



May 6 & 7, 2024, Emmett, Idaho

Pursuant to a recess taken on April 23, 2024, the Board of Commissioners of Gem County, Idaho, met in regular session this 6th 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 6, 2024

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

Commissioner Butticci stepped out of the meeting.

**RENEGOTIATION OF RONDEE BLESSING, BLESSING LAW GROUP, PLLC
CONFLICT ATTORNEY COMPENSATION:** Deputy Prosecutor Tahja Jensen discussed a request from conflict attorney Rondee Blessing asking the Commissioners to consider a rate increase from \$70 to \$85 per hour stating that another conflict attorney recently received this increase. Tahja discussed Rondee Blessing's qualifications and scope of work.

A motion was made by Commissioner Rekow that we approve the \$85 rate increase for Rondee Blessings with the Blessings Law Group. It was seconded by Commissioner Wille and carried unanimously.

Commissioner Butticci returned to the meeting.

**EMMETT ORCHARDS MINOR SUBDIVISION FINDINGS, CONCLUSIONS,
CONDITIONS, ORDER:** Development Services Planning Director, Jennifer Kharri presented the Emmett Orchards Minor Subdivision request. The applicant, Jason Bell, on property he owns, has applied for a minor subdivision to create 4, single-family lots on approximately 5.29 acres located in the R-2, Residential Transitional zone. The required water quality and quantity study was completed and approved by Keller Associates. The Commissioners reviewed the access to all lots and confirmed with

Jennifer that Road and Bridge Supervisor Neal Capps had no concerns. Jennifer also stated that she had no concerns.

A motion was made by Commissioner Wille to approve the application for Emmett Orchards Minor subdivision as presented. It was seconded by Commissioner Rekow and carried unanimously.

CONSENT AGENDA: A. Dish Satellite Terms and Acceptance Agreement for Services in the Jail B. Certificate of Residency for Junior College Tuition for Teri Campbell and Jackson Templeton C. County Surplus Items for the Information Technology (IT) Department D. Mountain West Bank Lease Purchase Agreement and Associated Documents for Gem County Road Department 2024 Western Star 49x Dump Truck.

A motion was made by Commissioner Wille on the Consent Agenda for Monday, May 6th, 2024 that we approve items A. through D. as presented. It was seconded by Commissioner Rekow and carried unanimously.

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

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

ROAD DEPARTMENT UPDATE: Road and Bridge Supervisor Neal Capps reviewed with the Commissioners current projects. The water truck is ready in Denver and Neal will travel there on Wednesday, May 8 to inspect it. The Road Department has been addressing culvert repairs in April and there is a long list of pot hole repairs and sign maintenance for May. The Substation Road project has had a number of difficulties including unmarked conduits, as well as resident complaints and non-compliance with traffic restrictions. The completion of the project will have to be pushed out to a later date. The new dump truck is here and paperwork is being completed to put it into service. Other projects include cattle guard clean up and grading as necessary.

SUBSTATION ROAD REHABILITATION DISCUSSION: Road and Bridge Supervisor Neal Capps discussed with the Commissioners a section of Substation Road between Sunrise Road and Highway 16 that is outside of the current construction project but needs to be paved. Neal did not have a quote on the project and suggested tabling the item until next week when the entire project can be presented with estimates.

There was no action taken at this time.

LOGIC AND ACCURACY TESTING OF ELECTION EQUIPMENT: Clerk Shelly Tilton, Elections Director JoAnn Colangelo tested the Election equipment for accuracy in the District Court room. The Commissioners have seen the equipment being tested, they didn't attend the testing.

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

Commissioner Butticci was out for the remainder of the day.

SOUTHWEST DISTRICT HEALTH DEPARTMENT UPDATE AND FISCAL YEAR 2025

BUDGET REQUEST: Nikki Zogg, Director for Southwest District Health presented their Fiscal Year 2025 budget request. Also present were Troy Cunningham, Financial Director who spoke more specifically about the details of the budget and the 3 percent increase over last year's budget. Also present were Don Lee, Chief Operating Officer, and Melanie Chroninger, Health Education Specialist.

CHANGE IN TEMPORARY PART-TIME POSITION FOR THE FAIR GROUNDS:

Dan Heaton, Chairman of the Gem County Fair Board presented a request to change one of the existing part-time seasonal positions from Maintenance to Office/Administration Assistant. Dan provided a proposed job description. Clerk Shelly Tilton will have Chief Deputy Leandra Rountree work with Dan to put the description into the correct format. Clerk Tilton stated that the funding is available as it is not a new position but just a change in description from one that was budgeted for.

A motion was made by Commissioner Rekow to approve the part-time maintenance position be moved to office support as needed and as directed by the matrix. It was seconded by Commissioner Wille and carried unanimously.

FISCAL YEAR 2025 BUDGET DISCUSSION-VARIOUS GENERAL BUDGET

SECTIONS: Clerk Shelly Tilton and Chief Deputy Clerk Leandra Rountree discussed with the Commissioners various general budget sections on the Fiscal Year 2025 budget.

ADMINISTRATIVE TIME: The Commissioners worked on administrative matters.

MAY 7, 2024

Commissioner Kirk Wille was absent from the meeting due to attendance at the 2024 Energy Academy at Idaho Power.

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

PROSECUTING ATTORNEY MATTERS: Deputy Prosecutor Tahja Jensen discussed legal matters with the Commissioners. Road and Bridge Supervisor Neal Capps and Landfill Supervisor Martin Joyce were present to discuss the Butterworth family request for an ingress/egress and a promise to not use their property to expand Montour Road. The Butterworth's property is divided by county owned land. The request to exchange property along Montour Road had been made and refused by the Commissioner initially in 2008. Martin said there is nothing buried on the east side of the road as it was only used as a gravel pit and not for dumping. The Commissioners were in favor of cleaning up property lines and will consider options that will benefit the landowner and the county. Neal is going to research the options available. In other matters, Tahja reminded the Commissioners that there will be several land use issues coming up for appeal, and discussed the Commissioner's potential role. The subject of EMS City Impact fee collection is progressing. Tahja discussed the issue of compression brake use announcing that the Idaho Transportation Department prohibits counties from restrictions beyond what federal regulations allow. It may be beneficial for the Sheriff's office to train deputies on how to handle enforcement of the federal regulations concerning compression brakes. The Commissioners also discussed overfill and spills from the gravel trucks. Commissioner Butticci requested Tahja to move forward with the completion the Human Resources job description.

EXECUTIVE SESSION PER IDAHO CODE 74-206(1) (A & B) FOR PERSONNEL MATTERS: Commissioner Rekow made a motion to go into Executive Session at 10:00 a.m. under Idaho Code 74-206(1)(b) for personnel matters. It was seconded by Commissioner Butticci and carried unanimously. The roll call vote was taken as follows: Commissioner Rekow, aye, Commissioner Butticci, aye. The Commissioners requested Deputy Clerk Laure McCann be excused from the meeting.

Regular session reconvened at 10:41 a.m.

A motion was made by Commissioner Rekow that we move forward with an agreement for an investigator for the purposes

of our executive session. It was seconded by Commissioner Butticci and carried unanimously.

PLANNING & ZONING COMMISSION INTERVIEW WITH BARBARA AVILA:

Commissioner Butticci and Commissioner Rekow interviewed Barbara Avila as a candidate for the Planning and Zoning Commission. Commissioner Butticci reviewed the responsibilities of the position and the candidate described her qualifications and interest in the position.

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 13, 2024.

Approved: _____
Chairman

Attest: _____
Clerk