



February 18, 2003, Emmett, Idaho

Pursuant to a recess taken on February 11, 2003, the Board of Commissioners of Gem County, Idaho, met in regular session this 18th day of January, 2003, at 8:00 a.m.

Present:	Ed Mansfield	Chairman
	Sharon Pratt	Commissioner
	Michele Sherrer	Commissioner
	Susan Howard	Clerk

Whereupon the following proceedings were had, to-wit:

February 18, 2003:

Pledge of Allegiance was said.

JAIL PROPOSAL: Russ Campbell and John Ploeger met a proposal for using the excess funds that may be left in the Jail Facilities Fund after the jail is completed. They stated that the new jail should be about \$50,000 under budget. They proposed that the surplus be used to begin the Sheriff's Office which would be connected to the jail. They feel that eight monthly revenue amounts from the rental of beds in the jail to the State, plus the surplus, would be enough to build the Sheriff's Office.

There is a meeting of the Citizen's Committee on March 4, 2003. They would like the Commissioners to attend. The Committee will be setting up public tours of the jail, a barbecue for the Committee, and then the Committee will spend the night in the jail, April 26, 2003.

QUITCLAIM DEED FROM LITTLE ENTERPRISES: A motion was made to accept a quitclaim deed from David Little Limited Partnership and Little Enterprises Limited Partnership for land located in that portion of the West ½ of the Northwest ¼ of Section 15, Township 6 North, Range 1 West, Boise Meridian, Gem County, Idaho, commonly known as the old County landfill. It was seconded and carried. The quitclaim deed will be recorded.

AGREEMENT FOR STATE HIGHWAY 16 AND SUBSTATION RD TRAFFIC SIGNAL: A motion was made to sign the Cooperative Agreement (Traffic Control/Signal) ST-330(606) Intersection of SH-16 and Substation Rd, Gem County, Key No. 8238 with the Idaho

Transportation Department.

Contract No. RCBG-03-111-11ED between the Idaho State Department of Commerce for a \$50,000 grant for the Shdow Butte Industrial Park was signed. There were o matching funds required.

PUBLIC HEARING - ZONING ORDINANCE AMENDMENTS: The hearing was tape-recorded. Commissioner Mansfield opened the hearing for a request for amendments to the Zoning Ordinance. The proposed changes were concerning Chapters 2, 3, 4, 5, 6, and 11. Debra Lish, Planning & Zoning Administrator, reported that all amendments were recommended for approval by the Planning & Zoning Commission. Public input was asked for.

Discussion was had between the Commissioners and the Development Services staff concerning the amendment to repeal the conditional use permit, which allows a split in order to give or sell land to an immediate family member.

Tina Turner, realtor, brought up some problems with repealing conditional use permits because of situations with some administrative splits. Using a conditional use permit would have alleviated some of the problems.

John Evans, realtor, argued for keeping the conditional use permit.

Development Services Staff discussed the abuse of the conditional use permits

More discussion was had between the Commissioner and the Development Services Staff concerning conditional use permits.

Several other of the proposed amendments were discussed.

Steve Ethington, P & Z Board member, stated he was in favor of repealing the conditional use permit because it goes against the purpose of the A-1 zoning.

A motion was made to approve all of the proposed zoning ordinance amendments, with some wording changes. It was seconded with aye votes from Commissioners Pratt and Sherrer and a nay vote from Commissioner Mansfield. Commissioner Mansfield was opposed to the repeal of the conditional use permit.

PUBLIC WALK-IN & INPUT: Steve Ethington met to give support to appealing the conditional use permit in order to keep the true integrity of the agricultural land intact. He also stated that he appreciates the support of the Commissioners at their meetings, but feels that their comments made at

the last one should have been done at a workshop instead of at a public hearing. He feels their Board is doing a better job because of training. Ideas have been gleaned from other counties, also.

INDIGENT APPLICATIONS: A motion was made, seconded, and carried to go into executive session under Idaho Code 67-2345(1)(d). Deputy Clerk Sue Spencer presented the following indigent application:

03-025 Application for medical expenses has been appealed by St. Alphonsus Hospital.

A motion was made, seconded, and carried to come out of executive session.

A motion was made to sign a notice of appeal hearing for 03-025. It was seconded and carried.

EXECUTIVE SESSION: A motion was made, seconded, and carried to go into executive session under Idaho Code 67-2345(f) concerning possible litigation. Those governing bodies present in the meeting were Commissioners Mansfield, Pratt, and Sherrer. No final decisions were made. A motion was made, seconded, and carried to come out of executive session.

The Board recessed for lunch at 12:00pm and reconvened at 1:00pm.

ORCHARD REVIEW BOARD: Al Dimmick, Orchard Review Board Chairman, stated that he had a registered letter mailed on January 27, 2002, to an individual who is not in compliance for pests in his orchard. The individual refused to pick up the letter at the Post Office after there was an attempted delivery at their home. Al asked if maybe a Sheriff's Deputy could deliver it so the next step can be taken if there is no response.

MINUTES READ AND APPROVED: The minutes of February 10 & 11, 2003, were reviewed. A motion was made to approve the minutes of February 10 & 11, 2003, as read and corrected. It was seconded and carried.

WEED DEPARTMENT - COMPUTER/NEW PRINTER: Jake Wyant, Noxious Weed Department Supervisor, and his secretary met to ask permission to purchase a printer/scanner/FAX/copier. The cost would be around \$400. They have enough in their overall budget to cover it. Permission was given.

MINUTES READ AND APPROVED: The minutes of February 3 & 4, 2003, were reviewed. A motion was made to approve the minutes of February 3 & 4, 2003, as read and corrected. It was seconded and carried.

MINUTES READ AND APPROVED: The minutes of January 27 & 28, 2003, were reviewed. A motion was made to approve the minutes of January 27 & 28, 2003, as read and corrected. It was seconded and carried.

PROBLEM DEEDS: Marion Henderson and John Henderson from the Assessor's office met to discuss problems they are having with legal descriptions on some of the deeds that are being recorded, when there has been a parcel split. They proposed Ordinance 95-02 be reinstated. This was an Ordinance that was suspended about 6 months after it was adopted. It would require that all splits of property be surveyed and the new legal description be made before it is recorded. The Commissioners will have Prosecuting Attorney Richard Linville look into reinstating Ordinance 95-02.

ALCOHOLIC BEVERAGE LICENSE: An alcoholic beverage license was previously approved by Commissioners Mansfield and Sherrer on February 13, 2003, for Cloverleaf Restaurant.

IDAHO LIQUOR CATERING PERMIT: An Idaho Liquor Catering permit was approved for the Roundup to cater at the Armory for Ducks Unlimited on February 22, 2003, to end at midnight.

The Board recessed at 5:00pm to reconvene at 8:00am on February 24, 2003.

Approved: _____
Chairman

Attest: _____
Clerk