



June 23 & 24, 2008, Emmett, Idaho

Pursuant to a recess taken on June 17, 2008, the Board of Commissioners of Gem County, Idaho, met in regular session this 23rd 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 23, 2008

**BUDGET ADJUSTMENT PUBLIC HEARING:** A public hearing was held for the purpose of adjusting various funds in the FY2008 budget due to unanticipated revenue and/or unexpected expenses. Commissioner Sherrer reviewed the funds to be adjusted in Resolution 2008-10. 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 Pratt to approve Resolution 2008-10. It was seconded by Commissioner Smith and carried unanimously.

**BOARD OF EQUALIZATION:** After recessing from Board of Commissioners and going into Board of Equalization, by motion, matters for the Board of Equalization were heard, while being tape-recorded.

An appeal by Walt & Penny Schaal for property located at 3815 Fuller Road Parcel No. MH00867100 was heard. Walt Schaal stated the modular home must be removed as soon as his mother no longer has a need for it, therefore there is no resale value for the home. Assessor Greg Himes discussed "highest and best use" vs. "actual and functional use". He stated the home is being assessed as it is being used at this time. Mr. Schaal stated that he feels the assessment was fair if the home was to be a permanent fixture on the property. Tracie Reed stated the comparables used in the assessment were mobile homes in a mobile home park. She also said that the increase in value from 2007 was addition of air conditioning and improvements made to the bathroom. Assessor Himes said generally mobile

homes appreciate the same as stick built homes if they are attached to a foundation.

An appeal by Will & Cari Maupin for property located at 2179 Corral Road Parcel No. RP00425829 was heard. Will Maupin being a builder he stated that we are in a declining market, he thinks the appraisal is overvalued for what the value is today. He knows there is a lag. He discussed an appraisal he had done on his property. Bill Conger, Appraiser, reviewed the assessment discussing the comparables used.

A motion was made by Commissioner Pratt to recess as a Board of Equalization and reconvene as a Board of Commissioners. It was seconded by Commissioner Smith and carried unanimously.

**WOODS RANCH PRELIMINARY PLAT:** Discussion continued from Monday June 16<sup>th</sup> regarding Woods Ranch Preliminary Plat.

Improvements to Morehouse Road were discussed. A motion was made by Commissioner Smith to close the public hearing. It was seconded by Commissioner Pratt and carried unanimously. A motion was made by Commissioner Smith to accept the Planning & Zoning recommendation to approve the application of Woods Ranch Subdivision Preliminary Plat with the following modifications to Exhibit B: that item 11(c) be revised to show the letter from Keller & Associates of June 12<sup>th</sup>, item 13(b) that speaks to Extended Treatment System should be Extended Treatment Program System (ETP System), item 19 be revised to say "Unless other road mitigation is agreed upon by the Board, Morehouse Road from SH-52 to the eastern edge of the subdivision shall be reviewed and approved by IDEQ for Stormwater system best management practices and be constructed in accordance with Gem County Road & Bridge Department standards (within the existing easement), including a paved surface." That item 21 be revised to reflect the street naming committee's approved name and that items 20-25 be included in Exhibit B. It was seconded by Commissioner Pratt and carried unanimously.

**INDIGENT APPLICATIONS:** At 11:03 a.m. a motion was made by Commissioner Pratt, seconded by Commissioner Sherrer 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.

After reconvening in regular session at 11:14 a.m., no motions were made.

**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. Solid Waste System Participation Agreement with Payette County, B. Idaho Transportation Department Agreement for Noxious Weed Control, C. Resolution 2008-12 Declaring Excess Property, D. Juvenile Probation Electronic Monitoring Agreement with Secure Alert, Inc. A motion was made by Commissioner Pratt to approve the consent agenda. It was seconded by Commissioner Smith and carried unanimously.

**APPROVAL OF MINUTES:** The minutes of June 16 & 17, 2008 were reviewed. A motion was made by Commissioner Smith to approve the minutes of June 16 & 17, 2008 as amended. It was seconded by Commissioner Pratt and carried unanimously.

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

**IDAHO ENHANCED EMERGENCY COMMUNICATIONS GRANT FEE**

**RESOLUTION:** The Commissioners discussed Idaho Enhanced Emergency Communication Grant Fee legislation. This resolution would add .25 cents to the current 1.00 Emergency Communications Fee. That increase would provide assistance to other counties with insufficient emergency communication systems. A motion was made by Commissioner Smith to not approve Resolution 2008-11. It was seconded by Commissioner Pratt and carried unanimously.

**LANDFILL BUDGET DISCUSSION:** Martin Joyce, Landfill Supervisor, met with the Commissioners to discuss landfill employee salaries.

**The Board recessed at 5:00 p.m. to 8:00 a.m. on June 23, 2008.**

**OPEN FORUM:** An open forum was held at the Letha Fire Station. Commissioners Sherrer, Pratt and Smith attended along with Clerk Gannon, Fire Chief Rick Welch and two members of the public. Topics discussed included: Bramwell

Cemetery, the Code Enforcement Officer, creating a county dog ordinance, traffic on El Paso and Middleton Roads, van pools, Vickery Estates ditch and irrigation concerns, community identity and mosquito abatement.

