



May 23 & 24, 2005, Emmett, Idaho

Pursuant to a recess taken on May 17, 2005, the Board of Commissioners of Gem County, Idaho, met in regular session this 23rd and 24th day of May, 2005, at 8:00 a.m.

Present:	Sharon Pratt	Chairman
	Michele Sherrer	Commissioner
	Lan Smith	Commissioner
	Susan Howard	Clerk

Whereupon the following proceedings were had, to-wit:

May 23, 2005

Pledge of Allegiance was said.

SHADOW BUTTE INDUSTRIAL PARK FINAL PLAT REVIEW: Surveyor Roger Bennie does not have everything back from the engineers on the final plat for Shadow Butte Industrial Park. Dean Coon from Holladay Engineering stated they returned a letter to Roger that addressed all of the issues, but the surveyor's original plat was not returned to be compared with the changes on the new plat. There needs to be a confirmation letter from Intermountain Gas Company. A decision needs to be made on the directional names for the streets.

PLANNING & ZONING UPDATE: Assistant Planning & Zoning Supervisor Sissy Stewart met to update the Commissioners on P & Z issues.

ECONOMIC DEVELOPMENT UPDATE: Economic Development Specialist Morris Huffman met with the Commissioners to update them on economic development in the County. Last week was slow. Morris went over his schedule for the week.

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

- 90-013 Applicant asked for a waiver of balance.
- 05-032 Application for medical expenses.
- 05-034 Application for medical expenses.
- 05-036 Application needed a release of a duplicate statutory lien.
- 05-042 Application for medical expenses needed an order of dismissal signed.
- 05-047 Application for medical expenses needed a statutory lien signed.
- 05-048 Application for assistance with phone, power, and water, sewer, and garbage bills.
- 05-049 Application for rent assistance.

A motion was made by Commissioner Sherrer, seconded by Commissioner Smith, and carried unanimously to come out of

executive session.

A motion was made by Commissioner Sherrer to deny the waiver for the balance of their account, but to temporarily not require payments for 90-013, to deny 05-032 because of incomplete application and other possible resources available, to deny 05-034 because of disposal of assets and other resources available, to sign a release of a duplicate statutory lien for 05-036, to sign an order of dismissal for 05-042, to sign a statutory lien and applicable UCC lien for 05-047, to deny 05-048 because of not being indigent and no emergency, and to deny 05-049 because of not being indigent. It was seconded by Commissioner Smith and carried unanimously.

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

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

QUARTERLY REPORT: A motion was made by Commissioner Sherrer to approve the Treasurer/Auditor Joint Quarterly Report for the second quarter from 01/01/2005 to 03/31/2005. It was seconded by Commissioner Smith and carried unanimously.

CITY/COUNTY BUILDING OFFICIAL/PLANNER DISCUSSION: City of Emmett Mayor Marilyn Lorenzen, City Clerk Marge Lawrence, City/County Building Official Brian Sullivan, and Gem County Planning & Zoning Administrator Debra Smith met with the Commissioners to discuss the City/County Building Official position and the possibility of a joint Planner position. A lot of discussion was had. No decisions were made.

BOARD OF COMMUNITY GUARDIANS REPORT: Barbara Pultz from the Board of Community Guardians met with the Commissioners to report. She presented an annual report. The Board met their quarterly meeting obligation. They now have six members on their Board, which is short one member from the minimum required. They have 5 wards. Gem County is one of the few viable Boards of Community Guardians in the State. There will be a training meeting in Emmett in September. Barbara will be making presentations at Kiwanis, the Lions Club, and the Gem County Ministerial Association. The Board will be actively recruiting new Board members.

PROPERTY TAX CANCELLATION: Assessor Greg Himes presented a parcel that had a building that had been taxed as a mobile home and also a shed for two tax years. A motion was made by Commissioner Smith to cancel taxes of \$5.78 for 2003 taxes and \$5.27 for 2004 taxed on RP 00341500 because of a double taxation

those years. It was seconded by Commissioner Sherrer and carried unanimously.

