



August 28 & 29, 2006, Emmett, Idaho

Pursuant to a recess taken on August 22, 2006, the Board of Commissioners of Gem County, Idaho, met in regular session this 28th & 29th day of August, 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:

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Pledge of Allegiance was said.

PAYETTE COUNTY EXTENSION: Tony McCammon from the Payette County Extension Office met with the Commissioners. His specialty is horticulture. He stated that now with the evolving Extension System, he is the expert in his area for the multi-county system. University of Idaho is looking for a livestock specialist for the new educator who will be positioned in the Gem County Extension Office.

PROPERTY DEED MATTER - MARVIN ROWLEY: Marvin Rowley met with the Commissioners to discuss his situation where he recorded a survey showing splits on his property that had never had the individual deeds recorded. Since that time, the subdivision ordinance has changed and now, as he is selling one of the parcels, there is no legal deed for it.

The Commissioners stated that because of the new ordinance, the subdivision process would have to be followed.

PLANNING & ZONING UPDATE: Planning Director Brad Hawkins-Clark met with the Commissioners to discuss Planning & Zoning issues. The Gem Community Comprehensive Plan public hearing will be held at the Emmett Junior High, with a fee charged for the facility by the School District. Brad gave a report on a Planned Community Process meeting he attended in Ada County.

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:
06-079 Application needed a statutory lien signed.
06-030 Application needed a release of lien signed.
06-061 Application needed a final determination and order 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 sign a statutory lien and applicable UCC liens for 06-079, to sign a release of lien for 06-030, and to sign the final determination and order 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. Certificate of Residency for Ivy Snow to attend the Fall 2006 term at College of Southern Idaho; B. Shadow Butte Industrial Park telephone conduit system bid from Track Utilities for the total amount of \$23,931.26; C. (Added to the Consent Agenda on 08/28/06) Lynda Vista Subdivision Decision and Order was removed for further discussion. The motion was seconded by Commissioner Sherrer and carried unanimously.

LYNDA VISTA SUBDIVISION DECISION AND ORDER: After discussion, a motion was made by Commissioner Smith to approved Lynda Vista Subdivision Decision & Order, with a change in Exhibit D, Item 7 to accept the Street Naming Committee's recommendation, as reflected in Exhibit D. It was seconded by Commissioner Sherrer and carried unanimously.

PUBLIC HEARING (cont.) - PERKINS VARIANCE APPEAL: While being tape-recorded, the public hearing was held for the purpose of appealing the denial of a variance request by John Perkins to allow a 16-foot easement for access instead of the current 40-foot requirement by Gem County Zoning Ordinance. Located at 5880 Sweet-Ola Highway. Per request of the applicant, the hearing was continued to September 25, 2006. It was done so through motion.

INDIGENT APPEAL HEARING: During closed session and being tape-recorded, an indigent appeal hearing was held for Indigent Case No. 06-062. Those present were Commissioners Sherrer and Smith, Deputy Prosecuting Attorney David Hargraves and intern Jens Stenmans, Clerk Howard, and Deputy Clerk Tiffani Sulgrove. No appellant or representative of the appellant was present. The hearing was closed.

After coming out of executive session, Commissioner Smith made a motion to direct the Prosecuting Attorney to prepare a decision reflecting the previous decision of denial because of lack of cooperation and no proof of indigency. It was seconded by Commissioner Sherrer and carried unanimously.

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

OPEN FORUM: An open forum was held on August 28, 2006, at 7:00 p.m., at the Syringa Hall in Sweet. Those in attendance were Commissioners Sherrer and Smith, Clerk Howard, and two members of

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the public. Topics of discussion were dust on the roads, fire protection, speeding through town, the lifting of the land use moratorium, the comprehensive plan, changes in the process of dividing property, Butte Road bridge, Squaw Creek, private roads, and the possibility of renaming Brownlee-Liberty Road.

Approved: _____
Chairman

Attest: _____
Clerk