



December 17 & 18, 2007, Emmett, Idaho

Pursuant to a recess taken on December 11, 2007, the Board of Commissioners of Gem County, Idaho, met in regular session this 17th day of December, 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:

December 17, 2007

A motion was made by Commissioner Pratt add appointment of Jack Kilgore to the Waterways Board and Judy Barbera to the Hospital Board to the consent agenda. It was seconded by Commissioner Smith and carried unanimously.

COUNTY FUEL BID OPENING: The fuel bid opening will be postponed until tomorrow due to the notice indicating that the bids may be submitted until tomorrow at 9:00 a.m.

STORMWATER ORDINANCE PUBLIC HEARING: A public hearing was held to hear a Storm Water Management and Soil Erosion Prevention Ordinance by Gem County to adopt Best Management Practices and construction sites disturbing one acre of land or greater.

The Environmental Protection Agency's Notice of Intent requirement was discussed as well as enforcement of that requirement. It was confirmed that agricultural activities are exempt from the ordinance. Brad pointed out wording corrections within the ordinance.

A motion was made by Commissioner Pratt to close the hearing. It was seconded by Commissioner Smith and carried unanimously.

A motion was made by Commissioner Smith to accept the Planning & Zoning recommendation to approve the Storm Water Ordinance with a change on Section 4 #2 to replace "does not require a CGP" to "is not subject to a CGP" and insert "Notice of Intent through" removing "Construction General Permit as issued by" in the ordinance summary. It was seconded by Commissioner Pratt and carried unanimously. Ordinance number 2007-21 was assigned.

INDIGENT APPLICATIONS: At 11:05 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(1)(d) for indigent matters with a roll call vote as follows: Commissioner Smith, aye, Commissioner Pratt and Commissioner Sherrer, aye.

07-040 Sign Release of Statutory Lien
07-057 Sign Release of Statutory Lien
07-058 Sign Release of Statutory Lien
07-071 Medical Application
07-072 Medical Application
07-074 Involuntary Mental Hold

After reconvening in regular session at 11:25 a.m., Commissioner Smith made a motion to sign release of statutory lien for 07-040, 07-057 and 07-058, approve application for 07-071, approve application 07-072 for medical treatment, deny 07-074 because the County is unable to determine residency. It was seconded by Commissioner Pratt and carried unanimously.

ELECTED OFFICIALS LUNCHEON: Elected Officials met for lunch at Emmett Chinese Café. Those in attendance were Commissioners Sherrer, Smith and Pratt and Clerk Gannon.

CONSENT AGENDA: The Consent Agenda included items A. Fire District #1 Annexation, B. Law Enforcement Mutual Aid Agreement, C. Re-Appointment of Ron Kay to the Fair Board, D. River Ranch Estates Amended Decision & Order, E. Appointment of Jack Kilgore to the Waterways Board and F. Appointment of Judy Barbera to the Hospital Board. A motion was made by Commissioner Pratt to approve the consent agenda items A. - F. It was seconded by Commissioner Sherrer and carried with Commissioner Smith abstaining on item D.

APPROVAL OF MINUTES: The minutes of December 3 & 4, 2007 were reviewed. A motion was made by Commissioner Pratt to approve the minutes of December 3 & 4, 2007 as amended. It was seconded by Commissioner Smith and carried unanimously.

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

INDIGENT HEARING #07-050: At 2:05 p.m. a motion was made by Commissioner Sherrer, seconded by Commissioner Pratt and carried unanimously to go into executive session under Idaho Code 67-2345(1)(d) for indigent matters with a roll call vote as follows: Commissioner Smith, aye, Commissioner Pratt and Commissioner Sherrer, aye.

While being tape-recorded during executive session, an indigent appeal hearing was held for indigent case #07-050. Those present were Commissioners Sherrer, Pratt and Smith, Clerk Shelly Gannon, Deputy Clerk Diane Wright, Deputy Prosecutor David Hargraves, the applicant and the applicant's mother. The applicant's boyfriend was present via telephone.

Commissioner Pratt was absent from the meeting.

Gem County Residence Documentation was entered into the record as Exhibit C. At a previous hearing the case file had been entered into the record as Exhibit A as well as Rent Verification and an amended Request information sheet as Exhibit

B.

Commissioner Pratt rejoined the meeting.

After reconvening in regular session at 2:23 p.m. a motion was made by Commissioner Smith to take the hearing under advisement. It was seconded by Commissioner Sherrer and carried unanimously.

At 3:20 p.m. a motion was made by Commissioner Sherrer, seconded by Commissioner Pratt and carried unanimously to go into executive session under Idaho Code 67-2345(1)(b) for personnel matters with a roll call vote as follows: Commissioner Smith, aye, Commissioner Pratt and Commissioner Sherrer, aye.

IDAHO TELEPHONE COMPANY DISCUSSION: Steve Mednicoff met with the Commissioners to discuss telephone services for Gem County inmates. Available services were reviewed. Steve discussed how revenues are calculated.

ALCOHOLIC BEVERAGE LICENSE RENEWALS: Alcoholic Beverage License renewal applications for Beijing Restaurant, Don's Market, Letha Store, Sweet Service, B & W Fuels, Triangle Restaurant and Abarrotes San Miguel. A motion was made by Commissioner Pratt to approve the renewal of the beverage license applications as presented. It was seconded by Commissioner Smith and carried unanimously.

The Board recessed at 5:00 p.m. to reconvene at 8:00 a.m. December 18, 2007.

December 18, 2007

SHADOW BUTTE DEVELOPMENT CORPORATION: Commissioner Pratt attended a Shadow Butte Development Corporation meeting.

LOCAL EMERGENCY PLANNING COMMITTEE: The Local Emergency Planning Committee meeting was cancelled.

PUBLIC WALK-IN: No members of the public met with the Commissioners.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecutor, David Hargraves, met with the Commissioners to discuss Prosecuting Attorney matters.

COMMUNITY SERVICE AGREEMENT: A motion was made by Commissioner Pratt to sign the community service agreement with Boise County. It was seconded by Commissioner Smith and carried unanimously.

COUNTY FUEL BID OPENING: At 11:32 a.m. the one fuel bid received was opened. The bid was received from B & W Fuels providing a total bid of \$.069 bidder's margin over daily rack price, plus tax, freight and additional fee for off-site delivery. A motion was made by Commissioner Smith to accept the bid received from B & W Fuels. It was seconded by Commissioner Pratt and carried

unanimously.

CH2MHILL LUNCHEON: Commissioners Sherrer, Pratt and Smith, met with CH2Mhill for lunch at LaCosta. Bishop Road Bridge was discussed.

The Commissioners delivered Christmas cards to County employees.

The Board recessed at 5:00 p.m. to 8:00 a.m. on December 24, 2007.

Approved: _____
Chairman

Attest: _____
Clerk