COUNTY ROAD DUST ISSUES: Several members of the Community met with the Commissioners with concerns about dust on Brill Road. They stated the speed limit is 30 mph. Their animals end up with dust pneumonia and the air quality is hard on asthmatic conditions. The school bus creates a lot of dust. They stated that there are grant funds available from ITD when the dust is a health issue. They asked that some kind of dust abatement be done on their road. Seasonal speed bumps were discussed. No decisions were made.

MOSQUITO ABATEMENT BOARD INTERVIEW: In executive session, an interview was had for an opening for the Mosquito Abatement Board.

MOSQUITO ABATEMENT BOARD APPOINTMENT: A motion was made by Commissioner Sherrer to appoint Mike Wallace to the Mosquito Abatement Board to finish a 4-year term that ends on January 1, 2006. It was seconded by Commissioner Smith and carried unanimously.

The Board recessed at 5:00 p.m. to reconvene at 8:00 a.m. on May 24, 2005.

May 24, 2005

Pledge of Allegiance was said.

Commissioner Smith was not in the meeting until after lunch.

SENATOR CRAIG'S OFFICE REPRESENTATIVE VISIT: Mike Freese from Senator Larry Craig's Office met to visit with the Commissioners. Topics of discussion were the Dewey Road Extension, mosquito issues, the Army Corps of Engineers, Downwinders, PILT money, Community Development Block Grant funding, Homeland Security funds, airport, and RC&D funding.

PUBLIC WALK-IN AND INPUT: Kathy Skippen from Shadow Butte Development Corporation met to discuss the possibility of a CAFO zone in the County. She stated that the Department of Agriculture will do a feasibility study if all of the criteria are met. She is currently gathering the information required by the Department of AG. She doesn't need anything from the Commissioners at this time. She just wanted them to be aware of what is happening.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecuting Attorneys Richard Linville and David Hargraves met with the Commissioners concerning legal matters.

Speed bumps are a road maintenance issue—not a legal issue.

Assessor Greg Himes reported on a tax deeded property that required part of the taxes to be cancelled because of a double taxation. There are no legal issues because the 2001 taxes were not involved in the cancellation.

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

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

The Commissioners attended Drug Free Idaho Supervisory Training in the Gem County District Courtroom.

SHADOW BUTTE INDUSTRIAL PARK UPDATE: Members of Shadow Butte Development Corporation, Holladay Engineers, and others met to discuss Shadow Butte Industrial Park.

Qwest is working on an agreement for the telecommunications.

A conference call is being set up this Friday concerning all those involved in the 404 permit.

EDA has approved the bid specifications. The Certification on Title for Rights-of-Way is at the Attorney's office. There has been no Attorney decision on the bidding.

No groundbreaking date has been set.

The Commissioners still want the deed in escrow for the sales agreements, but the paperwork has not been done.

The final plat still needs a few changes and issues. The County needs to vacate several easements. The lots need to be numbered consecutively, the Intermountain Gas line right-of-way needs to be addressed, and the landscaping plan needs to be updated.

Discussion was had on the sale of the lots.

Ron Huber wants to develop across the highway from the Industrial Park. He would like the County to ask the City of Emmett for approval for him to connect to the County's City Sewer connection. It would require a modification of the County's contract with the City and then an agreement with the County. The Commissioners told him to visit with the Emmett City Council about the matter. Ron would also like to do something jointly with the County's water system. More information needs to be gathered before any decisions are made.

Highland grass seed has been procured and a no-till drill is available.

Sewer line easements to the Park are not an issue.

SHADOW BUTTE INDUSTRIAL PARK OWNER'S REPRESENTATION: Brad Elliott presented a draft of a proposed job description of an Owner's Representative for the construction of Shadow Butte Industrial Park. Discussion was had, but no decisions were made.

CLAIMS: The claims presented were reviewed. A motion was made by Commissioner Smith to pay the claims as presented and noted in the Claims Report Form. It was seconded by Commissioner Sherrer

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and carried unanimously.

The Board recessed at 5:00 p.m. to 8:00 a.m. on June 6, 2005.

Approved: _____
Chairman

Attest: _____
Clerk