



December 01, 2009, Emmett, Idaho

Pursuant to a recess taken on November 24, 2009, the Board of Commissioners of Gem County, Idaho, met in regular session this 1st day of December, 2009, at 8:00 a.m.

Present:	Michele Sherrer	Commissioner
	Sharon Pratt	Commissioner
	Shelly Gannon	Clerk

Whereupon the following proceedings were had, to-wit:

December 1, 2009

The Pledge of Allegiance was said.

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

2011 LOCAL RURAL HIGHWAY INVESTMENT PROGRAM (LRHIP) APPLICATION FOR OLA HIGHWAY REHABILITATION: The application and Gem County Resolution 2010-02 were reviewed. A motion was made by Commissioner Pratt to approve the LRHIP application for the Ola Highway rehabilitation and approve resolution 2010-02 which supports such application. It was seconded by Commissioner Sherrer. Commissioner Pratt added to the motion authorization for Commissioner Sherrer to sign in place of the Chairman who is out of town. The addition was 2nd by Commissioner Pratt and the motion carried unanimously.

DEVELOPMENT SERVICES UPDATE: Development Services Director Brad Hawkins-Clark met with the Commissioners to discuss Planning & Zoning issues. Topics discussed included the Confined Animal Feeding Operation ordinance and public hearing and fee schedule.

PUBLIC WALK-IN: Larry Goodsell met with the Commissioners to discuss confined animal feeding operation (CAFO) issues. He said he has concerns about proposed changes to the ordinance that were discussed during a recent Zoning Commission meeting. The Commissioners told Larry they will hold a public hearing regarding the CAFO ordinance on January 14, 2010 at 6:30 in the evening.

Dian Savage met with the Commissioners to discuss the assessed value of her property. The home she purchased in

August 2009 has outbuildings assessed that no longer exist. She has been told by her realtor and her neighbors that the buildings had been removed prior to January 1, 2009. She would like to request the amount of her taxes be cancelled relative to the value assessed for the buildings that were removed. Assessor Himes joined the meeting and discussed purchase price and assessment of the home. He stated the assessment does currently include the buildings that no longer exist because the buildings have been removed since the last physical assessment and the Assessor's office hadn't been informed of the change until recently. The application was scheduled on the agenda for the next meeting.

FIRE DISTRICT #2 ROAD DEDICATION TO GEM COUNTY: Bob and Dottie Hartgrove donated land to Fire District #2. Fire district #2 has deeded a portion of the land as right-of-way to the county. The process was misunderstood and the deed was recorded (Instrument #274899) prior to being accepted by the county. A motion was made by Commissioner Pratt to accept the dedication of the property on Sweet Ola Highway from Fire District #2. The motion was seconded by Commissioner Sherrer and carried unanimously.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecutor Tim McNeese met with the Commissioners to discuss legal issues. The confined animal feeding operation (CAFO) ordinance was discussed, including how to obtain support for the CAFO ordinance from the Farm Bureau.

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. Special Use Permit for an extraction business by Jay Ferguson Road Mitigation Agreement, B. Final Performance Activity Report for grant received for the Community Economic Profile - Gem County and City of Emmett, C. Idaho Community Block Grant Program Ola Community Center Request for Funds #8, D. County Vessel Fund Reporting & Remittance Form for Fiscal Year 2009.

A motion was made by Commissioner Pratt to approve items A. - D. on the consent agenda and authorize Commissioner Sherrer to sign for the Chairman in his absence. It was seconded by Commissioner Sherrer and carried unanimously.

APPLICATION FOR LIQUOR CATERING PERMIT FOR GEM LOUNGE: The

application was reviewed. A motion was made by Commissioner Pratt to approve the alcohol catering permit for December 5th for the Gem Lounge. It was seconded by Commissioner Sherrer and carried unanimously.

APPROVAL OF MINUTES: The minutes of November 23 & 24, 2009 were reviewed. A motion was made by Commissioner Sherrer to approve the minutes of November 23 & 24, 2009 as amended. It was seconded by Commissioner Pratt and carried unanimously.

INDIGENT APPLICATIONS: At 2:02 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)(d) for indigent matters with a roll call vote as follows: Commissioner Sherrer, aye, and Commissioner Pratt, aye.

09-068	Medical Additional Services
10-011	Notice of Statutory Lien
CVHO0916238	Involuntary Mental Hold
03-074	Discussion of accepting title of personal property as partial payment

After reconvening in regular session at 2:31 p.m. a motion was made by Commissioner Pratt to approve additional services on 09-068, sign Notice of Statutory and N1 Liens on 10-011 and concur with the motion for release of judgement on Ada County Court case CVHO0916238 to fix responsibility of costs on Gem County. It was seconded by Commissioner Sherrer and carried unanimously.

It was decided to change the date of the county Christmas party from Saturday December 12th to December 24th at noon. County offices will close at noon on December 24th. Full time employees will receive 4 hours of holiday pay for the afternoon closure. Part-time employees will receive pro-rated holiday pay according to the hours they regularly work in accordance with the personnel policy.

INDIGENT HEARING 09-066: At 3:00 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, and Commissioner Pratt, aye.

Neither the applicant nor a representative from the hospital was present. Deputy Clerk Diane Wright was sworn

in. A request to continue the hearing was received from the hospital.

A motion was made by Commissioner Pratt to continue the hearing to January 11th at 10:00 a.m. per recommendation by Deputy Clerk Diane Wright. It was seconded by Commissioner Sherrer and carried unanimously.

The Board recessed at 5:00 p.m. to 8:00 a.m. on December 7, 2009.

Approved: _____
Chairman

Attest: _____
Clerk