



April 15 & 16, 2024, Emmett, Idaho

Pursuant to a recess taken on April 9<sup>th</sup>, 2024, the Board of Commissioners of Gem County, Idaho, met in regular session this 15<sup>th</sup> day of April, 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:

**April 15, 2024**

**REVIEW AND APPROVAL OF AGENDA:** The Commissioners reviewed the agenda. A motion was made by Commissioner Rekow to approve the agenda for Monday, April 15<sup>th</sup> and Tuesday, April 16<sup>th</sup>, 2024 as presented. It was seconded by Commissioner Wille and carried unanimously.

**PROSECUTING ATTORNEY MATTERS:** Deputy Prosecutor Tahja Jensen discussed legal matters. Development Services Director Jennifer Kharri spoke with the FEMA representative to ask how the county can maintain the Island Sports Complex that is located in the flood plain. They advised that we can fill potholes as long as the base flood elevation is maintained; however, the county would have to revise the ordinance and complete an engineering study for further maintenance and improvements, including parking, ADA Compliance and/or pavement work. To proceed, Parks and Rec Director Chuck Shambaugh must submit an application for maintenance of the Island for documentation purposes and the Commissioners must decide how they want to proceed. Tahja also discussed options to address the excessive use of compression brakes throughout the county and the complaints about the noise from residents.

**GEM COUNTY JAIL HVAC REPLACEMENT BIDS:** Building Supervisor Chuck Shambaugh presented bids for replacement HVAC Rooftop Units for the jail. He is looking to replace the last 3 units for the Jail and feels that he has received good competitive bids. The Commissioners reviewed the bids with Chuck.

A motion was made by Commissioner Wille to approve the HVAC Replacement bid for the Jail from HVAC Specialties for \$32,934.00. It was seconded by Commissioner Rekow and carried unanimously.

**CONSENT AGENDA:** A. Gem County Election Precincts for May 21, 2024 Election B. Transfer 2003 Ford F250 Vin FTNX21L33EB30805 from Waterways to the County Parks and Recreation Department C. Boise Office Equipment Sales & Service Agreement, Cost per Image Agreement and Equipment Schedule "A" for Copier for the Noxious Weed Department D. Certificate of Residency for Junior College Tuition for Crystal Johnson.

A motion was made by Commissioner Rekow on the Consent Agenda that we approve items A. through D. for Monday, April 15<sup>th</sup>, 2024 as presented. It was seconded by Commissioner Wille and carried unanimously.

**REVIEW AND APPROVAL OF MINUTES:** There were no minutes for review.

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

**JAMES MINOR SUBDIVISION FINDINGS, CONCLUSIONS, CONDITIONS, ORDER:** Development Services Planning Director, Jennifer Kharrl presented the James Minor Subdivision Findings, Conclusions, Conditions, Order. The applicant, James Patterson, seeks approval of a minor subdivision to create two single-family lots on approximately 10.96 acres on property zoned A-2, Rural Transitional Agriculture. This is a replat of the Patterson Family Minor Subdivision. He is keeping his house on 5 acres and creating an additional lot. The letter in the packet from Reed Ditch Company has been resolved and a new letter is expected in agreement. The private road that is already in place will serve both lots and Road and Bridge Supervisor Neal Capps had no additional concerns. Commissioner Rekow asked about on the taxes owed on the property. Jennifer stated that the receipt of taxes is a Condition of Approval and would have to be paid prior to moving on with the subdivision.

A motion was made by Commissioner Rekow that we approve the James Subdivision as presented with Conditions. It was seconded by Commissioner Wille and carried unanimously.

**4 M'S HAVEN MINOR SUBDIVISION FINDINGS, CONCLUSIONS, CONDITIONS, ORDER:** Development Services Planning Directory, Jennifer Kharrl presented the 4 M's Haven Minor Subdivision Findings, Conclusions, Conditions, Order. The applicant, Brad and Lisa Jordan, on property they own, sought approval of a minor subdivision to create two single-family lots on approximately 3.14 acres on property zoned R-2, Residential Transitional. Jennifer commented that the lots of rezone in this area were done prior to the 2007 comprehensive plan. Initially there was

some confusion regarding irrigation district jurisdiction but that has been resolved. Black Canyon Irrigation District included a letter asking for an easement for the irrigation ditch on the north side of the property for access. Road and Bridge Supervisor Neal Capps has no concerns.

A motion was made by Commissioner Wille that we approve the 4M Haven Minor Subdivision as presented. It was seconded by Commissioner Rekow and carried unanimously.

**PROSECUTING ATTORNEY MATTERS:** Deputy Prosecutor Tahja Jenson returned to continue discussion of legal matters. She discussed lighting at the Industrial Park. The Commissioners and Development Services Supervisor Jennifer Kharrl have received complaints about extreme lighting at the industrial park that is affecting neighbors. Development Services Director Jennifer Kharrl stated that they sent a certified letter to the industrial park property owners with suggestions regarding lighting. Commissioner Butticci asked about the Gem County Code regarding a Dark Sky ordinance. Tahja said that the Gem County Code doesn't have a stringent dark sky ordinance. The Commissioners feel that the County Code should address lighting parameters. Commissioner Butticci wondered if the Public Nuisance law could be used to address the issue. Tahja also discussed complaints from neighbors regarding noise from a shooting range. Jennifer stated that there is no violation of code from the shooting range in question that can be enforced because the property owner claims it's for personal use.

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

**IDAHO POWER GEOTHERMAL POWER FACILITIES PRESENTATION:** Economic & Community Development Advisor, Paris Dickerson with Megan Ronk, Director, Economic Development & Innovation and Jeff Maffuccio, Facility Siting Coordinator gave a presentation outlining Idaho Powers Geothermal Power Facilities. Idaho Power seeks to find other means to supply power to the growing population in Idaho. Geothermal is potentially a great resource in Idaho. Although current costs are prohibitive, it is a resource worth exploring.

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

**APRIL 16, 2024**

**LOCAL EMERGENCY PLANNING COMMITTEE (LEPC):** The Commissioners attended the Local Emergency Planning Committee meeting at the EMS Building.

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

**The Board recessed at 5:00 p.m. to 8:30 a.m. on April 22, 2024.**

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

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