



May 13 & 14, 2024, Emmett, Idaho

Pursuant to a recess taken on May 7, 2024, the Board of Commissioners of Gem County, Idaho, met in regular session this 13th day of May, 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:

May 13, 2024

REVIEW AND APPROVAL OF AGENDA: The Commissioners reviewed the agenda. A motion was made by Commissioner Wille to approve the agenda for Monday, May 13 and Tuesday, May 14, 2024 as corrected. It was seconded by Commissioner Rekow and carried unanimously.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecutor Tahja Jensen discussed legal matters with the Commissioners including a county Human Resource issue, the Kaskel Rezone judgement, creation of a Human Resource position, special use permits, and employee retention.

PROPERTY TAX EXEMPTIONS: With Appraiser Steve Mitchell from the Assessor's Office the Commissioners reviewed a request for Property Tax Exemption for St. Mary's Episcopal Church which was complete and met the requirements.

A motion was made by Commissioner Rekow that we approve the property tax exemption for St. Mary's Episcopal Church as presented. It was seconded by Commissioner Wille and carried unanimously.

Steve also discussed changes to the annual tax exemptions in the County including the former Presbyterian Church which no longer has religious meetings and is currently rented to the Gem County Recreation District and the Emmett Valley Christian Church that is being used as a commercial business. Steve stated that, for these reasons, they were both no longer eligible for tax exemption.

A motion was made by Commissioner Wille to approve the exemptions as presented. It was seconded by Commissioner Rekow and carried unanimously.

CONSENT AGENDA: A. Fair Board and 4-H Request for a Supply Bin from the Gem County Solid Waste Department for Events being held at the Fairgrounds May 17-19 and June 5-10. B. Payroll Claims Approval for 5/7/2024 C. Appointment of Barbara Avila to the Planning & Zoning Board D. Sylint Master Services Agreement and Statement of Work for Sentinel One Antivirus E. Lurre Construction Proposal for Road Repair from Water and Sewer Extension on Substation from Sundown to Sunrise Roads.

A motion was made by Commissioner Rekow on the Consent Agenda for Monday, May 13th, 2024 that we approve items A. through E. It was seconded by Commissioner Wille and carried unanimously.

PUBLIC WALK-IN: Sean Jones was present to ask questions regarding land use and zoning. He was particularly concerned about people being allowed to add homes to their property without acreage requirements.

Barb Beville is concerned about a neighbor who is allowing family to live in Recreational Vehicles on their property which is too much traffic for a private road. Road repairs on Bishop Road are needed, but neighbors are not willing to help with the expense. Barb asked about the process to make the road a County road. The Commissioners advised her that more than 10 homes are necessary along with other requirements. They will ask the Road and Bridge Department to research the matter.

Gary Van Hees is concerned about compression brake use through Letha. He asked who is the authority of posting signs regarding compression brake use. The people of Letha signed a letter of concern.

DEPARTMENT HEADS: Commissioner Butticci encouraged the department heads to have their budgets ready for review and reminded them that budget time is the best time to address ADA compliance improvements. Also, to be aware of the salary matrix and to account for employee salaries that will move to the next level. Landfill Supervisor Martin Joyce reported that the Landfill is in the process of lowering a hill to have line of sight to the tower for internet service and that they are very busy with brush and yard waste. Commissioner Rekow asked about the amount of people coming from out of county and Martin feels that it has remained consistent. Commissioner Wille asked Martin to work with Assessor Hollie Ann Strang to address the fees collected for Ag use properties, after the complaints they received last year. The Commissioners also asked Martin to speak to the Clerk regarding an employee's return to the County and eligible benefits. Commissioner Rekow asked about the

number of uncovered loads that come into the Landfill. Road and Bridge Supervisor Neal Capps is working with Lurre to finish the project on Substation that is currently 3 weeks behind. Eventually there will be a widened sidewalk on the East side of substation. The Road and Bridge crew is ready to begin road repairs and the shop mechanic is back today after an extended leave. Matt Wolter from the Weed Department reported that with the shortage of staff they are a bit behind on spraying. Their budget has been submitted with a request for new equipment that will be required due to changes in spray coverage reporting. He also stated that the ADA parking and building requirements are up to date. Building Supervisor Chuck Shambaugh reported that the flex wing mower is down and being repaired, the new hire is working out well, and the bid for the final stage of the LED lighting project at the Courthouse is being approved. Extension Supervisor Rebecca Mills said the market animals are weighed, numbers were steady overall but varied among species. The summer programs are planned, including a Pollinator Field Day, and a Think-Make-Create trailer scheduled for June and July. There were a few scholarships being granted to 4-H kids and a successful volunteer appreciation dinner that also honored community members that helped the 4-H program. Rebecca also reported that Rock Chucks are colonizing at the fairgrounds and they are making efforts to remove them. Information Technology Interim Director Rich Gibson reported that the fire wall is 95% complete and confirmed that IRON Network is our primary provider. The Email server system has run into a few issues that Cerium is addressing and should be completed within the next month. The IT budget was turned in last week. IT is also working with Vickery Internet to supply a signal to Landfill, filling the vacant director position, and hiring an intern for next year.

