



July 17 & 18, 2006, Emmett, Idaho

Pursuant to a recess taken on July 11, 2006, the Board of Commissioners of Gem County, Idaho, met in regular session this 17th & 18th day of July, 2006, at 8:00 a.m.

Present:	Michele Sherrer	Acting Chairman
	Lan Smith	Commissioner
	Susan Howard	Clerk

Whereupon the following proceedings were had, to-wit:

July 17, 2006

Pledge of Allegiance was said.

EMMETT VALLEY ASSOCIATION OF REALTORS-CANAL SAFETY & LIABILITY:

Bryce Walker from the Emmett Valley Association of Realtors met with the Commissioners to discuss his concerns with youth being on the canal bridges on the main roads, which is causing a safety issue. He stated that the canal companies only give 30-day licenses to residents to use their bridges to get to the residents' home sites. There are several issues with the canal companies that need to be addressed. There could be a committee formed with all parties being at the table. The Commissioners will set up a meeting to try to come up with some solutions.

PLANNING & ZONING UPDATE: Planning Director Brad Hawkins-Clark met with the Commissioners to update them on Planning and Zoning issues. Canal Company issues were discussed. Brad went over the items from the Planning and Zoning Commission hearing. Discussion was had on the development of a Planning Commission, separate from the Zoning Commission.

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 Tiffani Sulgrove presented the following indigent applications:

- 06-066 Application for medical expenses.
- 06-062 Application for medical expenses.
- 06-060 Application needed a Release of Lien signed.
- 06-057 Application needed a Release of Lien signed.
- 06-061 Application needed a Notice of Hearing 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 Smith to deny 06-066 because of non-residency and not being indigent, to deny 06-062 because of no cooperation, incomplete application, and non indigency, to sign Releases of Lien for 06-060 and 06-057, and to sign a Notice of Hearing for 06-061. 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.

CONSENT AGENDA: A motion was made by Commissioner Smith to approve the consent agenda, which included: A. Idaho Liquor Catering Permit for Vicki McMillan to cater at the Fairgrounds for the Fair & Rodeo on August 2-5, 2006; B. Gem County RV Park Host Agreement. It was seconded by Commissioner Sherrer and carried unanimously.

COUNTY ENGINEER SOLICITATION: Representatives from Stanley Consultants, Inc., met with the Commissioners to let them know they are interested in contracting with Gem County to be the County Engineer. They gave a presentation of their company. No decisions were made.

LAWRENCE WHITSELL - PLANNING COMMISSION: Lawrence Whitsell met with the Commissioners to follow up on a letter he sent to them requesting to be considered for an appointment on the Planning Commission, if and when it is formed.

BOB HAWTHORNE - DEVELOPMENT AND GROWTH PROBLEMS: Bob Hawthorne met with the Commissioners to talk with them about the water aquifers in the County. He stated that through his studies, there is a big difference in the temperature between the aquifers in the County. He stated that the County needs fulltime water monitoring. The Commissioners told him it is a good idea, but the funds are not there. Bob thinks the County could partner with the Soil Conservation Service and there would be no cost to the County. He was told that no steps have yet been taken to begin an aquifer study.

RECREATION DISTRICT BOARD - GEM ISLAND SPORTS COMPLEX: Members of the Recreation District Board met with the Commissioners to discuss the maintenance of Gem Island Sports Complex. They do not want to continue the maintenance next fiscal year. They will give the County \$20,000 in FY2007 to help with the maintenance costs.

The Board recessed at 5:00 p.m. to 8:00 a.m. on July 18, 2006.

July 18, 2006

PUBLIC WALK-IN AND INPUT: John "Butch" Suor met with the Commissioners to discuss concerns about fire suppression and noxious weed matters. He stated that there are residents in the County that are not taking care of their weeds and it is endangering neighboring properties and spreading weeds. His weed-free hay was not certified because a windstorm spread his neighbor's weeds into his fields. The Commissioners told him there is no County Ordinance concerning fire hazards, but there is a Fire Code regulating them. The County Weed Department works to control noxious weeds. The Commissioners will visit with the Noxious Weed Department Supervisor.

Frank & Melinda Topol discussed an irrigation waste ditch

problem. Their neighbor is not cleaning the ditch that goes through his property. The Commissioners told them that the County is responsible for keeping the culverts under County roads clean, but the property owners are responsible for culverts and ditches on their property, even though they may be situated on an easement. This would be a civil matter between the property owners.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecuting Attorney David Hargraves met with the Commissioners concerning legal matters. Discussion was had on the subpoena procedure for indigent cases and discussion was had concerning the P & Z code enforcement officer.

The Board recessed at 12:30 p.m. for lunch to reconvene at 1:30 p.m.

C.W.A. - M.A.D. SETTLEMENT AGREEMENT: A motion was made by Commissioner Smith, seconded by Commissioner Sherrer, and carried unanimously to authorize the signing by Chairman Pratt of the settlement agreement of the Saint John's Organic Farm, and Peter Dill v. Gem County Mosquito Abatement District, and Gem County, Case No. CIV 04-087-S-BLW (D. Idaho). The agreement is in effect until Dec 31, 2010. There has been a significant amount of time and effort put into the agreement and a lot of compromising. It settles the Clean Water Act lawsuit filed against Gem County and Gem County Mosquito Abatement District.

MINUTES READ AND APPROVED: The minutes of June 19 & 20 & 21, 26 & 27, and July 3, 2006, were reviewed. A motion was made by Commissioner Smith to approve the minutes of June 19 & 20 & 21, 26 & 27, and July 3, 2006, as read and corrected. It was seconded by Commissioner Sherrer and carried unanimously.

The Board recessed at 5:00 p.m. to 8:00 a.m. on July 24, 2006

Approved: _____
Chairman

Attest: _____
Clerk