



March 13 & 14, 2006, Emmett, Idaho

Pursuant to a recess taken on March 7, 2006, the Board of Commissioners of Gem County, Idaho, met in regular session this 13<sup>th</sup> & 14<sup>th</sup> day of March, 2006, 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:

**March 13, 2006**

**Pledge of Allegiance was said.**

**SUNSET WEST MINOR SUBDIVISION:** While being tape-recorded, discussion was had on the Sunset West Minor Subdivision. Commissioner Sherrer stated she sees two issues, which were the roads and the irrigation ditches. Commissioner Smith stated there may be in issue with the block length requirement. He stated that small land divisions have impact on the County, as well as large developments. Commissioner Sherrer stated that she feels that irrigation ditches need to be moved off of the County road right-of-way and onto private property.

County Planner Director Brad Hawkins-Clark stated that a letter of approval has not been received from Southwest District Health, but they will give approval before they sign off on the final plat.

Edgar Youngstrom, representing the Sillers who own the property, stated that they feel they are being over committed to improving the roads and moving irrigation ditches where their property is bordered on three sides by County roads.

Fred Nussbaumer, owner of the property east of the Sunset property, stated that he thought the cost of widening the road is an unnecessary expense at this time. He was told by Commissioner Smith that if it is not done at this time, the County will be paying for the improvement in the future. Edgar Youngstrom asked if it is fair to have to pay the expense of tearing out an existing County road to the centerline and put in a new road. He feels that the cost should be split between the developer and the County, especially if the original road is not up to standards in the first place.

A decision was extended to March 20 to await a written draft decision from the Prosecuting Attorney's Office.

**INTRODUCTION OF NEW EXTENSION OFFICE EMPLOYEE:** Extension Agent Will Cook brought Evie Russell in to meet the Commissioners. She is a new employee at the Extension Office. He also brought in a 2004-2005 Idaho 4-H Statistics report, which was discussed.

**PLANNING & ZONING UPDATE:** Planning Director Brad Hawkins-Clark

met with the Commissioners to update them on Planning and Zoning matters. Currently, his highest priority is the Subdivision Ordinance. He will post the job opening for his office. Discussion was had on the transportation meeting scheduled for March 21, 2006.

**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:

06-024 Application for medical assistance in which a decision for an appeal hearing was needed.

06-026 Application for medical assistance needed a Notice of Appeal Hearing signed.

06-039 Application for medical assistance needed a statutory lien signed.

06-041 Application for medical assistance needed a statutory lien signed.

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 uphold the previous denial and sign the Decision and Order for 06-024, to sign a Notice of Appeal Hearing for 06-026, and to sign statutory liens and applicable UCC liens for 06-039 and 06-041. It was seconded by Commissioner Smith and carried unanimously.

**FY 2006 QUARTERLY REPORT:** After reviewing the Treasurer/Auditor Joint Quarterly Report, a motion was made by Commissioner Smith to approve the First Quarter FY2006 Joint Quarterly Report. It was seconded by Commissioner Sherrer and carried unanimously.

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

**BOARD OF EQUALIZATION:** Board of Equalization was not needed.

**DECISION AND ORDER SIGNED:** The Application to Vacate Public Street Decision and Order was signed to vacate a certain portion of Payette Avenue in Letha.

**CONSENT AGENDA:** A motion was made by Commissioner Sherrer to approve the consent agenda, which included the approval of the Notice of Bid for asphaltic concrete paving, approval of the Notice of Bid for County fuel, and Ordinance No. 2006-03 concerning contractor registration. It was seconded by Commissioner Smith and carried unanimously.

**ITD - ERIC SHANNON:** Eric Shannon, Sue Sullivan, and Scott Gurnsey from Idaho Transportation Department met to update the Commissioners on transportation plans in the area. They discussed the STIP Program and the GARVEE Bill. The projects in the STIP plan that were in the GARVEE program were moved out of the District III section and moved to the Connecting Idaho chapter of the STIP.

