



May 28, 2024, Emmett, Idaho

Pursuant to a recess taken on May 21, 2024, the Board of Commissioners of Gem County, Idaho, met in regular session this 28<sup>th</sup> 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 28, 2024**

Commissioner Butticci was absent from the meeting due to attendance at a Boise County Board of Commissioner's meeting to request funding for the Extension program.

**REVIEW AND APPROVAL OF AGENDA:** The Commissioners reviewed the agenda. A motion was made by Commissioner Rekow to approve the agenda for Tuesday, May 28<sup>th</sup>, 2024 as presented. It was seconded by Commissioner Wille and carried unanimously.

Commissioner Butticci excused himself for the remainder of the morning to attend the Boise County Commissioners meeting for the Extension office.

**PROSECUTING ATTORNEY MATTERS: EXECUTIVE SESSION PER IDAHO CODE 74-206(1) (B) FOR PERSONNEL MATTERS:**

Commissioner Rekow made a motion to go into Executive Session at 9:08 a.m. under Idaho Code 74-206(1)(b) for personnel matters. It was seconded by Commissioner Wille and carried unanimously. The roll call vote was taken as follows: Commissioner Rekow, aye, Commissioner Wille, aye. The Commissioners requested that Deputy Clerk Laure McCann be excused from the meeting.

Regular session reconvened at 9:40 a.m.

No action was taken.

A motion was made at 9:45 a.m. by Commissioner Rekow to recess as a Board of County Commissioners and convene as a Board of Canvassers. It was seconded by Commissioner Wille and carried unanimously.

**CANVAS OF PRIMARY ELECTION:** Clerk Shelly Tilton with Deputy Clerk Leandra Rountree and Elections Director JoAnn Colangelo reviewed the Primary Election held on Tuesday, May 21, 2024. The

election went well with minor issues that are common, such as printer and internet issues. These were something that staff fixed that didn't affect voting or results. This being a Primary Election, some voters were upset about having to choose a party ballot and/or affiliate with a political party. There were a few people who did not have proper documentation to register because of new requirements for identification and residency. There were several new poll workers that required training and additional help in getting set up for the day. Each precinct had poll watchers, including for the opening and processing of absentee ballots. The new van was used to deliver and pick up equipment this year, which worked out well. One precinct was off by one ballot, which was reconciled at the end of the night.

A motion was made by Commissioner Rekow to accept and approve the canvassing of the primary election results for the May 21<sup>st</sup>, 2024 election as presented. The motion was seconded by Commissioner Wille and carried unanimously.

A motion was made by Commissioner Rekow to adjourn as a Board of Canvassers and reconvene as a Board of County Commissioners. It was seconded by Commissioner Wille and carried unanimously.

**ADULT PROBATION BUILDING LEASE:** Commissioners Wille and Rekow discussed a lapse of payment to the county on a building leased to the Idaho Department of Corrections. It was brought to the board's attention that there has not been a payment on the lease since June, 2020. Further discussion centered on whether to collect past due payments and who should be responsible for monitoring the lease in the future. Clerk Shelly Tilton will provide the commissioners with a copy of the lease for their review.

No action was taken at this time.

**REVIEW AND APPROVAL OF MINUTES:** Minutes from the previous meeting were not ready for review.

**PUBLIC WALK-IN:** Lauren Coates and Greg Kershul were present to discuss their concern about drones in the area. Lauren stated that he had an incident on May 13<sup>th</sup>, when a family member on or near his property heard a drone over her house, then over Lauren's shop and house. It hovered for a while and then it left. They don't know where it came from and haven't seen it again. Lauren reported it to the Sheriff who said that the County doesn't have an ordinance to address it. On May 15<sup>th</sup>, his daughter-in-law said there was a low flying aircraft that flew back and forth over his property. Lauren called the Federal

Aviation Administration (FAA) and they contacted him stating that Gem County has no ordinance. He asked the Commissioners to set regulations, because he feels it was an invasion of his privacy and would like to take actions to avoid it.

**CONSENT AGENDA:** A. Surplus Property Request from Extension Office B. 4 M's Haven Minor Subdivision Final Plat.

A motion was made by Commissioner Rekow on the Consent Agenda for Tuesday, May 28<sup>th</sup>, 2024 that we approve items A. and B. It was seconded by Commissioner Wille and carried unanimously.

**FISCAL YEAR 2025 BUDGET DISCUSSIONS:** Prosecuting Attorney, Erick Thomson reviewed the budget he submitted for 2025 with the Commissioners, Clerk Shelly Tilton and Deputy Clerk Leandra Rountree. The Coroner and Juvenile Probation rescheduled their review.

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

Commissioner Butticci rejoined the meeting.

**EDGEVIEW ESTATES #2 PUBLIC HEARING:** While being recorded, the Commissioners held a Public Hearing to review the Edgeview Estates #2 request. This hearing was held in person and virtually via Zoom. Due to technical difficulties, only the audio portion of Zoom was working.

