



July 13 & 14, 2009, Emmett, Idaho

Pursuant to a recess taken on July 7, 2009, the Board of Commissioners of Gem County, Idaho, met in regular session this 13th day of July, 2009, at 8:00 a.m.

Present:	Lan Smith	Chairman
	Michele Sherrer	Commissioner
	Sharon Pratt	Commissioner
	Shelly Gannon	Clerk

Whereupon the following proceedings were had, to-wit:

July 13, 2009

Commissioner Smith was absent from the meeting due to attendance at a Hospital Quality Improvement Committee meeting.

The Pledge of Allegiance was said.

The Commissioners and Mayor Butticci discussed costs and donations for the city/county picnic and inviting employees only or including volunteers and board members. The Mayor said he would like everyone who participates in the city and county to be included. It was agreed to include Fire and EMS volunteers and volunteer board members.

Commissioner Smith joined the meeting.

ZONING & SUBDIVISION ORDINANCE AMENDMENTS DISCUSSION AND POSSIBLE DECISION: Planning Director Brad Hawkins-Clark met with the Commissioners to discuss the Zoning and Subdivision Ordinance Amendments. Items discussed included the mixed-use area in Sweet, adding concrete plant to the zoning matrix for a special use permit required in the A-1, A-2, and A-3 zones changing the definition of street or road to just road, rather than using both.

The radius for CAFO public hearing comments was discussed. It was decided in accordance with State statute to leave page 76 in draft 2 as it is, which reads that members of the public within a one mile radius of the proposed site to be able to provide comment at the hearing.

Private road discussion included, taking out length requirements and put in that the road must meet the local

fire district jurisdiction requirements. Use the same language on page 58 d. #2 and move it to page #55. The private road definition will be changed to better explain the intent. Sections of the amendments will be presented for approval on next week's agenda. Further discussion on selected portions will be continued to August 10th at 2:00 p.m.

INDIGENT APPLICATIONS: At 11:09 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.

09-060 Medical Application
09-063 Medical Application
09-058 Medical Application - Treatment Plan

After reconvening in regular session at 11:35 a.m., Commissioner Pratt made a motion to deny 09-060 as the applicant is not medically indigent and the county is not the last resource and incomplete application and deny 09-063 as the applicant is not medically indigent and the county is not the last resource and 09-058 approve the treatment plan. It was seconded by Commissioner Sherrer and carried unanimously. A motion was made by Commissioner Sherrer to reconsider previous denial of Saint Al's (Saint Alphonsus Regional Medical Center) appeal on indigent case 09-041 and it be heard in conjunction with the other appellants at the same hearing on August 3rd at 10:00 a.m. It was seconded by Commissioner Pratt and carried unanimously.

The Commissioners discussed indigent reimbursement agreements. Deputy Clerk Diane Wright said that the county can allow a discount of up to 25% without approval from the catastrophic (CAT) board. It was discussed that per statute the CAT board may not regulate discounts; statute leaves it to the county's discretion. Discount percentages and length of repayment time were discussed. Guidelines will be drafted for next week's meeting.

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

BOARD OF EQUALIZATION - BOISE BUILDING SOLUTIONS

MANUFACTURING LLC: An appeal by Boise Building Solutions Manufacturing (Boise), LLC for personal property parcel number PP02137600 continued from July 6th. Information received from the State Tax Commission was added into the record. Commissioner Sherrer said she had spoken with Scott Erwin at the State Tax Commission, after reviewing information from the spreadsheet that Boise had provided to the board during the hearing and the discussion regarding economic obsolescence Scott suggested, given the limited information provided, that the Board (of Equalization) uphold the Assessor's valuation. Should Boise decide to appeal to the Board of Tax Appeals they could provide any additional information at that point. Also, not having audited financial information from Boise made the calculation difficult. A motion was made by Commissioner Sherrer to uphold the Assessor's valuation of \$2,218,226. It was seconded by Commissioner Pratt and carried unanimously.