The GARVEE plan can change each year, depending on politics. The STIP plan funding is not increasing as fast as the construction costs, and the largest percentage of their funds are used in upkeep and maintenance instead of additions and improvement.

Corridors for transportation need to be identified in the Comprehensive Plan that is being worked on now, so that they can be included in the planning. Land use designations are very important to the planning of ITD. There are access management ordinances that can control the accesses onto collector and arterial roads in the County. Designated right-of-ways need to be determined.

**EMERGENCY MANAGEMENT COUNTY COORDINATOR APPOINTMENT:** A motion was made by Commissioner Smith to appoint Anita Taylor as the Emergency Management County Coordinator. It was seconded by Commissioner Sherrer and carried unanimously.

**JAIL INSPECTION:** A jail inspection was done by the Commissioners with no problems found.

**The Board recessed at 4:00 p.m. to 8:00 a.m. March 14, 2006.**

**CITY/COUNTY MEETING:** A City/County meeting was held at 4:00 p.m. on Monday, March 13, 2006, at the City Hall. The City Officials in attendance were Mayor Marilyn Lorenzen, Councilpersons Dennis White, John Rogers, Tony Villanueva, Mike Stout, Bill Butticci, and Katie Agenbroad, and Clerk Marge Lawrence. The County Officials were Commissioners Pratt and Sherrer, Treasurer Connie Goins, and Clerk Howard. Topics of discussion were the City area of impact, City annexation, the City/County Building Official position, the sewer hook-up for Shadow Butte Industrial Park, and the possibility of the County requiring business licenses.

**March 14, 2006**

**BLACK CANYON PARTNERS TRAFFIC MITIGATION STUDY DISCUSSION/DECISION:** While being tape-recorded, further discussion was had on the Black Canyon Traffic Mitigation Study. A written response was given to Black Canyon Partners. They are asked to provide reasonable mitigation measures that will be done at specific levels of traffic. Further discussion/decision will be put on the Commissioners' agenda when Black Canyon Partners are ready with a list of those measures.

**PUBLIC WALK-IN AND INPUT:** Jake Lemon met with the Commissioners concerning forced annexation. He stated that he and his neighbors have concerns about being force annexed into the City of Emmett. He wondered if the developers could be given an annexation agreement instead of just using the City's Annexation Ordinance so there could not be changes made by new administrations by changing the Ordinance. He was told that he lives in the City area of impact and the Commissioners gave him a copy of the Idaho Code concerning annexation, which does help to protect those who do not want to be annexed. He would like to see

the County use annexation agreements.

Don Wilkerson met to give his resignation from the Planning and Zoning Board. No decision was made.

Cheryl Conrad met to discuss the sign for Shadow Butte Industrial Park. It was determined that it will be on the ground rather than in the air and that it will not be backlit. It probably will not include the names of the business because of the amount of business in the Park. It will not have a reader board.

**PROSECUTING ATTORNEY MATTERS**: Assistant Prosecuting Attorney David Hargraves met with the Commissioners concerning legal matters. He was asked about resolving the issue of the County having to pay Worker's Comp on contracted services for owners that are exempt under the Statute.

**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)(b) concerning personnel. 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 at 12:00 p.m. for lunch to reconvene at 1:00 p.m.**

**CLAIMS**: The claims presented were reviewed. A motion was made by Commissioner Sherrer to pay the claims as presented and noted on the Claims Report Form. It was seconded by Commissioner Pratt and carried unanimously.

**MINUTES AMENDED**: The minutes of February 13 & 14, 2006, were amended "CITY/COUNTY MEETING: (Those in attendance from the County were Commissioners Pratt, Sherrer, and Smith, Clerk Howard, and Treasurer Connie Goins. Amended 03/14/06).

**The Board recessed at 5:00 p.m. to 8:00 a.m. on March 20, 2006.**

Approved: \_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk