



March 25 & 26, 2024, Emmett, Idaho

Pursuant to a recess taken on March 19th, 2024, the Board of Commissioners of Gem County, Idaho, met in regular session this 25th day of March, 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:

March 25, 2024

YOUTH APPRECIATION DAY COLORING CONTEST AWARDS: The Commissioners presented awards for the Youth Appreciation Day Coloring Contest at the Ola Elementary School.

REVIEW AND APPROVAL OF AGENDA: The Commissioners reviewed the agenda. A motion was made by Commissioner Rekow on the agenda for Monday, March 25th and Tuesday, March 26th, 2024 to approve as presented. It was seconded by Commissioner Wille and carried unanimously.

AUMENTUM/PROVAL SERVER UPGRADE FUNDING REQUEST: Information Technology Director, Corbin Vickory gave a status update on upgrading the server. Corbin shared with the Commissioners what will be required to bring our servers up to date and discussed how the costs will be covered in the current fiscal budget.

TITLE COMPANY REMOTE ACCESS AND FUNDING: Information Technology Director, Corbin Vickory discussed the remote access for Title Companies. This service was interrupted last fall and is in the process of being upgraded along with our server. Corbin is working out the details of the contract prior to presenting it to the Commissioners.

LOMBARD CONRAD ARCHITECTS FEE PROPOSAL LETTER FOR DESIGN DEVELOPMENT FOR A SECURITY ADDITION TO THE COURTHOUSE AND FUNDING DISCUSSION: The Commissioners discussed the Courthouse Security expansion and the costs of the initial stages as it relates to the budget. Commissioner Butticci will work further with the architect.

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

INACTIVE BOARDS DISCUSSION: The Commissioners discussed with Deputy Prosecutor Tahja Jensen how to address the inactive boards of Noxious Weed and Orchard Review. Tahja stated that a resolution would be required to dissolve the boards, she will review the requirements and report back.

AUCTION OF COUNTY SURPLUS ITEMS: The Commissioners discussed with Clerk Shelly Tilton the need for a county surplus auction.

A motion was made by Commissioner Wille to move forward with an auction for county surplus items. It was seconded by Commissioner Rekow and carried unanimously.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecutor Tahja Jensen discussed legal matters. Commissioner Butticci requested to prioritize the Island amendment to the floodway so that the county can proceed with fill to repair the parking lot. Commissioner Rekow will take the lead on the Island project. Commissioner Butticci asked Tahja to explain what is necessary to dissolve the RV Park so that it can be potentially used for other purposes. Tahja stated that it will require a public hearing and a repeal of County Code. The Commissioners briefly discussed other potential uses for the property, including extra parking for the Fair Grounds, at which point a resolution would be required. Commissioner Butticci will take the lead on the RV park project. Tahja discussed with the Commissioners the status of a Public Administrator case that Treasurer Megan Keene is handling. She also discussed the legalities of signage to restrict the use of compression brakes in the county. It was stated that the county code cannot contradict the state and federal code and eventually it comes down to enforcement. Commissioner Butticci wants to proceed with some type of signage discouraging use of the compression brakes. The Commissioners will request to have EMS Impact Fees as a topic at the upcoming joint meeting on April 9 with the city; Fire Chief Welch will be asked to attend. Commissioner Wille will take the lead on this project and also will discuss with the city the ITD bypass study. Tahja reviewed Development Services matters that will potentially come before the Commissioners.

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

HERITAGE FARMS PRELIMINARY PLAT PUBLIC HEARING: While being recorded, the Commissioners held a public hearing at 1:30 p.m. to review the Heritage Farms Preliminary Plat. This hearing was

held in person and virtually via Zoom. Those present were Development Services Director Jennifer Kharrl, Road and Bridge Supervisor Neal Capps, Deputy Clerk Laure McCann, two members of the public in favor and three neutral. Deputy Prosecutor Tahja Jensen attended via Zoom.

Commissioner Butticci read the Notice of Public Hearing. The applicant, Mark Fitzpatrick, on property owned by Brookside Adventures, LLC of which he is a member has applied for a Standard Subdivision Permit (Preliminary Plat) to construct a 7 Lot single-family residential development on approximately 37.75 acres. The property is located at 3512 Bowman Road and is Zoned A-2, Rural Transitional Agriculture. The Gem County Planning and Zoning Commission recommended approval with conditions. The roll call of Commissioners was taken; Commissioner Rekow, aye, Commissioner Wille, aye Commissioner Butticci, aye. Those wishing to testify were sworn in.

