



April 28 & 29, 2008, Emmett, Idaho

Pursuant to a recess taken on April 22, 2008, the Board of Commissioners of Gem County, Idaho, met in regular session this 28th day of April, 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:

**April 28, 2008**

The Pledge of Allegiance was said.

At 8:35 a.m. a motion was made by Commissioner Smith, seconded by Commissioner Pratt 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 Sherrer, aye, and Commissioner Pratt, aye.

Regular session reconvened at 9:00 a.m.

**DARNELL LANE ESTATES MINOR SUBDIVISION DISCUSSION:** At 9:02 a.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)(f) for possible litigation with a roll call vote as follows: Commissioner Smith, aye, Commissioner Sherrer, aye, and Commissioner Pratt, aye.

Regular session reconvened at 9:33 a.m.

**SCHOOL DISTRICT/COMMUNITY DISCUSSION:** Commissioners Sherrer, Pratt and Smith, Mayor Butticci, School Superintendent Sue Beitia, Gem County Recreation District Director Abra Lippert, Grant Writer Shawn Charters and Gretchen Hyde met to discuss possible community partnerships, future planning and funding options to encompass community needs in an effort to provide needs of each entity while reducing costs. Information received from community meetings that have been held by the school district was reviewed.

**INDIGENT APPLICATIONS:** At 11:56 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 Pratt, aye, Commissioner Smith, aye, and Commissioner Sherrer, aye.

08-022            Sign Notice of Statutory Lien

After reconvening in regular session at 11:57 a.m., Commissioner Smith made a motion to sign Notice of Statutory Lien and N1 Lien as applicable. It was seconded by Commissioner Pratt and carried unanimously.

**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. Weston Park Estates Minor Subdivision, B. Elsie Estates Minor Subdivision Decision & Order, C. Black Canyon Park Alcohol Ordinance, D. Resolution 2008-07 Transfer of Property to Gem County Recreation District, E. Liquor Catering Permit for Cherries/Vicky McMillan, F. Asphalt bid proposal from SemMaterials Company, G. Shadow Butte Industrial Park Pasture Rental Agreement with David Coburn and H. Weed Department Contract with the Forest Service.

A motion was made by Commissioner Pratt to remove items A., B. and D. for discussion. It was seconded by Commissioner Smith and carried unanimously. A motion was made by Commissioner Pratt to approve items C., E., F., G. and H. It was seconded by Commissioner Smith and carried unanimously.

Transfer of Property to the Gem County Recreation District was discussed regarding legislation that might affect property acquired on tax deed. The Prosecuting Attorney's office will research the issue further.

Weston Park Estates Minor Subdivision was discussed. Ditches located within the right-of-way on the property were discussed including ownership, maintenance and properties serviced by the ditches. Photos of those ditches were entered into the record as Exhibits D. and E. Use of temporary license agreements was discussed. A motion was made by Commissioner Smith to approve the plat adding an additional condition on Exhibit B, which would be 1(g), that the preliminary plat needs to show the alignment of the Last Chance Ditch as required in the ordinance. It was seconded by Commissioner Pratt with discussion. After

discussion the motion was modified by Commissioner Smith to include, adopting the conditions of approval outlined in Exhibit B with the addition (of 1(g) to Exhibit B) contingent upon written Decision & Order. It was seconded by Commissioner Pratt and carried unanimously.

Elsie Estates Minor Subdivision was discussed. A letter of reconsideration was read. Amending the previous denial was discussed. Conditions in Exhibit B were reviewed. Private driveways rather than private roads were discussed. A motion was made by Commissioner Smith to amend the decision and withhold that until we receive comments from staff showing those amendments that will meet subdivision requirements. It was seconded by Commissioner Pratt and carried unanimously.

**CLAIMS:** The claims presented were reviewed. A motion was made by Commissioner Smith to approve the claims as approved on individual claim forms. It was seconded by Commissioner Pratt and carried unanimously.

At 3:39 p.m. a motion was made by Commissioner Smith, seconded by Commissioner Pratt 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 Pratt, aye, Commissioner Smith, aye, and Commissioner Sherrer, aye.

Regular session reconvened at 4:18 p.m.

**The Board recessed at 5:00 p.m. to 8:00 a.m. on April 29, 2008.**

**OLA OPEN FORUM:** An open forum was held at Ola Community Hall. Those in attendance were Commissioners Sherrer and Pratt and Clerk Gannon as well as members of the public. Topics discussed included: budget process, new wood chipper, Shadow Butte Industrial Park update, Fair Board openings, forming of a Planning Commission, elections, upcoming Emergency Management Bureau (formerly Homeland Security) drill, road validation process, Code of the West, reverse 911, old jail demolition and Juvenile Probation remodel.

**April 29, 2008**

**COMMISSIONER WORKSHOP:** On this 5<sup>th</sup> Tuesday of the month the Commissioners held a workshop to review and discuss administrative issues.

The Board recessed at 12:00 noon to 8:00 a.m. on May 5, 2008.

Approved: \_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk