



September 2, 2003, Emmett, Idaho

Pursuant to a recess taken on August 26, 2003, the Board of Commissioners of Gem County, Idaho, met in regular session this 2nd day of September, 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:

EXECUTIVE SESSION: On Wednesday, August 27, 2003, an executive session was held with the Gem County Board of Commissioners and the Mosquito Abatement Board, and attorneys, under Idaho Code 67-2345(1)(f) pending litigation. No decisions were made.

September 2, 2003:

Pledge of Allegiance was said.

BLAZER PARK LEASE TERMINATION: A motion was made, seconded, and carried to sign the termination agreement between the City of Emmett and Gem County for the City of Emmett to lease Blazer Park.

PUBLIC WALK-IN AND INPUT: Pam Walker met to ask about getting a 45mph speed limit on Beacon Avenue. Right now there are no speed limit signs on Beacon, so the speed limit is 55mph. She lives on the corner of Black Canyon and Beacon Avenue. She asked about the noise of the jake brakes on logging trucks. The Commissioners told her that the speed limit change is already in the works and there is no noise ordinance for jake brakes.

Commissioner Pratt left the meeting until 1:30pm.

PROSECUTING ATTORNEY MATTERS: Prosecuting Attorney Richard Linville met concerning legal matters.

PA Linville will draft a letter of intent for companies wanting to buy land in the Shadow Butte Industrial Park.

The Findings of Facts for the Jim Frisbee and the Henry Walker rezones did not have the stipulations included. He will see they get changed.

There were two rezone hearings that the applicants never followed through on certain requirements so no decision has been

made. The applicants need to write a letter stating they are withdrawing their application or the application needs to be denied.

EXECUTIVE SESSION: A motion was made, seconded, and carried to go into executive session under Idaho 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 at 12:00 p.m. for a City/County Luncheon at the Pizza Factory, to reconvene at 1:30 p.m.

CITY/COUNTY LUNCHEON: A City of Emmett/Gem County luncheon was held at the Pizza Factory. Those from the County in attendance were Commissioners Mansfield and Sherrer, Clerk Howard, Treasurer Marilyn Knighton, and Prosecuting Attorney Richard Linville. Those attending from the City were Mayor Ron Morgan, Clerk Marge Lawrence, and Councilmen John LaFordge, Tony Villanueva, Leonard Becken, and Darel Harris. Also in attendance was Janet Monti from the Messenger Index.

Topics of discussion were the City Jail Committee plaque, dispatch fees, the City airport, the Joint Comprehensive Plan, the Dewey Road extension, updates on Liberty Canyon Boys Ranch, the Ambulance building, and the Shadow Butte Industrial Park, Mosquito abatement, the City waste water treatment, and out-of-County executives.

Commissioner Pratt came back into the meeting.

OLA SEWER DISTRICT FEES: A motion was made to approve the 2003 Ola Sewer District Assessment fees, stipulating that they must be turned into the Gem County Treasurer by August 1st next year. It was seconded and carried.

COMPREHENSIVE PLAN DISCUSSION: Pam Garrison and Rick Weekly met with the Board to volunteer to review and revise the joint comprehensive plan. They are willing to, at no cost to the Community, to help do the work. Rick presented their ideas. The Planning and Zoning staff are the ones, through ordinance, who are supposed to be doing the reviewing and revising. The Community Assessment that was done showed that the review needs to be done. He thinks there needs to be a process to do this now and in the future. Rick stated that there needs to be a steering committee formed from representatives from the City of Emmett, Gem County, a couple of professionals, and a couple of citizens at large. The current comprehensive plan is more just a land use plan rather than a full comprehensive plan.

The Commissioners gave them the go-ahead as far as they are

concerned and will choose one of the Commissioners as a main contact person from the County.

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:

02-088 Application has an appeal hearing set for September 22, 2003.

03-060 Application for medical assistance

03-066 Application for medical assistance needed a statutory lien signed.

03-070 Application for medical assistance needed a statutory lien signed.

03-008 A letter was presented that came from an attorney from St. Luke's Medical Center stating that we missed the time-line for a hearing.

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

A motion was made to deny 03-060 because of no medical indigency and has a potential to pay medical bills in three years, to deny 03-066 because of incomplete information and pending social security and Medicaid, and to sign a statutory lien on 03-070. It was seconded and carried.

FINDINGS OF FACT: A motion was made to approve the Findings of Fact and Conclusions of Law for rezones for Keith Chadwick/Eugene Porter, for Bryan Taylor, for Henry Walker, for Darryl Peterson, and for Jim Frisbee. It was seconded and carried, with an abstinence from Commissioner Pratt on the Darryl Peterson rezone, because she was not in attendance at the hearing.

ORDINANCE NO. 2003-13: A motion was made to adopt Ordinance No. 2003-13 amending Rezone #232 to A-2 zone to include current standards allowing a fourth split of a parcel of land belonging to Keith Chadwick and Eugene Porter. It was seconded and carried.

ORDINANCE NO. 2003-14: A motion was made to adopt Ordinance No. 2003-14 rezoning property owned by Bryan Taylor from A-3 to R-3. It was seconded and carried.

ORDINANCE NO. 2003-15: A motion was made to adopt Ordinance No. 2003-15 rezoning property owned by Henry Walker from A-2 to R-2. It was seconded and carried.

ORDINANCE NO. 2003-16: A motion was made to adopt Ordinance No. 2003-16 rezoning property owned by Darryl Peterson from A-1 to A-2. It was seconded and carried.

ORDINANCE NO. 2003-17: A motion was made to adopt Ordinance No. 2003-17 rezoning property owned by Jim Frisbee from A-2 to R-2. It was seconded and carried.

MINUTES READ AND APPROVED: The minutes of September 2, 2003, were reviewed. A motion was made to approve the minutes of September 2, 2003, as read and corrected. It was seconded and carried.

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

CLAIMS FOR THE FOLLOWING FUNDS WITH WARRANTS WRITTEN August 1, 2003, to August 31, 2003:

CURRENT EXPENSE FUND	\$ 108,079.84
ROAD & BRIDGE FUND	138,404.06
CIGARETTE TAX/BLOCK GRANT	15,154.11
DISTRICT COURT FUND	543.46
COUNTY FAIR FUND	2,011.30
COUNTY JUSTICE FUND	119,521.73
FAIR, GROUNDS & BUILDINGS FUND	4,432.90
III HEALTH DISTRICT FUND	6,037.00
INDIGENT	22,920.52
REVALUATION FUND	9,395.42
SOLID WASTE FUND	33,149.22
TORT	16,041.99
NOXIOUS WEED FUND	12,640.64
WATERWAYS	5,298.72
INSURANCE POOL	1,947.75
AMBULANCE FUND	<u>11,621.74</u>
TOTAL	\$ 507,200.40

Approved: _____
Chairman

Attest: _____
Clerk