



July 19 & 20, 2010, Emmett, Idaho

Pursuant to a recess taken on July 9, 2010, the Board of Commissioners of Gem County, Idaho, met in regular session this 19th day of July, 2010, at 8:00 a.m.

Present:	Lan Smith	Chairman
	Michele Sherrer	Commissioner
	Sharon Pratt	Commissioner
	Leandra Rountree	Deputy Clerk

Whereupon the following proceedings were had, to-wit:

July 19, 2010

The Pledge of Allegiance was said.

INDIGENT HEARING 10-033: At 9:02 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)(d) for indigent matters with a roll call vote as follows: Commissioner Sherrer, aye, Commissioner Pratt, aye, and Commissioner Smith, aye.

Neither the applicant nor representatives from the hospital were in attendance. Deputy Clerk Diane Wright was sworn in. No new information was entered into the record.

Regular session reconvened at 9:11 a.m.

A motion was made by Commissioner Pratt to reverse the previous denial and approve case 10-033. It was seconded by Commissioner Sherrer and carried unanimously.

INDIGENT HEARING 10-034: At 9:34 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)(d) for indigent matters with a roll call vote as follows: Commissioner Sherrer, aye, Commissioner Pratt, aye, and Commissioner Smith, aye.

Neither the applicant nor representatives from the hospital were in attendance. Deputy Clerk Diane Wright was sworn in. There was a request from the hospital to continue the hearing.

Regular session reconvened at 9:43 a.m.

A motion was made by Commissioner Pratt to continue the hearing to August 23, 2010 at 9:00 a.m. It was seconded

by Commissioner Sherrer and carried unanimously.

DEPARTEMENT OF JUVENILE CORRECTIONS YEARLY UPDATE:

Juvenile Corrections Director, Sharon Harrigfeld, Juvenile Corrections District Three Liaison Joe Langan, and Juvenile Probation Officer, Janelle Schneider met with the Commissioners for a yearly update. Topics discussed included case loads, budget issues, and cigarette and tobacco tax decreases.

INDIGENT APPLICATIONS: At 11:01 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)(d) for indigent matters with a roll call vote as follows: Commissioner Sherrer, aye, Commissioner Pratt, aye, and Commissioner Smith, aye.

98-002	Release of Lien
09-066	Release of Lien
10-024	Release of Lien
10-029	Release of Lien
10-030	Release of Lien
10-032	Release of Lien
10-035	Release of Lien
10-039	Release of Lien
10-040	Release of Lien
10-043	Release of Lien
10-048	Release of Lien
10-049	Release of Lien
10-050	Release of Lien
10-051	Release of Lien
10-053	Release of Lien
10-052	Notice of Hearing
10-068	Notice of Hearing
10-074	Notice of Lien
10-067	Medical Application Discussion

After reconvening in regular session at 11:07 a.m. a motion was made by Commissioner Pratt to sign Release of Lien on 98-002, 09-066, 10-024, 10-029, 10-030, 10-032, 10-035, 10-039, 10-040, 10-043, 10-048, 10-049, 10-050, 10-051, and 10-053, sign notices of hearing on 10-052 and 10-068, sign Notice of Statutory Lien and N1 Lien as applicable for 10-074, and approve additional medical procedure for 10-067. 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.

Commissioner Pratt was absent due to attendance at a Western Idaho Community Action Partnership advisory board meeting.

CONSENT AGENDA: Items on the consent agenda included A. Fire District #1 Order for Annexation, B. Gem County Sports Complex Agreement with Gem County Recreation District, C. Walter Knox Memorial Hospital surplus equipment, D. Catering permit for Cherries for August 4, 2010, E. Catering permit for Cherries for August 5-7, 2010, F. Legal representation of Indigents contract with Mimura Law Offices, G. Certificate of residency for Tamara Dillard, and H. Gem County Fire District #1 - fee waiver request.

A motion was made by Commissioner Sherrer to approve items A., B., C., D., E., F., and G. on the consent agenda and pull item H. for discussion. It was seconded by Commissioner Smith and carried unanimously. A motion was made by Commissioner Sherrer to waive all fees except the plan review fee of \$502.48 for item H. It was seconded by Commissioner Smith and carried unanimously.

Commissioner Pratt returned to the meeting.

APPROVAL OF MINUTES: The minutes of June 28 & 29, 2010 were reviewed. A motion was made by Commissioner Sherrer to approve the minutes of June 28 & 29, 2010 as amended. It was seconded by Commissioner Pratt and carried unanimously.

INDIGENT HEARING 10-046: At 2:00 p.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.

Neither the applicant nor representatives from the hospital were in attendance. Deputy Clerk Diane Wright was sworn in.

Regular session reconvened at 2:12 P.m.

