



March 17 & 18, 2008, Emmett, Idaho

Pursuant to a recess taken on March 11, 2008, the Board of Commissioners of Gem County, Idaho, met in regular session this 17th day of February, 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:

March 17, 2008

The Pledge of Allegiance was said.

LAWRENCE WHITSELL REZONE: A public hearing was held to hear a request by Lawrence and Lyn Whitsell to rezone 116.5 +/- acres from A-1 Prime Agriculture to A-2 Rural Transitional Agriculture located at 1690 E. Idaho Blvd.

Lawrence Whitsell stated that the rezone began because it was brought to their attention they are in violation of current zoning. They would also like to be able to build and possibly provide land to their children in the future. He explained the acreage associated with each of the homes currently on the property. He also stated that there isn't a drainage ditch running through the property.

The land being agricultural rather than pasture land was discussed. It was also stated that individual wells would be allowed under the A-2 zoning.

Brad Hawkins-Clark, Development Services Director, reviewed the Planning & Zoning Commission's recommendation for approval.

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

A motion was made by Commissioner Smith to accept the Planning & Zoning Commission recommendation and approve the Whitsell rezone RZ-07-020. It was seconded by Commissioner Sherrer and carried with Commissioner Pratt abstaining.

INDIGENT HEARING #07-070: At 10:03 a.m. a motion was made by Commissioner Sherrer, seconded by Commissioner Smith and carried unanimously to go into executive session under

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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.

While being tape-recorded during executive session, an indigent appeal hearing was held for 07-070. Those present were Commissioners Sherrer, Pratt and Smith, Clerk Shelly Gannon, Deputy Clerk Diane Wright and Deputy Prosecutor David Hargraves.

A letter from the applicant was presented to the Commissioners and entered into the record as Exhibit D.

After reconvening in regular session at 10:08 a.m. a motion was made by Commissioner Pratt to approve the appeal and indicate that the applicant is indigent. It was seconded by Commissioner Smith and carried unanimously.

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

A motion was made by Commissioner Smith to add authorization of up to \$300 for Johnson Architects to attend a Pre-Construction Conference for the Juvenile Probation remodel as item C. on the consent agenda. It was seconded by Commissioner Sherrer and carried unanimously.

INDIGENT APPLICATIONS: There were no indigent applications.

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

CONSENT AGENDA: The Consent Agenda included items A. Water Truck Lease/Purchase Agreement and B. Industrial Builders Change Order #2 for the South Traffic Bridge to Gem Island Sports Complex and C. authorization for Johnson Architects up to \$300 to attend a Pre-Construction Conference for the Juvenile Probation remodel. A motion was made by Commissioner Smith to approve items A - C on the consent agenda. It was seconded by Commissioner Sherrer and carried unanimously.

APPROVAL OF MINUTES: The minutes of March 10, 2008 were reviewed. A motion was made by Commissioner Smith to approve the minutes of March 10, 2008 as amended. It was seconded by Commissioner Sherrer and carried unanimously.

A motion was made by Commissioner Pratt to approve Resolution 2008-08 included with the Water Truck Lease/Purchase Agreement approved on the consent agenda and

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authorize Commissioner Sherrer to execute the agreement. It was seconded by Commissioner Smith and carried unanimously.

ADMINISTRATIVE TIME: The Commissioners worked on administrative issues.

The Board recessed at 5:00 p.m. to 8:00 a.m. on March 18, 2008.

March 18, 2008

The Pledge of Allegiance was said.

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

LOCAL EMERGENCY PLANNING COUNCIL MEETING: Commissioners Smith & Sherrer attended a Local Emergency Planning Council meeting.

PUBLIC WALK-IN: No member of the public met with the Commissioners during public walk-in.

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

A motion was made by Commissioner Pratt to adopt the written documentation upholding the denial set forth on (indigent case) 07-069 and that we adopt the written documentation approving the decision on 07-070. 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.

ADMINISTRATIVE TIME: The Commissioners worked on administrative issues.

The Board recessed at 5:00 p.m. to 8:00 a.m. on March 24, 2008.

CLAIMS FOR THE FOLLOWING FUNDS WITH WARRANTS WRITTEN February 1 through February 29, 2008:

CURRENT EXPENSE FUND \$ 144,598.23

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ROAD & BRIDGE FUND	98,992.92
CIGARETTE TAX/BLOCK GRANT	5,487.65
DISTRICT COURT FUND	16,107.77
COUNTY JUSTICE FUND	191,203.38
FAIR, GROUNDS & BUILDINGS FUND	6,493.60
HEALTH DISTRICT	6,329.00
INDIGENT	34,583.33
ENHANCED 911	2,023.48
REVALUATION FUND	15,872.83
SOLID WASTE FUND	27,189.28
NOXIOUS WEED FUND	10,788.34
WATERWAYS	252.01
INSURANCE POOL	50.00
AMBULANCE FUND	<u>17,161.81</u>
TOTAL	\$ 577,133.63

Approved: _____
Chairman

Attest: _____
Clerk