Commissioner Butticci read the notice of public hearing. The applicant, Kyle Stratton, on property owned by Edgemont Estates, LLC of which he is a member, has applied for a Standard Subdivision Permit (Preliminary Plat) to create 5, single-family lots on approximately 5 acres located in the R-2 Residential Transitional zone. The Planning and Zoning Commission has recommended approval.

The roll call of Commissioners was taken; Commissioner Rekow, aye, Commissioner Wille, aye Commissioner Butticci, aye. Also present were Development Services Associate Planner Olivia Mocnik, Road and Bridge Supervisor Neal Capps, Deputy Clerk Laure McCann. Deputy Prosecutor Tahja Jensen attended via Zoom. 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.

Development Services Associate Planner, Olivia Mocnik asked to have the packet of information added into the record which included The Notice of Public Hearing, the Preliminary Plat Application, Planning & Zoning(P&Z) Recommendation for approval, Staff Report, Minutes from the April 8, 2024 Planning & Zoning Commission meeting, Impact agency letters including Gem County Treasurer, Keller and Associates, Gem County Road and Bridge Department, Emmett School District, Southwest District Health and Emmett Irrigation District. There were 2 letters of concern from the public submitted to the P&Z Commission's Public Hearing and 1 letter for the Board hearing.

A motion was made by Commissioner Rekow that we enter the packet of information into the record as described by Ms. Mocnik from Development Services. It was seconded by Commissioner Wille and carried unanimously.

Olivia reviewed the application for a Preliminary Subdivision Plat on Edgemont Road to create 5 lots on approximately 5 acres located on R2 Residential Transitional Zone (1-acre minimum, which 4 lots will meet with 1 substandard lot of .8 acres which is allowed per County code. This Plat proposes a private road off of Edgemont Road. Staff recommended approval to the P&Z Commission based on the 9 required findings for a standard subdivision being met at the hearing on April 8<sup>th</sup>. The Zoning Commission adopted staff's recommendation for approval of the Preliminary Plat. There were no members of the public present or attending via Zoom except for the applicant.

The applicant, Kyle Stratton had questions about Condition of Approval 2(d) regarding bus stop qualifications, which he was not able to find in our current county code. Commissioner Wille advised Kyle that the requirements are currently being adopted into our County Code. Neal Capps reviewed the qualifications that have been asked for in other subdivisions but not brought into county code yet. Kyle asked if the bus stop can be incorporated as part of the approach with another 10 feet set apart for a bus stop? Neal stated that there should be options for the developers to incorporate into their plan and not insist on a stand-alone concrete pad. Commissioner Wille agreed as long as the safety of the children is achieved. No other members of the public were present or on Zoom for testimony in favor, neutral or opposed. Commissioner Butticci asked about the road and Neal stated that Edgemont road is a smaller local road, about 20 feet in width, with small amounts of average daily traffic. Traffic will increase with new development that has already been approved and is projected. The road will be re-evaluated for improvements. Commissioner Butticci closed the public hearing at 1:52 p.m.

Commissioner Butticci stated that the letters of concern that were submitted have been addressed through the Development agreement. Commissioners Wille and Rekow stated that their concerns had been addressed and they have no other issues.

A motion was made by Commissioner Wille to approve the Preliminary Subdivision Plat for Edgemont Estates #2 by Edgemont Estates, LLC to request approval of 5 buildable lots on approximately 5 plus or minus acres on Edgemont Road with the amended condition of approval for the bus stop as approved by Road and Bridge. It was seconded by Commissioner Rekow and carried unanimously.

**GEM COUNTY RESOLUTION 2024-07 SPEED LIMITS ON DEAD END GRAVEL**

**ROADS:** Road and Bridge Supervisor Neal Capps presented Gem County Resolution 2024-07 adopting a schedule of speed limits in accordance with the Gem County Traffic Ordinance.

A motion was made by Commissioner Rekow that we approve the Gem County Resolution number 2024-07 as presented. It was seconded by Commissioner Wille and carried unanimously.

**FISCAL YEAR 2025 BUDGET DISCUSSION:** Clerk Shelly Tilton and Deputy Clerk Leandra Rountree reviewed the Fiscal Year 2025 budget. Disaster Services Jeff Ulmer and Treasurer Megan Keene presented their proposed budget requests.

**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.

**OVERVIEW OF THE 2024 ASSESSED VALUES:** Assessor Hollie Ann Strang gave an overview of the 2024 assessed values. Assessor Strang presented a map that demonstrated the 2024 Land Value Trends across the County. Gem County is currently in alignment with the state, except for mobile home values. Homes show a 6% increase over the previous year.

**The Board recessed at 5:00 p.m. to 8:30 a.m. on June 3<sup>rd</sup>, 2024.**

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

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