



August 14 & 15, 2006, Emmett, Idaho

Pursuant to a recess taken on August 7, 2006, the Board of Commissioners of Gem County, Idaho, met in regular session this 14<sup>th</sup> & 15<sup>th</sup> day of August, 2006, at 8:00 a.m.

Present:	Sharon Pratt	Chairman
	Michele Sherrer	Commissioner
	Lan Smith	Commissioner
	Shelly Atkinson	Deputy Clerk

Whereupon the following proceedings were had, to-wit:

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Pledge of Allegiance was said.

**FIRE DISTRICT #1 WITHDRAWAL DECISION:** Commissioner Sherrer made a motion, seconded by Commissioner Smith, and carried unanimously to sign the decision and order to deny the Petition for Withdrawal of property from Gem County Fire Protection District Number One. Commissioner Sherrer clarified that the decision was made by determining, according to code, that this area would not benefit by remaining in the district, based on the information provided.

**SHADOW BUTTE INDUSTRIAL PARK BID DECISION:** Commissioner Smith made a motion, seconded by Commissioner Sherrer, and carried unanimously to reject all bids for Shadow Butte Industrial Park site paving and road work based on Idaho Code 67-2805 3A-8 which allows rejection of bids if not in the best interest of the County. In this case there are not sufficient funds.

**PLANNING & ZONING UPDATE:** Planning Director Brad Hawkins-Clark met with the Commissioners to discuss P & Z matters. Documentation to be provided to the Commissioners for Public Hearings was discussed. Code enforcement will be conducted by Maureen Hill. Scheduling of the County car was discussed. Letters of inquiry have been received for the open positions on the proposed Planning Commission.

**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 Joint City/County Planning & Zoning Comprehensive Plan meeting with the City is scheduled for tonight. An RFQ for County

engineering consultant services was discussed. The Commissioners will request that the Prosecuting Attorney's office draft a resolution providing citation authority for code enforcement. An additional complaint has been received regarding a Special Use Permit previously issued.

**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:

06-076 for Medical Assistance

06-026 for Release of Lien

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 Sherrer, seconded by Commissioner Smith and carried unanimously to deny Application 06-076 due to untimely receipt of application.

A motion was made by Commissioner Sherrer, seconded by Commissioner Smith, and carried unanimously to sign Release of Lien for Application 06-026.

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

**BUILDING PERMIT ISSUE:** Faith Todd and Les Jarmin met with the Commissioners to discuss property Mr. Jarmin's father owns on Spring Creek Rd. Mr. Jarmin stated that he is unable to obtain a building permit for his 24.5 acre property as it is located in an area zoned for 40 acre parcels. The Commissioners will look into forward this issue to Development Services.

**CONSENT AGENDA:** A motion was made by Commissioner Smith to approve the consent agenda that included: A. Certificate of Residency for Kimberly B. Torres, B. Reduced Speed Limit Petition for Gatfield Road. The motion was seconded by Commissioner Sherrer, and carried unanimously.

**GRAVEL PIT PERMIT:** There was no discussion on this issue as David Judy wasn't present.

**MOSQUITO ABATEMENT ISSUES:** Discussion was had with Mike Kane via a phone conversation. Mike stated there would be no violation of previous agreements if a valid health emergency is declared. He is unsure if there would be an attempt to stop the agreement. Be sure to have valid documentation to backup any decision.

**CANAL ISSUES (EMS Building):** Bryce Walker would like to see uniform policy on issues between the different ditch companies. He would like to see vehicle restrictions and safety enforcement.

George Kralvansky questioned the price of human life. He stated that gates and posted signs are needed. He is not against

people walking or riding horses on the canal bank but feels that motor vehicles should not be allowed.

Tim Wagnon stated his concern is a safety issue. He believes it is a County issue as it is a hazard to the public stating the lack of gates, patrol and road and canal bank maintenance being issues.

Commissioner Smith encouraged good use of canal banks such as people walking. It could help to control the bad uses.

**The Board recessed at 5:00 p.m. to 8:00 a.m. on August 15, 2006.**

**August 15, 2006**

**CITY/COUNTY MEETING:** Comprehensive Plan was discussed. Planning & Zoning will provide a draft of the chapters ready for hearing status for the Commissioners and Council to review. A meeting will be held where committee chairmen will make presentations.

Ada and Canyon Counties have declared emergency status due to West Nile Virus. There will be a meeting August 15<sup>th</sup> at 2:00 in the Commissioner's office for a West Nile discussion.

The Hillside Ordinance has not been completed.

Industrial Park Operations are moving forward.

Lighting at Carberry School including the possibility of flashing lights was discussed. A grant to help with this project is being reviewed.

A Town Hall Meeting to discuss Proposition 2 was suggested. There is a need for the public to understand the issue and to vote.

