



November 3 & 4, 2008, Emmett, Idaho

Pursuant to a recess taken on October 28, 2008, the Board of Commissioners of Gem County, Idaho, met in regular session this 3rd day of November, 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:

November 3, 2008

At 8:50 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 potential litigation and (d) review of documents covered under attorney client privilege with a roll call vote as follows: Commissioner Smith, aye, Commissioner Pratt, aye, and Commissioner Sherrer, aye.

Regular session reconvened at 10:03 a.m.

AVIMOR FIRE DISTRICT ANNEXATION DISCUSSION/DECISION: A continuation of public hearing was held to hear a petition from SunCor for annexation of Avimor into the Eagle Fire District.

Concerns regarding the election requirements for the annexation were discussed. Commissioner Smith stated concerns that the required election can not be done at this time as there are no Gem County residents in the development. Commissioner Pratt agreed but feels the petition is valid. Commissioner Sherrer agreed that the petitioner got ahead of the game since there can not be an election at this time. She stated the law is very vague. She feels fire protection could occur through (Gem County) Fire District #1 with the plans they have in that area. Commissioner Smith stated that protection from the Eagle district can not occur until the election is held.

A motion was made by Commissioner Pratt to grant the petition, fix the boundaries of the annexed territory and direct that a map of it be prepared under the direction of the clerk, and certified copies of the order and map shall be transmitted to the clerk of the county commissioners of

the county, which would be Ada County, and that the map showing the boundaries of the district and of the territory proposed to be annexed is on file here. It was seconded by Commissioner Smith and carried unanimously.

REQUEST BY AMERICAN PROPERTY DEVELOPMENT FOR AN EASEMENT AT THE SHADOW BUTTE INDUSTRIAL PARK: Representatives from American Property Development met with the Commissioners to request an easement through the County owned parcel at the Shadow Butte Industrial Park to property that is owned by American Property Development. The Commissioners indicated they would be interested in granting the easement. The proposal will be submitted to Development Services rather than the Commissioners to avoid ex parte' communication on the pending rezone application for the property.

INDIGENT APPLICATIONS: At 11:45 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 Sherrer, aye
Commissioner Pratt, aye, and Commissioner Smith, aye.

09-005 Medical
09-008 Medical

After reconvening in regular session at 12:00 p.m., Commissioner Pratt made a motion to deny 09-005 for untimely filing, incomplete application, and lack of cooperation; and deny 09-008 for other resources available. It was seconded by Commissioner Sherrer 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. Gem County Motor Vehicle Department Credit Card Payment Acceptance Memorandum of Understanding with PayPort, B. View Acres Preliminary Plat Decision and Order for Approval, C. Upper Payette Cooperative Weed Management Area Memorandum of Understanding corrections. A motion was made by Commissioner Pratt to approve items B. and C. on the consent agenda and hold item A for discussion. After discussion, item A was tabled to 11/10 consent agenda. It was seconded by Commissioner Smith and carried unanimously.

APPROVAL OF MINUTES: The minutes of October 20 & 21, 2008 will be approved next week.

ADMINISTRATIVE TIME: The Commissioners worked on administrative matters.

The Board recessed at 5:00 p.m. to 8:00 a.m. on November 4, 2008.

November 4, 2008

ADMINISTRATIVE TIME: The Commissioners worked on administrative matters.

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

EXECUTIVE SESSION: At 1:10 p.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 pending litigation matters with a roll call vote as follows: Commissioner Sherrer, aye
Commissioner Pratt, aye, and Commissioner Smith, aye.

Regular session reconvened at 1:48 p.m.

DEPARTMENT HEAD MEETING: The Commissioners met with the Department Heads to discuss potential budget cuts. Each department was asked to identify areas in their budget that could be cut back.

ADMINISTRATIVE TIME: The Commissioners worked on administrative matters.

The Board recessed at 5:00 p.m. to 8:00 a.m. on November 10, 2008.

Approved: _____
Chairman

Attest: _____
Clerk