



September 17, 2007, Emmett, Idaho

Pursuant to a recess taken on September 11, 2007, the Board of Commissioners of Gem County, Idaho, met in regular session this 17th day of September, 2007, at 8:00 a.m.

Present:	Michele Sherrer	Chairman
	Lan Smith	Commissioner
	Shelly Gannon	Clerk

Whereupon the following proceedings were had, to-wit:

September 17, 2007

APPROVAL OF LEVIES: A motion was made by Commissioner Smith to approve the FY2008 tax levies based on each \$1.00 of market valuation as presented by the Clerk to be certified to the State Tax Commission. It was seconded by Commissioner Sherrer and carried unanimously.

REVIEW OF MINUTES: The minutes of September 4, 2007 were reviewed. A motion was made by Commissioner Smith to approve the minutes of September 4th as amended. It was seconded by Commissioner Sherrer and carried unanimously.

The minutes of September 10 & 11, 2007 were reviewed. A motion was made by Commissioner Smith to approve the minutes of August 10th & 11th as amended. It was seconded by Commissioner Sherrer and carried unanimously.

CONSENT AGENDA: A motion was made by Commissioner Smith to remove items A. Juvenile Probation renovation architect contract and B. Broken Circle Estates Request for discussion and approve item C. on the consent agenda. It was seconded by Commissioner Sherrer and carried unanimously.

After reviewing the contract, Commissioner Smith made a motion to approve item A. Juvenile Probation renovation architect contract as modified by the Prosecuting Attorney on pages 9, 14 and 15 pertaining to mediation. It was seconded by Commissioner Sherrer and carried unanimously.

After discussion, Commissioner Sherrer made a motion to set a hearing date for item B. Broken Circle Estates Request for Reconsideration. It was seconded by Commissioner Smith and carried unanimously. The date was set for Monday October 15, 2007 at 2:00 p.m.

Commissioner Pratt attended via telephone.

PROSECUTING ATTORNEY MATTERS - EXECUTIVE SESSION: At 8:34 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 (f) for possible litigation with a roll call vote as follows: Commissioner Smith, aye and Commissioner Sherrer, aye.

Regular session reconvened at 8:50 a.m.

JOHNSON CREEK ROAD DISCUSSION: After reading Resolution 2007-13, a motion was made by Commissioner Smith to adopt Resoluton 2007-13 to initiate road validation procedures for Johnson Creek Road. It was seconded by Commissioner Pratt and carried unanimously.

Commissioner Pratt was absent from the remainder of the meeting.

FEE INCREASE PUBLIC HEARING: While being recorded, a public hearing was held for the purpose of establishing or increasing the fees for the following services, Emergency Medical Services (EMS), Planning & Zoning Applications and Building Inspections by an amount in excess of 5% of the amount of the fee last collected.

Jeanie Harris, EMS Billing, discussed the fees that are requested to be increased. She stated that a flat fee for mileage is being requested.

Brad Hawkins-Clark reviewed requested fee increases and new fees proposed by Development Services. Adding a building re-inspection fee was discussed.

There were no members of the public in attendance to speak in favor, neutral or in opposition of the fees.

A motion was made by Commissioner Smith to adopt the fee proposals that have been presented. It was seconded by Commissioner Sherrer and carried unanimously.

FISCAL YEAR 2007 BUDGET ADJUSTMENT PUBLIC HEARING: While being recorded a public hearing was held to open the FY2007 Budget, pursuant to Idaho Code 31-1605, for the purpose of adjusting various funds due to unanticipated revenue and/or unexpected expenses.

There were no members of the public in attendance to speak in favor, neutral or in opposition of the fees.

A motion was made by Commissioner Smith to approve the adjustments as provided by the Clerk to the FY2007 budget. It was seconded by Commissioner Sherrer and carried unanimously.

Recognizing that resolution number 2007-13 had already been issued, the Resolution 2007-13 earlier adopted to initiate road validation procedures for Johnson Creek Road was amended to Resolution 2007-14.

ALCOHOLIC BEVERAGE LICENSE BUILDING INSPECTION REQUIREMENTS

DISCUSSION: Brad Hawkins-Clark, David Hargraves and Mark Doud met to discuss code requirements for building inspections for alcoholic beverage licenses and discuss the process in obtaining such inspections.

Commissioner Smith stated that the idea for the requirement is to look to the life safety requirements in the International

Building Code (IBC).

Mark Doud had talked with the International Code Council and was advised that there isn't a provision in the IBC for an inspection unless there is a change of occupancy or a remodel. An email with information received by Don Jones after talking with various agencies was reviewed.

Commissioner Smith stated that the intent is not to bring existing buildings to current IBC codes when transferring an alcoholic beverage license but rather to address life safety issues per International Fire Code. The building inspector, currently Mark Doud, will conduct these inspections.

The Board recessed at 10:00 a.m. to leave for the Idaho Association of Counties Annual Conference.

Approved: _____
Chairman

Attest: _____
Clerk