



October 10, 2006, Emmett, Idaho

Pursuant to a recess taken on October 3, 2006, the Board of Commissioners of Gem County, Idaho, met in regular session this 10th day of October, 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:

COMP PLAN WORKSHOP: A joint City/County workshop was held on October 4, 2006, at 6:30 p.m. at the Emmett City Hall to discuss the proposed Joint Comprehensive Plan.

October 10, 2006

Pledge of Allegiance was said.

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 Smith and carried unanimously.

INDIGENT APPLICATIONS: At 9:33 a.m., 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), with a roll call vote as follows: Commissioner Pratt, aye; Commissioner Sherrer, aye, Commissioner Smith, aye. Deputy Clerk Tiffany Sulgrove presented the following indigent applications:

06-079 Application for medical expenses.

After reconvening in open session, a motion was made by Commissioner Sherrer to deny 06-079 because no indigency exists. It was seconded by Commissioner Smith and carried unanimously.

QUAIL HOLLOW MINOR SUBDIVISION: After a motion was made, seconded, and carried, the Quail Hollow Minor Subdivision application Decision and Order was put on the Consent Agenda.

PUBLIC WALK-IN AND INPUT: Norvil Elliott met with the Commissioners with concerns about trees and weeds that block the vision on the railroad crossings on North Plaza Road and on Substation Road. He had questions on the Road and Bridge budget and was told that some of the requested asphalt budget will be used for capital machinery budget instead. He asked if there were any plans for a main road on the East side of the valley and was told there were none by the County.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecuting Attorney David

Hargraves and Prosecuting Attorney Timothy Fleming met with the Commissioners concerning legal matters. David advises that, before signing the resolution to do so, the Commissioners should have a written agreement before allowing Boise County to contract with Gem County for Prosecuting Attorney duties for sixty (60) days.

Other matters of discussion were the Jail Medical Contract and Johnson Creek Road.

RESOLUTION 2006-13 - PA BOISE COUNTY AGREEMENT: After a motion was made, seconded, and carried, Resolution 2006-13 concerning the proposed agreement for Prosecuting Attorney contract with Boise County was put on the Consent Agenda.

EXECUTIVE SESSION: At 11:35 a.m. a motion was made by Commissioner Sherrer, seconded by Commissioner Smith, with roll call vote of ayes from Commissioner Pratt, Sherrer, and Smith to go into executive session under Idaho Code 67-2345(1)(d) concerning records that are exempt from disclosure and 67-2345(1)(f) concerning litigation, which are both land use issues. Those governing bodies present in the meeting were Commissioners Pratt, Sherrer, and Smith. No final decisions were made.

The Commissioners returned to open session at 11:55 a.m.

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: B. CH2M Hill proposal to continue as Shadow Butte Industrial Park Project Construction Manager for an amount of \$12,412; D. Resolution 2006-13 approving a 60-day agreement for Boise County to contract with the Gem County Prosecutor to fulfill the statutory duties and responsibilities of prosecuting attorney for their County. It was seconded by Commissioner Sherrer and carried unanimously.

QUAIL HOLLOW MINOR SUBDIVISION: A motion was made by Commissioner Smith to approve Quail Hollow Minor Subdivision with the stipulation that the plat map be changed to reflect the deletion of the common lot and that the dollar amount stipulated in the Decision and Order be accepted in its place. It was seconded by Commissioner Sherrer and carried unanimously.

SHIPLEY REZONE DISCUSSION/DECISION: While being tape-recorded, continued discussion was had on the application for a rezone request by Gary Shipley to rezone 155+/- acres from M-1 light Industrial to MX Mixed Use, located at 2719 W. Highway 52. There is probably no way to require a development agreement for this rezone application. The airport and other industrial properties are of concern, being in the area of this rezone request. A maximum of 25' of buffering could be required next to industrial areas by the residential development. The Commissioners didn't have a problem with Mixed Use unless this rezone allows residential. The Commissioners could grant partial

Commissioner Minutes 10-10-06

approval. The density of the residential was discussed.

A motion was made by Commissioner Smith to deny the rezone, with no second. Motion died. A motion was made by Commissioner Sherrer to approve the rezone, seconded by Commissioner Pratt. The motion carried with ayes by Commissioners Pratt and Sherrer and a nay by Commissioner Smith.

The Board recessed at 5:00 p.m. to 8:00 a.m. on October 16, 2006

Approved: _____
Chairman

Attest: _____
Clerk