A motion was made by Commissioner Sherrer to continue

case 10-046 to September 7th at 10:00 a.m. It was seconded by Commissioner Pratt and carried unanimously.

BUDGET DISCUSSION: The Commissioners discussed issues relating to the fiscal year 2011 budget.

The Board recessed at 5:00 p.m. to 8:00 a.m. on July 20, 2010.

July 20, 2010

The Commissioners attended the Local Emergency Planning Committee Meeting.

Commissioner Smith was absent from the meeting due to attendance at a meeting for hospital conversion.

PUBLIC WALK-IN: Morris Huffman and Martin Joyce met with the Commissioners to discuss the biomass that the Landfill is currently accepting. Nothing would change for 16 months, but after that Yellowstone Power would like the Landfill to quit accepting any biomass materials and have it taken directly to Yellowstone Power's facility. One option that was discussed was to have any brush taken directly to Yellowstone Power rather than the landfill & still accept construction waste at the landfill. Yellowstone Power would ask for a letter from the Commissioner's stating that they are willing to change the current process. Commissioner Pratt stated there are logistics that need to be worked out, but she feels it can be considered.

At 10:30 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)(b) for personnel matters with a roll call vote as follows: Commissioner Sherrer, aye, and Commissioner Pratt, aye.

Regular session reconvened at 10:36 a.m.

LARRY GOLDIE PROPERTY DISCUSSION (2153 U.A. AVENUE): Larry Goldie met with the Commissioners to discuss his property located at 2153 U.A. Avenue and 2155 U.A. Avenue. He is requesting a credit of \$5,866 on his taxes due to the fact that his agriculture exemption was changed without his

knowledge. He explained that when he started a tree farm in 2001 he applied for an agriculture exemption and it was granted. In 2004 the Assessor's office changed the exemption on his property from agriculture back to residential and he was not notified. He stated that his wife was under the assumption that the taxes were increasing due to the fact that property values were increasing. When he called the Assessor's office he was told that the exemption was changed back to residential and that he would have been notified of the change with a letter and a sticker. Mr. Goldie stated that he did not receive this letter or sticker and when he requested a copy of it from the Assessor's office they were unable to provide a copy of it. Assessor Himes informed him that his assessment notices would have also showed the change.

After speaking with the Assessor's office and having another Assessor inspect the property, his agriculture exemption was reinstated but he feels that he should receive a credit for the period of time which he lost the exemption.

Commissioner Pratt verified that the property was not leased and that he had in fact sold trees. Commissioner Pratt stated that she has questions for Greg. Commissioner Sherrer stated that they would not be able to give an answer today and requested a contact number to reply to him after getting additional information.

Commissioner Smith returned to the meeting.

BUDGET DISCUSSION: The Commissioners discussed issues relating to the fiscal year 2011 budget.

DESIGN REVIEW PUBLIC HEARING: A joint public hearing with Gem County and the City of Emmett was held regarding the adoption of new design standards in the Zoning Ordinance for commercial and public buildings in the Area of City Impact and establishment, membership and duties of the Gem Community Design Review Board. County officials present included Commissioners Smith, Sherrer and Pratt, Clerk Gannon and Deputy Prosecutor Tim McNeese. City officials present included Councilmen Henderson, Agenbroad, Rogers and Welch, Clerk Alsup and Attorney Ron Bjorkman. Development Services Director Brad Hawkins-Clark, representing both the county and the city reviewed a photo presentation of survey results regarding acceptable versus undesirable design of various building types and locations.

Brad stated the design standards would be a reference which would include suggestions as well as requirements. Parking location distribution requirements, amenity requirements for buildings 24,000 square feet or larger, signage, screening, windows, and vehicle access were discussed. Locations within the Area of Impact that would be subject to design review, acceptable fonts for signs and colors for buildings and methods of public notification were also discussed.

Meg Davis representing the Historical Society stated the intent of the committee was for South Washington to retain a 1950's look discouraging bright colors and metal roofs. She said she didn't see that in the ordinance.

Bill Slabaugh, a licensed architect, said he believes the design review standards will help keep Gem County a special place helping with economic development. He encourages support of the ordinance.

The public hearing was closed.

Murals were discussed. It was stated that there wasn't anything in the standards that provide for murals.

How the family of acceptable colors would be handled and decided upon was discussed as well as acceptable fonts for signs.

It was suggested that actual text be reviewed at the regular City/County meeting on August 9th.

The public hearing was re-opened. Cheryl Conrad suggested designating the Arts Commission to prepare wording regarding murals.

A motion was made by Commissioner Sherrer to adjourn. The meeting adjourned.

The Board recessed at 7:30 p.m. to 8:00 a.m. on July 26, 2010.

Approved: _____
Chairman

Attest: _____
Clerk