



March 27 & 28, 2006, Emmett, Idaho

Pursuant to a recess taken on March 21, 2006, the Board of Commissioners of Gem County, Idaho, met in regular session this 27th & 28th day of March, 2006, at 8:00 a.m.

Present:	Sharon Pratt	Chairman
	Michele Sherrer	Commissioner
	Lan Smith	Commissioner
	Sue Spencer	Deputy Clerk

Whereupon the following proceedings were had, to-wit:

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Pledge of Allegiance was said.

PLANNING & ZONING UPDATE: Planner Director Brad Hawkins-Clark met with the Commissioners concerning Planning and Zoning matters. Concerns on the Plaza Road meetings and process were discussed. Bob Tawney's special use permit was filed. Discussion was had regarding the encroachment of the floodway. A complaint concerning a gravel mining next to river was discussed.

Brad handed out a draft on the Development Fees. He then went over his schedule for various other meetings.

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)(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.

CONSENT AGENDA: No items were in the consent agenda.

GEMS - BUILDING FOR FOOD DISTRIBUTION: GEMS, a non-profit organization, would like a place to hold meetings and sort food. They serve 60 households. Eight times a month they bring in food to sort, organize and deliver. Gleaned potatoes, onions, apples are taken to food bank. There were 18 tons of Food distributed last year. Members must do work or service in the community.

PARAMETRIX-ROAD DEVELOPMENT FEE PRESENTATION: Erv Olen from Parametrix met concerning road development agreements. He presented a Valley County concept that requires developers to pay a fee for needed infrastructure. It is not an impact fee, but a Roadway Capital Improvement Program. There is an annual review

that allows for construction increases. There is no timeline on agreement on collections. Provisions in ordinances to apply this program need to be adopted.

PUBLIC HEARING - RALPH GURNEY REZONE: While being tape-recorded, a public hearing was held for a rezone request by A. Ralph Gurney to rezone approximately 13.54+/- acres from A-2 Rural Transitional Agriculture to R-3 Residential Transitional. The general property location is 1111 West Central Road.

Ralph Gurney stated that it is an original parcel. He has put in a road that will access the 4 lots. There is a 20 foot right of way. All the irrigation issues have been met, the top two are on an irrigation schedule. Approximate size will be almost 4 acres. After the approval of the rezone, he is going to split the land.

Commissioner Smith stated that this application is for a rezone, not for a division of land. Commissioner Pratt stated that the application for a subdivision will have to take place after the moratorium.

James and Pricilla Turner had concerns about sewer and water.

The public hearing was closed.

After discussion, Commissioner Sherrer made a motion to approve the rezone request #370, seconded by Commissioner Smith and carried unanimously.

A motion was made by Commissioner Sherrer, seconded by Commissioner Smith, and carried unanimously to approve Ordinance No. 2006-04 rezoning approximately 13.54+/- acres owned by A. Ralph Gurney from A-2 Rural Transitional Agriculture to R-3 Residential Transitional. The general property location is 1111 West Central Road.

The Board recessed at 5:00 p.m. to 8:00 a.m. on March 28, 2006.

OLA FORUM: An open forum was held March 27, 2006, at 7:00 p.m. at Ola Community Hall. Present were Commissioner Pratt and Commissioner Sherrer. Discussion was had concerning Ola Vote-by-Mail Precinct, candidates for office, Black Canyon Partners Development, and the moratorium.

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

OLA - VOTE-BY-MAIL BALLOT PRECINCT DECISION: Discussion was had about a vote-by-mail precinct. Commissioner Sherrer made a motion to keep Ola Precinct a traditional polling precinct. It was seconded by Commissioner Smith and carried unanimously.

REMOTE ACCESS AGREEMENT: Commissioner Smith made a motion to sign the Remote Access Agreement with Alliance Title and Escrow.

Commissioner Sherrer seconded the motion and it carried unanimously.

PUBLIC WALK-IN AND INPUT: Jake Lemon met to discuss forced annexation issues. He presented a letter to the Commissioners with recommendations receiving support for annexations instead of forced annexation. He explained the recommendations for developer's agreements pertaining to land owned between the development and city. Mr. Lemon was concerned about going outside the area of impact. He is also concerned about people being fairly represented. Mr. Lemon is also concerned about the assessed values between city and county. Commissioner Sherrer suggested they present the letter to the City for discussion.

PROSECUTING ATTORNEY MATTERS: Chief Deputy Prosecutor Richard Linville met to discuss various legal matters.

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

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

- 06-030 Medical assistance decision.
- 06-034 Medical assistance decision.
- 06-035 Medical assistance decision.
- 06-037 Medical assistance decision.
- 06-041 Medical assistance decision.
- 06-042 Sign statutory lien for medical.
- 06-043 Sign statutory lien for medical.
- 06-044 Rental assistance decision.
- 06-045 Sign statutory lien for medical.
- 06-046 Sign statutory lien for medical.
- 06-047 Sign statutory lien for medical and decision.

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

A motion was made by Commissioner Smith to deny 06-030 applicant not indigent, has resources; 06-034 deny County not last resource; 06-035 approve and order reimbursement of \$250 per month; 06-037 not indigent has available resources; 06-042 to 06-043 sign statutory lien and applicable UCC liens; 06-044 deny as no emergency exists; 06-045, 06-046, and 06-047 sign statutory lien and applicable UCC lien and 06-047 sign approval for surgery pending interview. Motion was seconded by Commissioner Sherrer and carried unanimously.

The Board recessed at 5:00 p.m. to 8:00 a.m. on April 3, 2006

Approved: _____
Chairman

Attest: _____
Clerk