



August 25 & 26, 2008, Emmett, Idaho

Pursuant to a recess taken on August 19, 2008, the Board of Commissioners of Gem County, Idaho, met in regular session this 25th day of August, 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:

August 25, 2008

JUDGE CULET: Judge Culet 3rd District Administrative Judge and Dan Kessler 3rd District Trial Court Administrator met with the Commissioners. Collection of fees & fines were discussed. Currently in Gem County a review process is being used rather than using a collection agency. Court services crossing district lines was discussed. Currently Star is split between two judicial districts. Avimor Subdivision may affect Gem, Boise and Ada counties in this way. Misdemeanor Probation legislation (House Bill 408) was discussed. The Commissioners stated their concern with a decrease in numbers of referrals to probation. Funding of court services was discussed. Dan will look into case filing numbers and types of cases to explain the decrease in revenue as well as decrease in referrals to probation.

DEPARTMENT OF ENVIRONMENTAL QUALITY EMISSIONS TESTING

LEGISLATION: Leonard Herr Airshed Manager with the Department of Environmental Quality (DEQ) met with the Commissioners to discuss House Bill 586 relating to vehicle emissions testing. This program is a result of a recent failure to achieve federal air quality standards in the Treasure Valley. Methods of determining control areas were discussed. Computer modeling and vehicle counts will be done to determine areas of the state to be included in emissions testing. Program timeline was discussed.

DEPARTMENT HEAD TIMESHEET DISCUSSION: The department heads met with the Commissioners to discuss payroll and timesheets. Those in attendance included Martin Joyce,

Landfill Supervisor; Mark Rekow, EMS Director; Chuck Shambaugh, Maintenance Supervisor; Jake Wyant, Weed Department Supervisor; Brad Hawkins-Clark, Development Services Director; Kim Reed, Road Department Supervisor; Rikki Wilson, Extension Director and Anita Taylor, Disaster Services Director. Current inventory lists were provided. Each department head was asked to review the list and provide updated information to the Clerk's office. Timesheets and payroll submitting processes were reviewed.

DISHION ENTERPRISES ADULT PROBATION QUARTERLY REPORT: Wade Dishion met with the Commissioners to review the second quarter adult probation report. Items reviewed included case assignments, case closures, treatment programs, fine payments, SILD, community service, drug testing, probation violation, and absconded cases as they relate to adult probation.

INDIGENT APPLICATIONS: At 11:31 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 Sherrer, aye, Commissioner Pratt, aye, and Commissioner Smith, aye.

08-019	Sign subpoena for an appeal hearing
08-042	Medical Application
08-044	Medical Application
08-045	Sign Notice of Statutory Lien
08-046	Non-medical Application
08-047	Sign Notice of Statutory Lien
08-048	Sign Notice of Statutory Lien

After reconvening in regular session at 11:42 a.m., Commissioner Pratt made a motion for the Chairman to sign the subpoena for 08-019, deny 08-042 because the applicant is not indigent, deny 08-044 because the applicant is not indigent and the county is not the last resource and sign Notice of Statutory Lien for 08-045, 08-047 and 08-048. It was seconded by Commissioner Smith and carried unanimously. The clerk had previously approved the non-medical application for 08-046.

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

Commissioner Smith was absent from the meeting.

CONSENT AGENDA: The Consent Agenda included items A. David Minor Subdivision, B. Whitsell Minor Subdivision Amended Decision & Order, C. Amended Gem County Ordinance 2007-20 Whitsell Rezone. A motion was made by Commissioner Pratt to remove item A. David Minor Subdivision from the agenda for discussion and approve items B. & C. on the consent agenda. It was seconded by Commissioner Sherrer and carried unanimously.

Commissioner Smith rejoined the meeting.

David Minor Subdivision was discussed. Irrigation water delivery clarification was discussed. A correction of the mitigation fee and CIP calculation were also discussed.

A motion was made by Commissioner Smith to approve the David Minor Subdivision 08-004 with the recommendations of the Planning & Zoning Commission with following changes: that item 7 be changed to the language Brad suggested "the applicant shall ensure irrigation water delivery to both lots including installation of necessary irrigation infrastructure", and number 9 be changed that a road mitigation fee of \$5,315 shall be assessed to the subdivision deleting the \$10,630. It was seconded by Commissioner Pratt with discussion. Commissioner Pratt asked staff if changing the Required Findings (Exhibit A) should be included within the motion also. Commissioner Smith amended the motion to include changes (to the Required Findings - Exhibit A) per discussion. It was seconded by Commissioner Pratt and carried unanimously.

APPROVAL OF MINUTES: The minutes of August 18 & 19, 2008 will be reviewed next week.

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

COPIER LEASE DISCUSSION/DECISION: Copier lease proposals from Xerox and Ricoh representatives were presented and discussed. Contracts will be reviewed.

The Board recessed at 5:00 p.m. to 8:00 a.m. on August 26,

2008.

OLA OPEN FORUM: An open forum was held in Ola. Commissioners Sherrer, Smith and Pratt and Clerk Gannon attended. Topics discussed included: spraying weeds beyond the edge of the pavement along the roads, open range issues, agroterrorism home study website, West Nile virus, mosquito abatement, removal of wood from Black Canyon reservoir, removal of animals from the roads, brand inspections, education funding and guardrails along Sweet-Ola Highway. The Commissioners provided an update of the Shadow Butte Industrial Park. A marketing grant has been received to market businesses and the park itself. The Commissioners stated they are looking for a representative from the Ola community to serve on the Planning Commission.

August 26, 2008

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

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

PUBLIC WALK-IN: Emily Lindley 2009 Rodeo Queen and Jillian Butticci 2009 Rodeo Princess met with the Commissioners to thank them for their support. The Commissioners donated the funds used to purchase belt buckles.

Sebastian Ontlenn met with the Commissioners to introduce himself. He will intern in the Commissioner's and Clerk's offices this winter.

Lee Rigdon met with the Commissioners to discuss burn days relating to air quality. She is concerned that Gem County residents are burning when there are burn bans for the Treasure Valley due to air quality and/or high winds. Lee said she calls dispatch to determine when it is ok to burn. The Commissioners stated that advisories issued by the Department of Environmental Quality would be handled at the state level and referred Lee to the Sheriff's Department for enforcement of the issue.

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

At 11:07 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 litigation matters with a roll call vote as follows: Commissioner Sherrer, aye, Commissioner Pratt, aye, and Commissioner Smith, aye.

Regular session reconvened at 11:30 a.m.

A Memorandum of Understanding with the Gem County Recreation District for the Gem Island Sports Complex was discussed. The Commissioners will provide edits to the David Hargraves, Deputy Prosecutor, for review.

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 September 2, 2008.

Approved: _____
Chairman

Attest: _____
Clerk