



February 5 & 6, 2024, Emmett, Idaho

Pursuant to a recess taken on January 23rd, 2024, the Board of Commissioners of Gem County, Idaho, met in regular session this 5th day of February, 2024, at 8:30 a.m.

Present:	Bill Butticci	Chairman
	Kirk Wille	Commissioner
	Mark Rekow	Commissioner
	Laure McCann	Deputy Clerk

Whereupon the following proceedings were had, to-wit:

February 5, 2024

REVIEW AND APPROVAL OF AGENDA: The Commissioners reviewed the agenda. A motion was made by Commissioner Rekow on the agenda to add item K. to the consent agenda due to a time sensitive nature for CWMA Cost Share Grant. It was seconded by Commissioner Wille and carried unanimously. A motion was made by Commissioner Rekow to approve the agenda for Monday, February 5th & Tuesday, February 6th, 2024 as amended. It was seconded by Commissioner Wille and carried unanimously.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecutor Tahja Jensen met with the Commissioners to discuss legal matters. Tahja discussed the child protection case volume that has increased significantly in the first months of 2024. She reviewed the projected cost of child protective cases for the county pending the state established program. Retaining Council for child protection cases is difficult and usually involves representation for each parent. Tahja suggested re-negotiating rates across the board for Conflict Public Defenders. Commissioner Butticci stated the need to be prepared for the cost but suggested waiting for the end of the legislative session to see how the state proceeds. Commissioner Rekow and Commissioner Wille agreed. Public Defender Mark Coonts discussed with the Commissioners the future of the State Public Defense transition and the question of whether child protection cases will be included. The Commissioners believed that the intent of the state was to include child protective cases in the public defense program the state is taking over. Tahja discussed a press release regarding High Valley Road closures and asked the Commissioners if it would be acceptable for her to prepare standard press releases for common emergency situations and allow Emergency Services to respond. The Commissioners

supported that request. Tahja stated that she has sent information regarding the EMS Impact Fees to Attorney, Bill GiGrey. He has advised the Commissioners to have a statement in place that the city and county are having a discussion regarding the collection of Impact Fees. The Commissioners should also go to City Council and make a presentation that discussing the need to move forward with the collection of Impact Fees.

SWEET MONTOUR CEMETERY DISTRICT LEGISLATIVE SERVICES ANNUAL REPORT NON-COMPLIANCE:

The Sweet Montour Cemetery District is now formally in compliance with state reporting requirements. The Commissioners discussed the public notice that is required and chose to wave the notice due to the fact that the district is in now compliant. Tahja will draft a letter of notice to avoid noncompliance in the future to be included on next week's consent agenda.

CONSENT AGENDA: A. Request for Tax and/or Fee Cancellation for Assessor's Parcel RP06N02w143038 Park Hampton B. Request for Tax and/or Fee Cancellation for Assessor's Parcel MH06N03W028250 Unknown Owner C. Purchase and Sales documents for the Purchase of a 2024 Ford F350 Truck for the Weed Department D. Gem County All Hazard Mitigations Plan Grant Submittal Letter to the Idaho Office of Emergency Management E. Mountain West Bank 2018 John Deere 772G Motor Grader Lease Documents for the Road Department F. Whiskey Business LLC Rezone Findings, Conclusions, Conditions, Order G. Edgeview Estates #1 Minor Subdivision Plat H. Mountain Creek #2 Minor Subdivision Plat I. Gem County Special Events Application for Strade Vino - A Circuit Race Event for March 30, 2024 J. Gem County Special Events Application for Strade Vino - A Circuit Race Event for April 13, 2024 K. Gem County CWMA Cost Share Application Request.

A motion was made by Commissioner Rekow on the Consent Agenda for Monday, February 5th, 2024 to approve items A. through K. It was seconded by Commissioner Wille and carried unanimously.

PUBLIC WALK-IN: Del Gray from the Messenger Index was present to discuss the Bike Races on the consent agenda and confirmed that they were approved. Mr. Gray also stated that the Conservation Service is looking for places to plant trees this year. He asked if the Commissioners had anywhere in the County to suggest. The Commissioners stated that they are in need of trees at the Fair Grounds. Mr. Gray asked for an update on the Idaho Association of Counties meeting and asked about the main take aways. Commissioner Rekow stated that there were was a lot

of discussion regarding protecting the boarders and the Fentanyl drug crisis.

ROAD DEPARTMENT UPDATE: Road and Bridge Supervisor Neal Capps gave an update on current projects. The High Valley road is too saturated to support the logging truck traffic and remains closed. Neal discussed the details of the decision to close the road. He feels that a discussion needs to be had with Valley County to share in the responsibility of road maintenance. The roads are not County roads, they are Forest Service roads that Gem County is obligated to maintain. The department is busy with bridge rail repairs, and the installation of a new pressure wash facility at the shop. The new dump truck is due to arrive in April. The New Sanders are being installed on the equipment and staff is clearing the facility of scrap materials. Commissioner Wille asked if there has been a response from ITD regarding our suggestions for Highway 16. Neal will forward the response to the Commissioners.

ALCOHOL BEVERAGE LICENSE FOR NEW BEIJING RESTAURANT DBA WOOD DRAGON RESTAURANT: The Commissioners reviewed the application for the New Alcoholic Beverage License for the New Beijing Restaurant doing business as Wood Dragon Restaurant. The owner Marcus Tam was present.

A motion was made by Commissioner Wille to approve the Retail Alcohol Beverage License for New Beijing Restaurant doing business as Wood Dragon Restaurant. It was seconded by Commissioner Rekow and carried unanimously.

EXECUTIVE SESSION PER IDAHO CODE 74-206(1) (D) INDIGENT APPLICATION CASE REVIEW 04-030: At 11:43 a.m. a motion was made by Commissioner Rekow to go into executive session to discuss indigent matters. It was seconded by Commissioner Wille and carried unanimously. The Commissioners ended the Executive Session at 11:50 a.m.

A motion was made by Commissioner Rekow on case number 04-030 to forgive the remaining debt and release the lien. It was seconded by Commissioner Wille and carried unanimously.

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

BOWEN MINOR SUBDIVISION: Development Services Director Jennifer Kharrrl presented to the Commissioner the request by Jared Heikes for a minor subdivision to create three single-family lots on approximately 15.69 acres located in an A-3 rural Residential zone in Sweet. One portion of the property is in the flood

plain and non-buildable. There were no letters of concern from neighbors and no irrigation issues. Road and Bridge Supervisor Neal Capps said that the current access will have to be deleted and moved north to meet County requirements and there will be a turn around.

A motion was made by Commissioner Wille that we approve the Minor Subdivision Application for Jared Heikes as presented. It was seconded by Commissioner Rekow and carried unanimously.

BOWEN MINOR SUBDIVISION FINDINGS, CONCLUSIONS, CONDITIONS,

ORDER: After the motion for approval was carried, the Findings, Conditions, Conclusion, Order for Bowen Minor Subdivision was signed.

REVIEW AND APPROVAL OF MINUTES: The Commissioners reviewed the minutes. A motion was made by Commissioner Rekow to approve the minutes for January 22nd & 23rd, 2024 as amended. It was seconded by Commissioner Wille and carried unanimously.

ADMINISTRATIVE TIME: The Commissioners worked on administrative matters.

February 6, 2024

ADMINISTRATIVE TIME: The Commissioners worked on administrative matters.

The Board recessed at 5:00 p.m. to 8:30 a.m. on February 12th, 2024.

Approved: _____
Chairman

Attest: _____
Clerk