



January 14 & 15, 2008, Emmett, Idaho

Pursuant to a recess taken on January 8, 2008, the Board of Commissioners of Gem County, Idaho, met in regular session this 14th day of January, 2008, 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:

January 14, 2008

At 8:30 a.m. a motion was made by Commissioner Smith to add Inmate Phone Discussion to the agenda at 9:30 a.m. It was seconded by Commissioner Pratt and carried unanimously.

COMMUNITY SERVICE UPDATE: Cheryl Pendergrass met with the Commissioners to provide an update on the Community Service Program. She discussed the contacts she has made with businesses in the County. There have been 3 people sentenced to community service with 50 hours each. Fuel reimbursement was discussed.

INMATE PHONE DISCUSSION: The Commissioners discussed contracts from Idaho Telephone Company and Pinnacle to provide inmate phone service. Discussion included having a 90-day trial period, payment percentages, calling card costs and accessing call log information.

MARGARET WILLIAMS REZONE: A hearing was held regarding a rezone request by Margaret Williams to rezone 4.70 +/- acres from A-2 Rural Transitional Agriculture to R-2 Residential Transitional located at 3414 Wills Road.

Robert Williams stated they are proposing 3 lots plus the lot they will retain. There is already an access road that will be moved to the property line on the south. His neighbor will allow encroachment onto his property for a turn around in exchange for water rights. He is proposing affordable stick built housing rather than manufactured homes on the lots.

Commissioner Smith stated it is against the law to refuse manufactured housing on a legal lot. The only way to restrict that would be through covenants. He clarified that this hearing is for the rezone of the property, subdivision requirements would be under a separate application.

Brad Hawkins-Clark stated that the Planning & Zoning Commission recommends approval. There was no public testimony at that meeting. Brad reviewed the location of the property.

The requirement of a central community well for all four

parcels under R-2 zoning was discussed. The existing well would need to be capped off unless it would meet the needs of all four parcels. It was explained that R-3 zoning would allow for individual wells but would then only allow for 2 parcels.

There was no public comment.

Commissioner Smith stated that the street naming committee would determine whether or not the existing home would retain the existing address.

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

A motion was made by Commissioner Pratt to take the hearing under advisement to a date specific January 22, 2007 at 3:00p.m. It was seconded by Commissioner Smith and carried unanimously.

INDIGENT APPLICATIONS: At 11:12 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) for indigent matters with a roll call vote as follows: Commissioner Smith, aye, Commissioner Pratt, aye and Commissioner Sherrer, aye.

07-061 Sign Re-scheduled Hearing Notice
08-002 Sign Statutory Lien

After reconvening in regular session at 11:14 a.m., Commissioner Pratt made a motion to sign Notice of Re-Scheduled Hearing for 07-061 and sign statutory lien and N1 for 08-002. It was seconded by Commissioner Smith and carried unanimously.

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

Commissioner Pratt was absent due to attendance at a Western Idaho Community Partnership Advisory Board meeting.

CONSENT AGENDA: The consent agenda included items A. Transcription Agreement with Amanda Shaw, B. Juvenile Justice Annual Financial Report, C. Resolution 2008-02 Defining Precinct Boundaries, D. Resolution 2008-03 Defining Commissioner District Boundaries. A motion was made by Commissioner Smith to approve items A - C on the consent agenda and remove item D for discussion. It was seconded by Commissioner Sherrer and carried unanimously.

The population criteria for determining Commissioner District boundaries will be explored further.

Commissioner Pratt rejoined the meeting.

CLAIMS: The Commissioners reviewed claims. A motion was made by Commissioner Pratt to approve the claims as presented and signed on the individual claim forms. It was seconded by Commissioner

Smith and carried unanimously.

**The Board recessed at 5:00 p.m. to reconvene at 8:00 a.m.
January 15, 2008.**

JOINT CITY/COUNTY MEETING: A joint City/County meeting was held. Those in attendance from the City included Mayor Butticci, Councilman Henderson and Public Works Administrator Bruce Evans. Those in attendance from the County included Commissioners Sherrer, Pratt and Smith, Clerk Gannon, Assessor Himes, Treasurer Goins and Development Services Director Brad Hawkins-Clark. There was discussion regarding how building inspections will be handled until the building official position is filled. Other topics discussed included having a joint City/County employee appreciation event and scheduling a Planning Commission workshop. Commissioner Smith gave a Highway Access Presentation.

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

ROAD DEPARTMENT UPDATE: Kim Reed, Road Department Supervisor, met with the Commissioners to discuss the status of Road Department projects and department policies.

PLANNING & ZONING UPDATE: Brad Hawkins-Clark, Development Services Director met with the Commissioners to discuss the status of Planning & Zoning projects.

PUBLIC WALK-IN: Wisti Rosenthal met with the Commissioners on behalf of the Gem County Chamber of Commerce requesting a waiver of fees for a variance being requested through the Planning & Zoning Department for a sign welcoming people to Gem County. Location, layout and size of the sign were discussed. Materials and labor are being donated by businesses within the County.

At 10:30 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(1)(d) for indigent matters with a roll call vote as follows: Commissioner Smith, aye, Commissioner Pratt, aye and Commissioner Sherrer, aye.

08-002 Non-Medical Application

After reconvening in regular session at 10:34 a.m., Commissioner Pratt made a motion to approve 08-002 request for non-medical. It was seconded by Commissioner Smith and carried unanimously.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecutors, David Hargraves and Tim McNeese met with the Commissioners to discuss Prosecuting Attorney matters.

At 11:25 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)(f) for possible litigation with a roll call vote as follows: Commissioner Smith, aye, Commissioner Pratt, aye and Commissioner Sherrer, aye.

Regular session reconvened at 11:30 a.m.

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

EMPLOYEE CANDIDATE POLICY DISCUSSION: Elected Officials met to review a sample policy provided by ICRMP regarding employees initiating candidacy against an incumbent Elected Official for whom he/she is a subordinate with regard to possible disruptions within the office. Discussion included legality of the policy, effects of having vs. not having such a policy and whether or not a policy is needed in Gem County. More information will be obtained and the discussion will resume later in the year.

EMERGENCY PLAN FOR PROPOSED PAYETTE COUNTY NUCLEAR PLANT DISCUSSION: This meeting was cancelled.

Commissioner Pratt was absent from the meeting.

At 3:17 p.m. a motion was made by Commissioner Smith, seconded by Commissioner Sherrer and carried unanimously to go into executive session under Idaho Code 67-2345(1)(f) for possible litigation with a roll call vote as follows: Commissioner Smith, aye, and Commissioner Sherrer, aye.

Regular session reconvened at 3:32 a.m.

The Board recessed at 5:00 p.m. to 8:00 a.m. on January 22, 2008.

Approved: _____
Chairman

Attest: _____
Clerk