



July 21 & 22, 2003, Emmett, Idaho

Pursuant to a recess taken on July 15, 2003, the Board of Commissioners of Gem County, Idaho, met in regular session this 21st & 22nd day of July, 2003, at 8:00 a.m.

Present:	Ed Mansfield	Chairman
	Michele Sherrer	Commissioner
	Susan Howard	Clerk

Whereupon the following proceedings were had, to-wit:

Commissioner Sharon Pratt was gone on medical leave.

July 21, 2003

Pledge of Allegiance was said.

CERTIFICATES OF RESIDENCY: A motion was made to approve the Certificates of Residency for Barbara Jean Morris, Cody Burlile, Summer Landers, and Matthew Housley for tuition aid to attend the fall semester at College of Southern Idaho. It was seconded and carried.

URBAN AREA/FUNCTIONAL CLASSIFICATION MAP WORKSHOP: The Commissioners reviewed and made some changes on the Urban Area/Functional Classification map presented by Holladay Engineers for the Transportation Plan.

PENNY SMITHER - PAYROLL CHANGE: Penny Smither and other wives of employees and several County employees met to ask that an employee meeting be held to discuss the changes proposed for the payroll pay periods and paydays. She believes that a lot of the employees don't have a true understanding of the effect of the change. The Commissioners stated that the reason they chose the bi-weekly payroll is because 68% of the employees chose that option when a survey was sent out. An employee meeting will be set up for the near future.

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 applications:

03-042 Application needed the hearing decision signed.

03-058 Application for medical assistance.

03-059 Application for medical assistance needed a statutory lien signed.

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

A motion was made to sign the hearing decision to uphold the denial of 03-042, to postpone the decision on 03-058 for further information, and to sign a statutory lien on 03-059. It was seconded and carried.

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

PUBLIC HEARING - DARRYL & MARY ANN PETERSON: The hearing was tape-recorded. Present in the meeting speaking for the rezone was Darryl Peterson. No one was present speaking against the rezone. Commissioner Mansfield opened the hearing by reading the notice of public hearing for a rezone request by Darryl and Mary Ann Peterson to rezone 12.27 +/- acres from A-1 (Prime Agriculture) to A-2 (Rural Transitional Agriculture) at 3700 Gem Avenue. He read the Findings of Fact from the Planning & Zoning Commission, which recommended approval of the rezone, then opened the meeting to other input.

Darryl Peterson stated that he is trying to come up with the best use of his land. He has not had very good luck leasing the property out as farm land or farming the land himself. He feels the best use would be two 2.5+ acres horse set-ups, which would allow more personal use of the land. This would conform to the use of the land around them. There are no objections from any of the neighbors.

Debra Lish clarified the findings of the P & Z Commission. She described the surrounding parcels.

A motion was made to approve rezone 335, adopting the finding of facts 1-6 with an addition on number 5, "too small to farm," incorporating the recommendations of Gem Water and Soil, Noxious Weed Department, and the Emmett Irrigation, piping section of the F lateral, the creation of turn-a-round, and improving the road to the standards of the Gem County Road Department. It was seconded and carried. The hearing was closed.

BUDGET WORKSHOP: The Commissioners reviewed the Department Head/Elected Official proposed budgets.

The Board recessed at 5:00 p.m. to reconvene at 8:00 a.m. on July 22, 2003.

July 22, 2003

Pledge of Allegiance was said.

CLAIMS: The claims presented were reviewed. A motion was made to approve the claims presented. It was seconded and carried.

INDIGENT HEARING: The hearing was in executive session and was tape-recorded. Those present were Commissioners Mansfield and Sherrer, Clerk Howard, and Deputy Clerk Sue Spencer. The appeal hearing was held for indigent case No. 03-045. Neither the applicant nor the appellant were present. After coming out of executive session, a motion was made to sustain the original decision of denial because no new evidence was brought forward in the hearing. It was seconded and carried.

EXECUTIVE SESSION: A motion was made, seconded, and carried to go into executive session under Idaho Code 67-2345(1)(f) pending litigation. Those governing bodies present in the meeting were Commissioners Mansfield and Sherrer. A motion was made, seconded, and carried to come out of executive session. No decisions were made.

PUBLIC WALK-IN AND INPUT: Roseanne Daily from the Recreation District and Ken Runyon met to ask for support for the triathlon coming to Gem County in August. The Commissioners gave their support.

RESOLUTION NO. 2003-10: A motion was made to adopt Resolution No. 2003-10 to sign the Governmental Lease-Purchase Agreement No. 115291 for a new dump truck for the Road & Bridge Department. It was seconded and carried.

BUTTE ROAD BRIDGE: A meeting was held at the Idaho Transportation Department with ITD, Holladay Engineering, and the Commissioners. Discussion was had on the work needed for the bridge on Butte Road.

EXECUTIVE SESSION: A motion was made, seconded, and carried to go into executive session under Idaho Code 67-2345(1)(f) pending litigation. Those governing bodies present in the meeting were Commissioners Mansfield and Sherrer. A motion was made, seconded, and carried to come out of executive session. No decisions were made.

PROSECUTING ATTORNEY MATTERS: Assistant Prosecuting Attorney Tim Fleming met to go over legal matters.

Mr. Fleming delivered the paperwork for the new subdivision ordinance. He will work on the paperwork for the Planned Community Base District Ordinance Amendment and the Minor Subdivision Ordinance Amendment.

Discussion was had on the burning of household garbage in a burning barrel in the back yard of a resident in the County, and it being a nuisance to a neighbor.

BUDGET WORKSHOP: The Commissioners reviewed the Department Head/Elected Official proposed budgets.

MINUTES READ AND APPROVED: The minutes of July 21 & 22, 2003, were reviewed. A motion was made to approve the minutes of July 21 & 22, 2003, as read and corrected. It was seconded and carried.

The Board recessed at 5:00 p.m. to 8:00 a.m. on July 28, 2003.

Approved: _____
Chairman

Attest: _____
Clerk