There will be a Town Hall Meeting on Drug Abuse. An anti-drug meeting is also scheduled at the Presbyterian Church on Thursday August 17<sup>th</sup> at 1:30 p.m.

**INDIGENT APPEAL HEARING:** A motion was made by Commissioner Pratt, seconded by Commissioner Smith, and carried unanimously to go into executive session under Idaho Code 67-2345(1)(d).

06-061 Medical Appeal Hearing

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

**PUBLIC WALK-IN AND INPUT:** Doris Robison met with the Commissioners to discuss Gem County's situation with Mosquito Abatement.

Bob Hawthorne met with the Commissioners to further discuss Water Quality issues. The Commissioners are looking for funding for studies.

Dale Atkinson met with the Commissioners regarding concerns with DEQ. He also expressed a concern about maintenance of drainage ditches. The Commissioners referred him to the ditch company.

Terrie Jackson met with the Commissioners regarding promotion of Prepaid Legal Services for employees of the County. The Commissioners will talk with the Elected Officials and Department

Heads to determine interest in providing a presentation.

Earl A. Lilley met with the Commissioners regarding West Nile Virus.

**PROSECUTING ATTORNEY MATTERS:** Deputy Prosecuting Attorney's Dick Linville and David Hargraves met with the Commissioners concerning legal matters.

The bid rejection for the Shadow Butte Industrial Park and the plan for proceeding with the project was discussed. The Prosecutor's office is concerned with completing the asphalt and transferring the title within the timeframe required. Landscaping specs have been prepared and are ready for proposal.

David is reviewing the statutes regarding the Mosquito Abatement situation. The Commissioners have data for the area within the Mosquito Abatement District. They would like to gather surveillance information for areas outside the District.

The Perkins appeal and request for takings analysis was discussed.

**EXECUTIVE SESSION:** A motion was made by Commissioner Pratt, seconded by Commissioner Smith, and carried unanimously to go into executive session under Idaho Code 67-2345(1)(b) to discuss personnel.

A motion was made by Commissioner Pratt, 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.**

**MOSQUITO ABATEMENT WEST NILE DISCUSSION:** Jason Kinley from the Mosquito Abatement District provided current mosquito surveillance data. He stated that the Culex Tarsalis mosquitoes peak in July. Culex Pipiens are late bloomers peaking in late August. The surveillance data presented represents activity within the mosquito district. Currently there is no data from outside the district. Jason stated that larvaciding is the best approach to eliminating mosquitoes.

A statement was made that aerial spraying is a quick fix and only a temporary solution. A plan would be needed for continued control.

Mike Kane stated that it would be more appropriate to declare a disaster rather than a public health emergency.

Clearance with the FAA has already been taken care of for the Gem County Mosquito Abatement District. Clearance has been obtained for Ada County also.

The agreement with Peter Dill states a "public health emergency". The agreement prevents aerial adulticiding. Aerial larvaciding would not be prevented by the agreement.

Mike Kane stated the Commissioners have the authority to declare a disaster emergency.

Commissioner Smith questioned why the Commissioners would declare a health emergency rather than Southwest District Health

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Department who are the professionals in health issues.

Jan Edmonds from Southwest District Health Department discussed what constitutes a health emergency. She spoke about immunity that comes from becoming infected.

David Hargraves read from code that the definition of disaster is - Threat of widespread or severe injury.

Jason asked if there is a number that Southwest District Health Department would decide is widespread, and asked the definition of widespread which code does not provide.

David Loper from Southwest District Health Department stated that even though the Health Department isn't ready to declare a health emergency at this time the health district would support the county if a disaster is declared.

Southwest District Health Department has surveillance data for 2005.

West Nile primarily affects people 55 and older. Jason stated that mosquito born immunity is important, allowing human resistance to the disease. Anyone exposed to the virus would build immunity.

Jason stated that aerial spraying immediately followed by larvaciding could be an extended solution.

Trudy Jackson stated that State dollars could help with the cost of the chemicals as well as staff to allow for double shifts.

Commissioner Smith stated that minimum infection rates have doubled in the last couple of weeks.

Jason discussed mosquito population and the relation to temperature. There is faster development with higher temperature.

The warmer it is the longer it extends the developmental period.

David Loper from Southwest District Health stated that those infected with West Nile Virus show symptoms within 3 to 14 days.

There are no reported neuro-invasive cases in Gem County per Jan Edmonds from Southwest District Health.

Jason clarified that West Nile is not a communicable disease, being transmitted human to human, it is a reportable mosquito-born disease.

Direct people with questions about West Nile virus to [www.swdh.org](http://www.swdh.org).

**The Board recessed at 5:00 p.m. to 8:00 a.m. on August 21, 2006**

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

Chairman

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

Clerk