



March 26, & 27, 2007, Emmett, Idaho

Pursuant to a recess taken on March 20, 2007, the Board of Commissioners of Gem County, Idaho, met in regular session this 26th day of March, 2007, at 8:00 a.m.

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

Whereupon the following proceedings were had, to-wit:

March 26, 2007

Pledge of Allegiance was said.

A motion was made by Commissioner Sherrer to add appraisal of property at 8:30 a.m. today, reschedule property line adjustments with 40 acres parcels to next week, add review of minutes at 3:15 p.m. today, add road department matters at 10:30 a.m. today, move prosecuting attorney matters to 11:30 a.m. and add Emmett Food Bank ribbon cutting at 11:00 a.m. tomorrow. It was seconded by Commissioner Pratt and carried unanimously.

APPRAISAL OF PROPERTY: Steve Weston, Mountain Valley Appraisals, Inc., met with the Commissioners to obtain clarification on parcel boundaries for the area he has been asked to appraise. He was informed that the County kept an right of way for the road, the surveyor had been instructed to remove the right of way from the survey. The provided survey is known to be less than the entire parcel. A legal description will be needed for the right of way.

REVIEW OF MINUTES: The minutes of February 26 & 27, 2007 were reviewed. A motion was made by Commissioner Smith to approve the minutes of February 26 & 27, 2007 as read and corrected. It was seconded by Commissioner Sherrer and carried.

GEM COUNTY GROUNDWATER STUDY: After discussion the Commissioners decided to set up a meeting to explore funding for a groundwater study.

LES JARMIN/MIKE THORNTON REZONE: While being tape recorded, a meeting was held at 10:00 a.m. to discuss a rezone by Les Jarmin and Mike Thornton.

Commissioner Smith removed himself from the hearing as he

was not involved with the previous hearing.

Commissioner Pratt made a motion to uphold the Planning & Zoning Commission decision on the rezone application which was a denial. It was seconded by Commissioner Sherrer and carried.

The process and possibility of obtaining a building permit on this parcel was discussed.

ROAD DEPARTMENT MATTERS: This discussion was rescheduled to next week.

INDIGENT APPLICATIONS: At 11:00 a.m. a motion was made by Commissioner Smith, seconded by Commissioner Pratt and carried to go into executive session under Idaho Code 67-2345(1)(d) with a roll call vote as follows: Commissioner Sherrer, aye, Commissioner Pratt, aye, Commissioner Smith, aye. Deputy Clerk Tiffani Sulgrove presented the following indigent applications:

- 06-098 Notice of Appeal on Denial
- 07-011 Medical Application
- 07-021 Sign Statutory Lien
- 07-002 Sign Release of Lien
- 07-020 Sign Statutory Lien on a 10 day prior

After reconvening in regular session, Commissioner Pratt made a motion to set a hearing for 06-098, deny 07-011 because the county is not the last resource and not filed timely, to sign statutory lien for 07-021, to sign release of lien for 07-002 and sign statutory lien for 07-020. It was seconded by Commissioner Sherrer and carried unanimously.

The Board recessed at 12:00 p.m. for lunch to reconvene at 1:15 p.m.

CONSENT AGENDA: A motion was made by Commissioner Pratt to remove items B. Little Rock Estates Minor Subdivision, C. Wills Estates Minor Subdivision, and D. Sharp Minor Subdivision and to approve the remaining items on the consent agenda which included: A. Picket Corral Plat Amendment, E. Waterways Agreement, F. Walter Knox Hospital September 2006 Audit, and G. All Hazard Mitigation Plan final copy. It was seconded by Commissioner Smith and carried unanimously.

