating an Investigator 2 position in Grade (Level) 6 as proposed. It was seconded by Commissioner Butticci and carried unanimously.

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

**COVERED GRAVEL LOADS DISCUSSION:** The Commissioners discussed covering gravel loads. Deputy Prosecutor Tahja Jensen reviewed Idaho Code 49-613 regarding covering or securing of loads to prevent hazards. Citation authority was discussed. Ada County's ordinance was reviewed; Gem County doesn't currently have an ordinance. Tahja and the Sheriff have had conversations about gravel trucks. Frequently leakage from the bottom of the load rather than the top of the load may be the cause of hazards. Commissioner Butticci thought that the county has an ordinance that requires loads to the landfill to be covered. Road Supervisor Neal Capps discussed load requirements and the interpretation of the 6" freeboard whether it is in the middle or on the sides. Commissioner Butticci stated that the public has concerns with as many gravel trucks are on the roads, there is so much debris being left on the roads causing damage to vehicles and creating hazards for motorcyclists. Sheriff Wunder said that when they talk to people about covering loads they have a wide range of reasons/excuses as to why they don't. Neal discussed the need to clean the trucks off from overfill, many times spillage on the tongue, fenders, wheelwells etc. are where

the gravel comes from. The civil aspect of damage to people's vehicles was discussed. Commissioner Wille said that communication is likely the best way to try to educate. Recouperating costs of clean up of gravel on the roadway and including clean up costs in the permitting process were discussed. Lane Buchart with Premier Aggrigates suggested the Sheriff stop out at the pits and talk with drivers to relay the message while avoiding citations. Lane will talk with his drivers at an upcoming meeting and will look at installing signage at his pit. Coroner John Buck discussed the importance of drivers to check their trucks before and after trips to ensure there is nothing lodged in their tires. Neal said that the Department of Transportation doesn't have a schedule but asking them to come over occasionally would be good as well.

**GRAVEL ROAD SPEED LIMITS:** Road Supervisor Neal Capps met with the Commissioners to discuss proposed changes to speed limits on gravel roads. He discussed maintenance of gravel roads. He is proposing that unpaved roads have a speed limit of 35 miles per hour with a few exceptions. Slowing a few areas to 25 mile per hour was discussed. Neal stated 55 is enforceable without signage, reducing the speed would need to have signage. It will cost approximately \$6,000 for the initial signage. Commissioner Wille feels 25 is appropriate for Sandhollow Road at the cycle park being a recreational area. The Commissioners would like to schedule a public hearing to get public comment and have further discussion the proposed speed limits.

**GEM COUNTY RESOLUTION 2023-19 SPEED LIMITS ON GEM COUNTY GRAVEL ROADS:** The Resolution was held pending the public hearing.

**EXPENSE CLAIMS APPROVAL:** The claims presented were reviewed. A motion was made by Commissioner Wille to approve the claims as presented and as initialed on the individual claim forms. It was seconded by Commissioner Butticci and carried unanimously.

**ADMINISTRATIVE TIME:** The Commissioners worked on administrative matters.

**The Board recessed at 5:00 p.m. to 8:30 a.m. on November 14<sup>TH</sup>, 2023.**

**November 14, 2023**

Commissioner Rekow joined the meeting.

Commissioner Minutes 11-13 & 14-23

**ADMINISTRATIVE TIME**: The Commissioners worked on administrative matters.

**The Board recessed at 4:00 p.m. to 8:30 a.m. November 20, 2023.**

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

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