



June 02 & 03, 2008, Emmett, Idaho

Pursuant to a recess taken on May 27, 2008, the Board of Commissioners of Gem County, Idaho, met in regular session this 2nd day of June, 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:

June 02, 2008

Commissioner Sherrer was absent from the meeting due to attendance at a Rural Healthcare Access Board meeting.

CANVASS OF 2008 PRIMARY ELECTION: A motion was made by Commissioner Smith to recess as a Board of Commissioners and reconvene as a Board of Canvassers. It was seconded by Commissioner Pratt and carried unanimously.

The Clerk reviewed Election Day events stating that the poll books were in balance and the count of the votes balanced to the poll books. A change in the process regarding absentee ballots where the ballots remain at the Courthouse rather than being distributed to the polling locations was discussed as well as the process in adding those for balancing and counting. Issues encountered during the counting of the ballots and measures taken to ensure accuracy in hand counting some of the ballots were reviewed. The Commissioners reviewed the poll books and reports.

A motion was made by Commissioner Smith to certify the Primary Election results as presented by the clerk. It was seconded by Commissioner Pratt and carried unanimously. A motion was made by Commissioner Smith to recess as a Gem County Board of Canvassers and reconvene as a Gem County Board of Commissioners. It was seconded by Commissioner Pratt and carried unanimously.

DARNELL LANE ESTATES DISCUSSION: At 9:37 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 Pratt, aye and

Commissioner Smith, aye.

Regular session reconvened at 10:26 a.m.

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

INDIGENT APPLICATIONS: At 11:36 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 and Commissioner Smith, aye.

08-019	Medical Application
08-020	Medical Application
08-021	Voluntary Mental Hold
08-026	Involuntary Mental Hold
08-028	Rent Assistance

After reconvening in regular session at 11:58 a.m., Commissioner Smith made a motion to deny 08-019 due to incomplete application, applicant uncooperative and unable to determine indigency; deny 08-020 because the county is not the last resource; deny 08-021 because the applicant doesn't appear to be indigent; approve 08-026 and deny 08-028 because the county is not the last resource, no emergency exists and falsified information was provided. It was seconded by Commissioner Pratt and carried unanimously.

A motion was made by Commissioner Pratt to add Planning Consultant Agreement to the consent agenda. 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.

CONSENT AGENDA: The Consent Agenda included items A. Haymaker Minor Subdivision, B. A. Ralph Gurney Minor Subdivision, C. Ordinance 2008-04 establishing a Joint Planning Commission, D. CitiCapital essential use letter for lease/purchase of road department equipment, E. Appointment of David Shaw to the Orchard Review Board and F. Planning Consultant Agreement. A motion was made by Commissioner Smith to approve items C., D., E. and F. on the consent agenda and remove items A. and B. for

discussion. It was seconded by Commissioner Pratt. After discussion Commissioner Smith decided to amend the motion to remove item F. for further discussion. The amendment was seconded by Commissioner Pratt and carried unanimously.

A. Ralph Gurney Minor Subdivision was discussed. Ralph Gurney discussed a community cement ditch and pole fence that he would like to leave within the right-of-way. He said the ditch is a community ditch that was paid for by himself and neighbors and he doesn't have the say to move it. The landscape buffer requirement was discussed. Use of a temporary license agreement was discussed. A motion was made by Commissioner Smith to approve A. Ralph Gurney Subdivision with the conditions listed in Exhibit B contingent on written approval.

Haymaker Minor Subdivision was discussed. Compliance with the ordinance regarding private roads was reviewed. A motion was made by Commissioner Smith to table this application to the 6/9/08 consent agenda. It was seconded by Commissioner Pratt and carried unanimously.

A motion was made by Commissioner Smith to approve the Planning Consultant Agreement with the addition of a "not to exceed" clause included under section 3 of the agreement. It was seconded by Commissioner Pratt and carried unanimously.

APPROVAL OF MINUTES: The minutes of May 19 & 20, 2008 were reviewed. A motion was made by Commissioner Pratt to approve the minutes of May 19 & 20, 2008 as amended. It was seconded by Commissioner Smith and carried unanimously.

The minutes of May 27, 2008 were reviewed. A motion was made by Commissioner Smith to approve the minutes of May 27, 2008 as amended. It was seconded by Commissioner Pratt and carried unanimously.

PUBLIC DEFENDER QUARTERLY UPDATE & BUDGET REVIEW: Public Defender Mark Mimura met with the Commissioners to present and review FY2008 statistics and discuss FY2009 budget requests. Drug Court was discussed.

ZONING & SUBDIVISION ORDINANCE AMENDMENT DISCUSSION WITH CONSULTANT & PLANNING AND ZONING COMMISSION MEMBERS: Development Services staff, Consultant Teri Ottens, Planning & Zoning Commissioner Debbie Rouwenhorst and Deputy Prosecutor David Hargraves met with the Commissioners to review Zoning & Subdivision Ordinance amendments that Teri will be working on.

JAIL INSPECTION: The Commissioners conducted a quarterly jail inspection.

The Board recessed at 5:00 p.m. to 8:00 a.m. on June 3, 2008.

June 3, 2008

ROAD DEPARTMENT UPDATE: Road Department Supervisor, Kim Reed, met with the Commissioners to discuss Road Department matters.

PUBLIC WALK-IN:

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

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

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

At 2:48 p.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) (b) for personnel matters with a roll call vote as follows: Commissioner Sherrer, aye, Commissioner Pratt, aye and Commissioner Smith, aye.

Regular session reconvened at 3:06 p.m.

ADMINISTRATIVE TIME: The Commissioners attended to administrative matters.

The Board recessed at 5:00 p.m. to 8:00 a.m. on June 9, 2008.

Approved: _____
Chairman

Attest: _____
Clerk