After a discussion regarding easements, access and irrigation for the Little Rock Estates Minor Subdivision; dedicated roadways and suitable performance guarantee definition being located in the Subdivision Ordinance for Wills Estates Minor Subdivision; area input, agricultural pursuits on the property and copies of the preliminary plat for Sharp Minor Subdivision, a motion was made by Commissioner Smith to approve items B. Little Rock Estates Minor Subdivision, C. Wills Estates

Minor Subdivision, and D. Sharp Minor Subdivision adding conditions as noted on Little Rock Estates with all lots being served by irrigation as stated in the application, clarification as raised for paper copies to be included for Wills, and clarification that the suitable performance guarantee in 5-1 is in the Subdivision Ordinance. It was seconded by Commissioner Pratt and carried with two in favor and one opposed.

At 1:45 p.m., a motion was made by Commissioner Pratt, seconded by Commissioner Smith and carried unanimously to go into executive session under Idaho Code 67-2345 (b) personnel with a roll call vote as follows: Commissioner Pratt, aye; Commissioner Smith, aye, Commissioner Sherrer, aye.

Regular session reconvened at 11:41 a.m.

REVIEW OF MINUTES: Minutes will be reviewed at a later time.

REVIEW OF CLAIMS: The Commissioners began reviewing the claims.

DUST CONCERNS ON BRILL ROAD: Evelyn Arreguy met with the Commissioners regarding continued issues with dust on Brill Road. She would like to see dust control and speed bumps on the road. Commissioner Smith has been looking into a product called Poly-pavement, a trial will be done on the greenbelt during the current budget year. Kim Reed, Road Department Supervisor, will look into options for speed and dust control.

REVIEW OF MINUTES: Minutes will be reviewed at a later time.

BLACKSTONE FINAL PUD & PRELIMINARY PLAT: While being recorded a public hearing was held to discuss a request heard March 19, 2007 for a planned unit development for a mixed use development in the MX, Mixed Use Zone and a preliminary subdivision plat to request approval to allow 8 buildable lots and 3 common lots on 92.10 +/- acres.

Use, amount and location of open space and amenities were discussed. Suggested amenities include a playground set, horseshoe pits & BBQ pits. Requirements for allowing bonus density were reviewed to include landscaping, siding and design features. Definitions of common areas and open space were discussed. Block A remains A1 zoning.

Commissioner Smith wondered if it would be possible to include a walking path in the development for the residents. He would like to see a pathway with benches between the senior housing and the playground.

Commissioner Smith suggested adding a deed restriction to lot 12 limiting the building lots to 13.

Access and intersection locations for the development were discussed.

Veterinary services in the allowed commercial uses would be services for small animals.

The sign ordinance includes requirements for planned unit developments which would require signs on the front of the buildings. The development is looking at having the back of the buildings near the road with the parking lots on the inside.

A motion was made by Commissioner Smith to approve the recommendation as made from the Planning & Zoning Commission with the following changes: that item #4 in the PUD limit the veterinary, if there is a veterinarian in the complex that it would be limited to small animal care, that item #5 include the amenities that the applicant outlined in the public hearing which were 2 sets of playground equipment, horseshoe pits for the senior living, picnic tables, BBQ pits which I would assume would be for each of those pods which would be 6 BBQ pits, and a pathway to connect all the recreational amenities as discussed with park benches along that pathway. Item #6 that architectural grade asphalt shingles be a requirement. This decision wouldn't be final until it is issued in writing and the written decision from staff is reviewed in a meeting scheduled on the agenda at a later time. It was seconded by Commissioner Pratt and carried unanimously.

A motion was made by Commissioner Smith to accept the recommendation of the Planning & Zoning Board for the preliminary plat with the following changes: that item #12 include that access and egress off of Washington include right in and out only, that there be an additional condition added which would be #13 that placed building permit restriction on lot 12 of the subdivision which limits it to a maximum of 13 residential building permits. Contingency is added that ingress and egress be approved by Idaho Transportation Department. The speed limit will not be reduced but will be kept at 55 mph, any design for the ingress and egress shall be designed for that speed. This decision wouldn't be final until it is issued in writing and the written decision from staff is reviewed in a meeting scheduled on the agenda at a later time. It was seconded by Commissioner Pratt and carried unanimously.

March 27, 2007

Pledge of Allegiance was said.

CLAIMS (CONTINUED): Review of claims continued. A motion was made by Commissioner Smith to approve the claims as approved and signed on the individual claim forms. It was seconded by Commissioner Pratt and carried unanimously.

EXIT INTERVIEW: At 8:30 a.m., a motion was made by Commissioner

Pratt, seconded by Commissioner Smith and carried unanimously to go into executive session under Idaho Code 67-2345 (b) personnel with a roll call vote as follows: Commissioner Pratt, aye; Commissioner Smith, aye, Commissioner Sherrer, aye. An exit interview was conducted.

Regular session reconvened at 8:53 a.m.

PLANNING & ZONING UPDATE: Brad Hawkins-Clark, Planning Director, and Bill Terrill, Code Enforcement Officer, met with the Commissioners to discuss planning & zoning issues. Topics discussed included: nuisance ordinance, notifications for code enforcement, current code enforcement issues were reviewed, ordinance revisions were suggested, special use violations, flood plain issues, addressing of vacant land and transcription services.

PUBLIC WALK-IN: Cathy Berglund met with the Commissioners regarding cleanup of the old Letha school property. The Commissioners will talk with the Building Official about a change in occupancy.

EMMETT FOOD BANK RIBBON CUTTING: The Commissioners attended the ribbon cutting ceremony for the Emmett Food Bank.

PROSECUTING ATTORNEY MATTERS: Tim Fleming, David Hargraves and Tim McNeese met with the Commissioners to discuss Prosecuting Attorney matters. Topics discussed included: cleanup of the old Letha school property, request for reconsideration submitted by Kari Crisp regarding a condition placed on the request for a split by Eduardo Garcia, Mosquito Abatement memorandum of understanding, a capital improvement study being done by Parametrix, and the Board of Community Guardians.

At 12:09 p.m. a motion was made by Commissioner Smith, seconded by Commissioner Pratt and carried to go into executive session under Idaho Code 67-2345 (b) personnel, (c) real estate, and (f) litigation with a roll call vote as follows: Commissioner Sherrer, aye, Commissioner Pratt, aye, Commissioner Smith, aye.

Regular session reconvened at 12:23 a.m.

MOSQUITO ABATEMENT MEMORANDUM OF UNDERSTANDING: The Commissioners, the Gem Soil & Water Conservation District Board and the Mosquito Abatement Director met to discuss the proposed memorandum of understanding. After brief discussion and clarification, the Conservation Board agreed to the MOU with the changes discussed.

COMPREHENSIVE PLAN DISCUSSION: The Commissioners and staff gathered to further discuss the Comprehensive Plan. Gramatical

corrections were reviewed to clean up and clarify text. It was suggested that an appendix be added for the tables referred to throughout the plan.

Usability and enforcement were kept in mind during the discussion, ensuring that the policy makes sense, can be practically used and enforced as written.

Establishing a design review committee was discussed.

Another discussion will be scheduled after staff has had time to revise the map and text.

The Board recessed at 5:00 p.m. to 8:00 a.m. on April 2, 2007.

CLAIMS FOR THE FOLLOWING FUNDS WITH WARRANTS WRITTEN February 1 through February 28, 2007:

CURRENT EXPENSE FUND	\$ 378,165.79
ROAD & BRIDGE FUND	286,178.31
CIGARETTE TAX/BLOCK GRANT	5,875.41
DISTRICT COURT FUND	11,384.76
COUNTY JUSTICE FUND	185,087.12
FAIR, GROUNDS & BUILDINGS FUND	6,581.23
HEALTH DISTRICT	6,250.00
INDIGENT	24,738.10
ENHANCED 911	2,177.85
REVALUATION FUND	15,643.71
SOLID WASTE FUND	37,500.72
NOXIOUS WEED FUND	29,267.45
WATERWAYS	1,316.82
INSURANCE POOL	14,060.68
AMBULANCE FUND	<u>26144.01</u>
TOTAL	\$1,030,371.96

Approved: _____
Chairman

Attest: _____
Clerk