



July 28, 2003, Emmett, Idaho

Pursuant to a recess taken on July 22, 2003, the Board of Commissioners of Gem County, Idaho, met in regular session this 28th day of July, 2003, at 8:00 a.m.

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| 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 28, 2003:

Pledge of Allegiance was said.

RIVERVIEW MANOR FINAL PLAT REVIEW: Debra Lish, Planning & Zoning Administrator, presented the final plat for the Riverview Manor Subdivision. All specifications asked for by the Commissioners have been met. A motion was made for Chairman Mansfield to sign the final plat for the Riverview Manor final plat.

FOREST PLAN: The Commissioners met with the Forest Service, at the Forest Service Building in Gem County, to review the preliminary Forest Plan.

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:

03-008 Application needed a Notice of Hearing signed.

03-045 Application needed the hearing decision of denial signed.

03-046 A denied application, with an appeal hearing scheduled, received further information.

03-058 Application for medical assistance.

03-060 Application for medical assistance needed a statutory lien signed.

03-061 Application for rent 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 a Notice of Hearing for 03-008, to sign the hearing decision of denial for 03-045, to approve 03-046 and sign a cancellation of hearing, to approve 03-058, to sign a statutory lien for 03-060, and to deny 03-061 because of divesting available resources within the last year. 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)(b) concerning personnel. 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.

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.

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

LEE WILLIAMS PROPOSAL: Lee Williams met with the Commissioners concerning a business proposal. He was looking for support from the Commissioners to place an operation in Gem County.

HAZARDOUS MATERIALS EQUIPMENT GRANT AWARD: A motion was made to sign the State Homeland Security Grant Program Part II-Equipment Award of \$135,987, with no match required, naming Steve Buck as the Point of Contact. It was seconded and carried. The grant will be used for purchasing equipment to combat hazardous materials.

PUBLIC HEARING - SUBDIVISION ORDINANCE AMENDMENT: The public hearing was tape-recorded. Those in attendance speaking for the amendment were Fred Doriot and Jim Weaver.

Commissioner Mansfield read the notice of public hearing for an amendment to the Gem County Subdivision Ordinance to add Section C allowing for submittal of a Minor Subdivision Plat if the application meets certain criteria as spelled out in this section. The hearing was opened up for public comment.

Jim Weaver stated that he would like to see the Ordinance passed because of the decline of agriculture in

the valley and it becoming a bedroom residential area. He feels the Ordinance would be a good vehicle for people with a smaller acreage so they could sell some of their property which would not have a big impact on a larger acreage.

Fred Doriot stated that he is in favor of the Amendment because it will benefit everyone in the valley because more homes would bring in more taxes.

Debra Lish, P & Z Administrator, went over the proposed Amendment. She stated the Amendment is for a simple split that would not require the Planning & Zoning public hearing process. Neighbors would be notified and then the paperwork and review would be done by the staff. The final decision would come before the Commissioners, after a public hearing. The proposal has been reviewed by the Prosecuting Attorney and is being used in multiple counties.

Jim Weaver stated that it has been a big problem when someone wants a simple split of their property. He feels the Amendment would help the problem immensely.

A motion was made to approve the Amendment to the Gem County Subdivision Ordinance to add Section C allowing for submittal of a Minor Subdivision Plat, as presented, with the following changes: 1. b. striking "No new street dedication is involved" and adding, "All lots will be served by existing public roads"; 2. Review procedure for Minor Subdivision Plat #4--change the sentence to delete the word "this" and change to "the Gem County Subdivision" Ordinance; 2-b-6.d County Responsibility--The Administrator shall order a public hearing "before the Board of Commissioners" to resolve all disputes before final review. It was seconded and carried.

PUBLIC HEARING - PLANNED COMMUNITY DEVELOPMENT ORDINANCE:

The public hearing was tape-recorded. In attendance speaking for the Ordinance was Shawn Charters.

Commissioner Mansfield read the notice of public hearing for an amendment to the Gem County Zoning Ordinance adding to Chapter 8; Section 8-20 allowing for a Planned Community Base District. Providing for standards for review of planned communities and to implement the goals and policies of the Gem County Comprehensive Plan with specific regulations adopted by the Board of Commissioners. Commissioner Mansfield then opened the hearing for public comment.

Shawn Charts stated she was for the Ordinance because it will enhance the economic development of Gem County.

Debra Lish stated that this Ordinance would include

any development of 640 acres or larger. It would be a community in itself, but would support the surrounding community. This Ordinance would give the P & Z Department a lot of tools to use to work with and monitor the phases of a large development. There is nothing in the Ordinances at the present time that would work with these large developments.

Commissioner Sherrer asked if the 640 acre criteria is too high. Debra Lish stated that this is the number that a lot of other counties use. More discussion was had on the proposed Ordinance. The Ordinance is taken from the Ada County Ordinance. Commissioner Sherrer stated that her only concern is the 640 acres being too high.

A motion was made to approve the amendment to the Gem County Zoning Ordinance adding to Chapter 8, Section 8-20, allowing for a Planned Community Base District with a change in 1-B being changed from 640 acres to 320 acres. It was seconded and carried.

WALTER KNOX MEMORIAL HOSPITAL MATTERS: Prosecuting Attorney Richard Linville met to discuss the upcoming bond release and expansion of Walter Knox Memorial Hospital.

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

The Board recessed at 5:00 p.m. to 8:00 a.m. on August 4, 2003.

Approved: _____
Chairman

Attest: _____
Clerk