



October 11, 2011, Emmett, Idaho

Pursuant to a recess taken on October 4, 2011, the Board of Commissioners of Gem County, Idaho, met in regular session this 11th day of October, 2011, at 8:00 a.m.

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

Whereupon the following proceedings were had, to-wit:

October 12, 2011

The Pledge of Allegiance was said.

Commissioner Pratt was absent from the meeting.

DEPARTMENT HEADS: Neal Capps, Martin Joyce, Anita Taylor, and Janelle Schneider met with the Commissioners. Topics discussed included the All Hazard Mitigation Plan, Earthquake Preparedness Day, the Christmas Potluck, and the State of the County which is tentatively set for December 2nd. Each Department Head provided an update for their department.

FUEL BID OPENING: The one fuel bid received was opened. The bid was received from B & W Fuels providing a total bid of .069 bidder's margin over daily rack price, plus tax, freight and additional fee for off-site delivery. Commissioner Smith read the details of the bid.

A motion was made by Commissioner Sherrer to accept the bid as presented. It was seconded by Commissioner Smith and carried unanimously

ELECTED OFFICIALS: Elected Officials met. Those in attendance included Commissioners Smith and Sherrer, Clerk Gannon, Assessor Reynolds and Sheriff Rolland. Topics discussed included the county Christmas party, State of the County address, Renaissance Fair, All Hazard Mitigation Plan public hearing, upcoming Earthquake Drill, November Election and a barking dog ordinance.

PUBLIC WALK-IN: The owner of the Triangle Restaurant, Aaron Lowe met with the Commissioners to let them know of the new ownership since March.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecutor Tim McNeese met with the Commissioners to discuss Prosecuting Attorney matters. A barking dog ordinance including consequences for violation of the ordinance was discussed.

INDIGENT APPLICATIONS: There were no indigent applications.

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

CONSENT AGENDA: Items on the consent agenda included A. Amended 2011 Gem County L1, B. University of Idaho College of Agricultural & Life Sciences 2012 Budget, C. City of Emmett Road Memorandum of Understanding, D. Certificate of Residency for Mary Zimmerman, Sacheen Wright, Amber Woolston, Melani Stewart, Brian Long, Kathy Kalac, Candi Heavrin, Tamara Dillard, Francine Dillard, Jennifer Adams-Oleson, Frances Yett, Leah Ward, Ivette Ramirez, Matthew Evans, Jessican Bain, Patricia Beyer, Donald Campfield, Mayra Diaz, Debra Foruria, Jordan Gibson, Cassandra Henderson, Havalah Ireland, Jennifer Jewell, Mallori Lamoure, Dick Limbaugh, Brandi Molyneux, Holly Moss, Janice Olsen, Jerry Southard, and Cody White for Junior College Tuition.

A motion was made by Commissioner Sherrer to approve items on the consent agenda items A. - D. It was seconded by Commissioner Smith and carried unanimously.

MINUTES: No minutes were reviewed.

At 1:31 p.m. a motion was made by Commissioner Smith, seconded by Commissioner Sherrer and carried unanimously to go into executive session under Idaho Code 67-2345(1)(b) for personnel with a roll call vote as follows:
Commissioner Smith, aye, and Commissioner Sherrer, aye.

Regular Session reconvened at 1:44 p.m.

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

At 2:18 p.m. a motion was made by Commissioner Smith,

seconded by Commissioner Sherrer and carried unanimously to go into executive session under Idaho Code 67-2345(1)(b) for personnel with a roll call vote as follows: Commissioner Smith, aye, Commissioner Sherrer, aye, and Commissioner Pratt.

Regular Session reconvened at 2:33 p.m.

At 2:46 p.m. a motion was made by Commissioner Smith, seconded by Commissioner Sherrer and carried unanimously to go into executive session under Idaho Code 67-2345(1)(b) for personnel with a roll call vote as follows: Commissioner Smith, aye, Commissioner Sherrer, aye and Commissioner Pratt, aye.

Regular Session reconvened at 3:00 p.m.

RIM FIRE RANCH CONFINED ANIMAL FEEDING OPERATION HEARING: A public hearing for Rim Fire Ranch Confined Animal Feeding Operation (CAFO) permit application was held. Commissioner Pratt read the public hearing notice.

Terry Jones explained that he is requesting a permit for a CAFO with 4000 head of cattle. Curtis Yett will lease the acreage to run the CAFO and dairy operation. He said the Nutrient Management Plan is what he adheres by. Terry presented his CAFO plan including plans for water management. He discussed his current CAFO facility as well as fly control and dead animal removal. He also said the CAFO provides a market for agricultural products grown and used in Gem County. He discussed the payroll the CAFO will create as well as added purchases to local merchants.

Commissioner Pratt entered exhibits into the record. Those exhibits included items A-K in the Zoning Commission Recommendation packet, minutes of the September 8th meeting as Exhibit L, and three new documents that the Zoning Commission didn't hear.

Brad Clark reviewed the application including an aerial photo of the site and neighboring properties and property owners. He said the gravel road meets standards as confirmed by Road Supervisor Neal Capps. Brad discussed the zoning commission recommendation.

Potential county responsibilities and oversight was discussed. Construction of a suitable road was discussed.

John Bilderback with the Idaho State Department of Agriculture discussed water mitigation. He said an ammonia permit will be needed through the ISDA when the CAFO has approximately 2700 animals.

Gregory Kambisch spoke about the application. He said

waste water from upstream goes through his place annually in the spring. As a result for a few days to a week he has sludge containing manure on his property. After reading the requirements, he feels the lagoon area should be increased.

Tom John spoke in favor of the application. He said he wants to do all that can be done to bring new business into the community. He discussed economic benefits of the CAFO to the community. He said the current road meets requirements of a county road and there is plenty of room on the current road if people drive the speed limit. Tom said everyone gets overflow runoff in the spring.

Roberta Ushman asked the Commissioners to vote positive on the application.

Dan Yett spoke in support of the application because it brings jobs and income into the county.

James Jones supports the application. He said the community needs the CAFO. He said the more trucks that stay in the valley the less wear and tear on the roads leaving the valley.

Curtis Yett spoke in support of the application. He said they want to make sure the water isn't contaminated. He said Terry does a great job with his current CAFO. He said the current road is sufficient if people go the speed limit.

Brad Brudevold discussed an accident that happened on the road.

Tom John discussed his personal experience driving the road.

Neal Capps stated that Keller & Associates told him an 8 axle milk truck used the entire road on the curve, outbound traffic would have to stop. He said adding signs could be adequate.

No members of the public spoke in opposition of the application.

Terry Jones discussed the Nutrient Management Plan and soil type. He discussed water containment on his facility, stating he has it set up so that water doesn't leave his property unless he wants it to. He said he has not had any major incidents on his facility. His vendors require quality controls on his milk that has to be verified through a third party. He said he will donate the material from a pond he is digging toward road maintenance if the county wants it. He discussed water runoff, dust and stockpiling of manure. He said he is isolated with only 2 close neighbors and the smell doesn't go over the hill. He

said he doesn't spray because he keeps his manure clean. He stated he has the necessary water rights permits.

A motion was made by Commissioner Smith to continue the decision to October 17th at 9:00 a.m. It was seconded by Commissioner Sherrer. Commissioner Pratt said that the transferability of the permit would need to be discussed.

The Board recessed at 5:00 p.m. to 8:00 a.m. on October 17, 2011.

Approved: _____
Chairman

Attest: _____
Clerk