COURTHOUSE LED RETROFIT QUOTES: The Commissioners reviewed the bids for the Courthouse LED retrofit. Building Supervisor Chuck Shambaugh gave his preference for bid acceptance.

A motion was made by Commissioner Wille to accept the bid from Delta Electric, LLC for electricity work to the Courthouse for \$9,965.00. It was seconded by Commissioner Rekow and carried unanimously.

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

FISCAL YEAR 2025 BUDGET DISCUSSION-VARIOUS GENERAL BUDGET SECTIONS: Clerk Shelly Tilton and Chief Deputy Clerk Leandra

Rountree discussed with the Commissioner various general budget sections on the Fiscal Year 2025 budget.

EXPENSE CLAIMS APPROVAL: The claims presented were reviewed.

A motion was made by Commissioner Rekow to approve the claims as presented and as initialed on the individual claim forms. It was seconded by Commissioner Wille and carried unanimously.

REVIEW AND APPROVAL OF MINUTES: The Commissioners reviewed the minutes presented. A motion was made by Commissioner Wille to approve the minutes for May 6th & 7th, 2024 as presented. It was seconded by Commissioner Rekow and carried unanimously.

ADMINISTRATIVE TIME: The Commissioners worked on administrative matters.

MAY 14, 2024

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

KASKEL REZONE PUBLIC HEARING CONTINUED: While being recorded, the Commissioners deliberated the Kaskel Rezone request. This deliberation was held in person and virtually via Zoom. Those present were Development Services Director Jennifer Kharrl, Associate Planner Olivia Mocnik, Road and Bridge Supervisor Neal Capps, Deputy Prosecutor Tahja Jensen, the applicant and 7 members of the public. Clerk Shelly Tilton as well as five members of the public attended online.

Commissioner Butticci felt that the number 4 finding was not met. He feels that the rezone proposed is not harmonious with the surrounding area. This is the first rezone proposed under the new Comp Plan and the 2-acre minimum is not harmonious with the new Comp Plan and the surrounding area. One of the goals of the Comp Plan was to keep 2-acre parcels near the area of city impact and closer to infrastructure. There is plenty of infill to be done and there is no need at this time for 2-acre lots in this area. Commissioner Wille agreed and stated that density is also a use and that it is not necessary to have the high-density subdivision in this area. He listened to the

public testimony, written and oral, and he agrees that the rezone is in conflict with the first 3 primary goals of the Comp Plan vision statement; preservation of agriculture, rural heritage and responsible growth. He sees no need to change the zoning and put a high-density subdivision in the midst of 5-acre parcels as it is not consistent with the nature and the character of the area. Commissioner Rekow said that he listened to the testimony of the public that spoke loudly in opposition of the rezone. He stated that the process asks the public to submit their testimony written or spoken and we must listen to them when it is given. He also noted a conflict with the number 4 finding due to the fact that the proposed zoning district would not be harmonious and would change the character of the area. He noted that the Zoning Commission was split and had one member in opposition. The Staff Report shows the proposed area surrounded by 5-acre parcels. Therefore, he was not in support of the rezone. All of the Commissioners thanked the Planning and Zoning Commission for all of their hard work. Commissioner Butticci stated that the line has to be drawn somewhere and there is no need to go to 2-acre parcels at this time, in this area. Commissioner Rekow stated that the public testimony weighed heavily on his mind when considering the rezone.

A motion was made by Commissioner Wille to have the staff prepare Finding of Facts and Conclusions of Law consistent with the deliberations today and that findings 1, 2, 3 and 5 we are in agreement with, however finding 4 we are not in agreement. It was seconded by Commissioner Rekow and carried unanimously.

ADMINISTRATIVE TIME: Commissioners Butticci and Rekow worked on administrative matters.

The Board recessed at 5:00 p.m. to 8:30 a.m. on May 20, 2024.

Approved: _____
Chairman

Attest: _____
Clerk