**June 24, 2008**

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

**PUBLIC WALK-IN:** Vicky McMillan met with the Commissioners to discuss a catering permit.

AJ Church from Senator Crapo's Office met with the Commissioners to introduce himself and discuss issues and concerns of the Commissioners.

Shawn Charters presented Idaho Community Development Block Grant funds requests for signature.

**PROSECUTING ATTORNEY MATTERS:** Deputy Prosecutors, David Hargraves and Tim McNeese, met with the Commissioners to discuss Prosecuting Attorney matters. Kim Reed, Road Department Supervisor, also attended.

Tim McNeese discussed an Adopt-A-Highway program.

A mitigation agreement for a Special Use Permit for MacGregor Pit was reviewed and discussed.

A resolution authorizing the subdivision of property owned by Gem County and occupied by Walter Knox Memorial Hospital for future sale for purposes of building a medical clinic was reviewed and discussed.

At 11:49 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 11:55 a.m.

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

**BOARD OF EQUALIZATION:** After recessing from Board of Commissioners and going into Board of Equalization, by motion, matters for the Board of Equalization were heard, while being tape-recorded.

An appeal by Rich Seewald for property located at 6N 3W Section 21 Parcel No. RP00393501 was heard. The Assessor's original market value of \$80,500 was corrected to \$59,300 by the Assessor. The applicant did not attend the meeting. Assessor Himes discussed adjustments made to the property as well as neighboring properties. A motion was made by Commissioner Smith to sustain the Assessor's assessment (as corrected) of the property. It was seconded by Commissioner Pratt and carried unanimously.

An appeal by Jenny Beverage for property located at 9880 Blanc Lane Parcel No. RP00395710 was heard. Jenny Beverage discussed mail delivery issues she has had since she moved into her home. Her 2007 tax bill said it had a homeowner's exemption on it so she didn't question that the exemption form hadn't been received by the Assessor's office. She later found that the homeowner's exemption indicated on the tax bill was from the previous homeowner. Assessor Himes doesn't dispute that she had received the form or that the tax bill would have said homeowner's exemption on it. Commissioner Smith stated that he didn't think this would qualify under Board of Equalization but rather than as a Board of Commissioners as his thoughts are that the way to handle this would be to cancel the tax. Jenny is now signed up for the homeowner's exemption.

An appeal by Darnal & Anita Alexander for property located at 7560 Palamino Lane Parcel No. RP00391912 was heard. Darnal Alexander stated that he feels the assessment should be based on the purchase price. He purchased the home as a new home but it had been lived in by the person who built it. He described deficiencies that he believes devalues the home. Assessor Himes stated that purchase prices aren't disclosed in Idaho. He discussed the assessment process. Something in the garage was found to be incorrect. Assessor Himes presented a corrected assessment notice of \$322,000. Tracie Reed, Appraiser, stated that deficiencies weren't mentioned when she visited Anita at the home. Tracie reviewed the comparables used in the assessment. Anita Alexander stated that she didn't realize that when Tracie was at the home that was her opportunity to talk about the issues with the home. Acreage was discussed. Darnal stated that the price they paid for the home should be a maximum value with the work that needed to be done. Pictures of some of the deficiencies were submitted. An appraisal Darnal had done came in with comparables at \$318,000 and \$324,000. Changes from the Assessor were be provided on an amended assessment

notice with no changes to acreage.

An appeal by the Roman Catholic Diocese for property located at 921 S. Moffatt Avenue Parcel No. RP00047903 was heard. Verbal notification was received to withdraw the appeal from a representative of the Roman Catholic Diocese. A motion was made by Commissioner Pratt to sustain the Assessor's assessment of the property. It was seconded by Commissioner Smith and carried unanimously.

A hardship application by Otto Hunsaker for property located at 302 E. Park Street Parcel No. RP00107300 was heard. The applicant did not attend the meeting. The assessment information indicates two owners listed on the property Mr. Hunsaker and Mary Pielstick. The financial statement provided with the application was discussed. Marion Henderson from the Assessor's office had spoken with Mr. Hunsaker. He told Marion that Mary Pielstick had left and he was unable to pay the taxes. A motion was made by Commissioner Smith to deny the hardship application submitted by Otto Hunsaker. It was seconded by Commissioner Pratt and carried unanimously.

*A motion was made by Commissioner Pratt to add a liquor catering permit from Cherries to the agenda. It was seconded by Commissioner Smith and carried unanimously. A motion was made by Commissioner Pratt to approve Cherries catering permit for June 28<sup>th</sup>. It was seconded by Commissioner Smith and carried unanimously.*

**The Board recessed at 5:00 p.m. to 8:00 a.m. on June 30, 2008.**

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

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