A motion was made by Commissioner Pratt to recess as a Board of Equalization and reconvene as a Board of County Commissioners. 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 item A. Local Public Agency's Certificate of Completion of Right-of-Way activities for Bishop Road Bridge Farmer's Co-op Canal, B. Permissive License Agreement for Bishop Road Bridge, C. Environmental Review for the Ola Community Center Project, D. Letter of Authorization for Historical Museum to purchase from federal surplus. A motion was made by Commissioner Sherrer to remove items A. and B. and approve items C. and D. It was seconded by Commissioner Pratt and carried unanimously.

Item A. had been signed previously. A motion was made by Commissioner Sherrer to ratify item A. which was signed July 2nd. It was seconded by Commissioner Pratt and carried unanimously.

Item B. was carried over until tomorrow pending legal approval and verification the fee has been paid.

APPROVAL OF MINUTES: The minutes of June 29 & 30, 2009 were reviewed. A motion was made by Commissioner Pratt to approve the minutes of June 29 & 30, 2009 as amended. It was seconded by Commissioner Sherrer and carried unanimously.

APPROVAL OF MINUTES: The minutes of July 6 & 7, 2009 were reviewed. A motion was made by Commissioner Sherrer to approve the minutes of July 6 & 7, 2009 as amended. It was seconded by Commissioner Pratt and carried unanimously.

SQUAW CREEK SOIL CONSERVATION DISTRICT ANNUAL DISCUSSION: Mike Fry and Sheryl Stelling met with the Commissioners to discuss district funding and how the funds are spent. Mike stated the county funding is very important. He said they typically request a 3% increase each year. He said the \$2700 provided by Gem County has stayed the same the last few years, some counties have increased the 3% each year.

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 Sherrer and carried unanimously.

The Board recessed at 5:00 p.m. to 8:00 a.m. on July 14, 2009.

July 14, 2009

ELECTED OFFICIALS: Commissioners Smith, Sherrer and Pratt, Prosecutor Linville, Assessor Himes, Treasurer Goins and Clerk Gannon met. Topics discussed included Fiscal Year 2010 budget, Board of Equalization, appraiser school, updates to the ProVal system, tax deed properties and recreational canal access. The Treasurer's report was reviewed.

PUBLIC WALK-IN: No members of the public met with the Commissioners during public walk-in today.

PROSECUTING ATTORNEY MATTERS: Prosecutor Linville and Deputy Prosecutor McNeese met with the Commissioners to discuss prosecuting attorney matters. The Permissive License Agreement with Farmer's Co-Op Canal Company was reviewed by legal counsel. A motion was made by Commissioner Pratt to approve the Permissive license agreement with Farmer's Co-op Canal Company which was item B. from yesterday's consent agenda. It was seconded by Commissioner Sherrer and carried unanimously. A motion was made by Commissioner Pratt to authorize the chairman to sign the permissive license agreement. It was seconded by Commissioner Sherrer and carried unanimously.

Other topics discussed included: Dewey property (on

Hillview Road) concerns and Prosecutor's Xerox copier contract.

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

DEPARTMENT HEADS: Development Services Director Brad Hawkins-Clark, Maintenance Supervisor Chuck Shambaugh, Landfill Supervisor Martin Joyce, Emergency Services Director Anita Taylor, Ambulance Director Mark Rekow and Extension Director Rikki Wilson met with the Commissioners. Topics discussed included spending of funds budgeted for the current year and fiscal year 2010 budget. Department Heads were asked not to purchase anything they don't need for the remainder of the year. I.O.U.S.A., a movie about the history of debt in the United States, was shown.

Commissioner Smith was absent from the meeting to obtain signatures on the Farmer's Co-op License Agreement for Bishop Road Bridge. He returned during the budget discussion.

BUDGET DISCUSSION: The Commissioners discussed fiscal year 2010 budget reviewing required services.

July 15, 2009

BUDGET DISCUSSION: The Commissioners discussed fiscal year 2010 budget reviewing and adjusting expenses.

Approved: _____
Chairman

Attest: _____
Clerk