There were no conflicts or declarations pertaining to this meeting such as site reviews or other conversations outside of this hearing. No members of the public were on Zoom or present accept for the applicant.

Development Services Director, Jennifer Kharrl asked to have the packet of information added into the record which included Notice of Hearing, the Preliminary Plat Application, Planning & Zoning Commissions Recommendation for Approval, Staff Report, Draft minutes from the February 12, 2024 Planning & Zoning Commission Meeting, Impact Agency Letters from the Gem County Treasurer, Keller Associates, Gem County Road and Bridge Department and Emmett Irrigation District. Those letters are all attached as Conditions of Approval that will have to be met prior to the Final Plat being approved. There are also 2 letters of concern from the public.

A motion was made by Commissioner Rekow to enter the packet of information into the record as described by Ms. Kharrl. It was seconded by Commissioner Wille and carried unanimously.

Jennifer reviewed the application. The applicant is requesting a Preliminary Plat at 3512 Bowman Road that includes 7 buildable lots. There is an existing home and so there will be 6 additional lots. The property is Zoned A-2, which has a 5 acres minimum lot size and all lots will comply. The Plat proposed a new private road off of Bowman Road that will serve all of the lots. Staff recommended approval of the Preliminary Plat to the Planning and Zoning Commission. The Commission

recommended approval of the application with revisions to the Conditions of Approval specific to the Keller Associates letter and a revised letter from the Road and Bridge department which is included in the packet. Commissioner Wille asked about Exhibit B from Emmett School District requesting a designated Bus Stop.

Dustin Hayes stated that he plans to subdivide into 6 additional lots with a new public road to service all lots. He has no issues with the Conditions set forth by the Planning and Zoning Commission. Mark Fitzpatrick testified in favor as one of the owners of the LLC that initiated the project. He is happy to be part of the project to secure larger lots with property as opposed to the smaller lot subdivisions. No one was present on Zoom to testify. There was no one in opposition present at the hearing. Roy Maxwell, Neal Shippy and Andrew Griggs were present as neutral and chose not to testify. Road and Bridge Supervisor Neal Capps had nothing to add. Commissioner Rekow asked about the Keller Associates letter. Jennifer explained that those conditions will need to be met prior to moving forward with the Final Plat. Commissioner Wille asked if there has been any water analysis done in the area regarding quality and quantity. Jennifer stated that no water studies have been done. Mark Fitzpatrick had done studies that were favorable and Jennifer stated that additional studies will be done prior to proceeding with the subdivision as required by Southwest District Health. Commissioner Rekow asked about the roads and bridges in the area. Road and Bridge Supervisor Neal Capps said that the bridges are old and outdated and are already being considered for replacement with the next couple of years. There was nothing further added.

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

The Commissioners stated that they had no objections or further questions regarding the subdivision.

A motion was made by Commissioner Wille to approve the Preliminary Subdivision Plat application by Brookside Adventures, LLC to request approval of 7 buildable lots on approximately 37.76 acres located on Bowman Road T06 North, R02 West, Section 18 RP06NORTH02WEST181210 as presented. It was seconded by Commissioner Rekow and carried unanimously.

DISCUSSION REGARDING CONTRACTING WITH AN OUTSIDE MECHANIC FOR THE ROAD DEPARTMENT: Road and Bridge Supervisor Neal Capps presented the need for contracting with outside mechanics for the Road Department while the current shop mechanic is out for approximately 6 weeks. The outside mechanic would be used to repair mechanical issues that current staff cannot address. The Commissioners had no issues with the procurement of an outside mechanic.

REVIEW AND APPROVAL OF MINUTES: The minutes from last week's meeting were reviewed. A motion was made by Commissioner Rekow to approve the minutes for March 18th and 19th, 2024 as amended. It was seconded by Commissioner Butticci and carried unanimously.

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 Rekow and carried unanimously.

ADMINISTRATIVE TIME: The Commissioners worked on administrative matters.

March 26, 2024

ROAD TOUR: Road and Bridge Supervisor Neal Capps toured various County roads with the Commissioners.

ADMINISTRATIVE TIME: The Commissioners worked on administrative matters.

The Board recessed at 5:00 p.m. to 8:30 a.m. on April 1, 2024.

Approved: _____
Chairman

Attest: _____
Clerk