

RESOLUTION NO. 94-6

WHEREAS, Boise county employs personnel to perform law enforcement duties as described in Section 207 (k) of the Federal Fair Labor Standards Act, and

WHEREAS, the management of such services requires flexibility to provide needed staffing coverage in a manner consistent with the budgetary limitations of Idaho law and the adopted Boise County budget, and

WHEREAS, the Boise County Board of Commissioners has determined that the interest of Boise County would be better served by employing the flexibility of scheduling authorized by the Fair Labor Standards Act,

NOW THEREFORE BE IT RESOLVED, that Boise County hereby adopts the FLSA Section 207(k) exemption with respect to qualifying law enforcement personnel in its employ. The work period for such employees shall be twenty-eight (28) days in length. For purposes of compliance with said Act, and to establish a uniform basis to account for compensable hours, the initial work period to which this Resolution shall be applicable shall commence on Saturday at 12:00 midnight and continue for 28 days thereafter.

The succeeding work periods shall be of like timing and duration. This Resolution shall not repeal any prior action by the Boise County Board of Commissioners except to the extent that such action is inconsistent with the terms of this Resolution.

PASSED AND ADOPTED this 9th day of May, 1994.

BOISE COUNTY BOARD OF COMMISSIONERS

Margaret L. Drake
Margaret L. Drake, Chairman

Janice M. Donley
Janice M. Donley, Commissioner

John M. Dyer
John M. Dyer, Commissioner

ATTEST:

Dale Yankee Deputy
Arlene C. Kolar
Boise County Clerk

BOISE COUNTY, IDAHO

MORATORIUM 94-1

IMPOSING A 120 DAY MORATORIUM ON THE PROCESSING OF PROPOSALS AND ISSUANCE OF PERMITS FOR ALL NEW FULL SUBDIVISIONS AND ADDITIONS TO EXISTING FULL SUBDIVISIONS IN BOISE COUNTY, IDAHO.

WHEREAS, Chapter 65, Title 67, Idaho Code (Local Planning Act of 1975) requires that Boise County develop and adopt a Comprehensive Plan, a Zoning Ordinance and a Subdivision Ordinance, and

WHEREAS, Section 67-6502, Idaho Code specifies that the purpose of the Idaho "Local Planning Act of 1975" is to protect property rights, avoid undue concentrations of population, to ensure that the development on land is commensurate with the physical characteristics of the land and to protect fish, wildlife and recreation resources among other purposes, and

WHEREAS, while Boise County is proceeding with the development and adoption of a Comprehensive Plan under 4th Judicial Court Order of 6 March 1992 the public in-pur process preceding official adoption of the Plan has not yet been completed, and

WHEREAS, the County Zoning Ordinance must be based on the adopted Comprehensive Plan and is not yet in place, and

WHEREAS, Section 67-6513, Idaho Code requires the Board of County Commissioners to set standards for subdivision permits, and

WHEREAS, the further essential up-dating of the Boise County Subdivision Ordinance to establish standards for roads, drainage systems, set-backs and other public and private standards enumerated in Section 67-6518, Idaho Code has not been completed, and

WHEREAS, continued full subdivision development prior to the enactment of a county Comprehensive Plan and Zoning Ordinance will adversely affect the ability of the county and others to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accomodate the proposed subdivision, and

WHEREAS, significant development proposals have been submitted to Boise County and others are known to be under consideration, all of which have potential effects on the environment, health, property values and general welfare of the citizens and property owners of Boise County, and

WHEREAS, the Boise County Commission has not yet appointed a Planning and Zoning Commission nor employed staff to adequately evaluate full subdivision proposals to avoid imminent peril to the public health, safety and general welfare, and

WHEREAS, Boise County must pay a large portion of the cost of processing development proposals until such time as an up-dated fee schedule, not currently in place, is adopted that requires developers to pay such costs, and

WHEREAS, full subdivision development affects and may overwhelm the capacity of public services and facilities for solid waste disposal, law enforcement, emergency medical service, roads, fire protection and schools causing imminent peril to the public health, safety and general welfare of the citizens, and

WHEREAS, the Boise County Commission has determined that an emergency exists in that it cannot comply with the purposes of the Local Planning Act of 1975; that it cannot properly evaluate full subdivision proposals thereby avoiding peril to the public health, safety and general welfare of the citizens until such time as the Comprehensive Plan and a Zoning Ordinance have been adopted; the Subdivision Ordinance is up-dated to establish required standards and an adequate development management system, properly staffed and funded, are in place, and

WHEREAS, Section 67-2523, Idaho Code provides for the County Commissioners to adopt a moratorium on the issuance of selected classes of permits which includes full subdivision permits, now

THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF BOISE COUNTY, IDAHO DO HEREBY IMPOSE A MORATORIUM FOR A PERIOD OF ONE HUNDRED AND TWENTY (120) DAYS ON THE PROCESSING OF PROPOSALS AND ISSUANCE OF PERMITS BY BOISE COUNTY FOR ALL NEW FULL SUBDIVISIONS AND PROPOSALS AND PERMITS FOR ADDITIONS TO EXISTING FULL SUBDIVISIONS AS DEFINED IN THE BOISE COUNTY SUBDIVISION ORDINANCE NUMBER 93-1 (Amended September 20, 1993), and