



October 2 & 3, 2000, Emmett, Idaho

Pursuant to a recess taken on September 25, 2000, the Board of Commissioners of Gem County, Idaho, met in regular session this 2nd day of October, 2000, at 8:00 a.m.

Present:	Norvil R. Elliott	Chairman
	Ed Mansfield	Commissioner
	Kathy Skippen	Commissioner
	Susan K. Howard	Clerk

Whereupon the following proceedings were had, to-wit:

October 2, 2000

Commissioner Skippen left the meeting at 9:00am and came back at 4:00pm. Chairman Elliott came into the meeting at 9:30am.

PLEDGE OF ALLEGIANCE WAS SAID.

MINUTES READ AND APPROVED: The minutes of September 25, 2000, were reviewed. A motion was made to approve the minutes of September 25, 2000, as read and corrected. It was seconded and carried.

DEPARTMENT REPORTS: Dennis Pulley, Road & Bridge Supervisor, reported that in Haw Creek there is a fence encroachment. The owners will be in to discuss it with the Commissioners tomorrow. He doesn't feel that they should have the right to put a fence in the County right-of-way, even though there are others in the same area with fences and borders in the right-of-way. He feels there could be a liability issue if there was an accident and someone runs into the fence.

Quinn Nuffer, Noxious Weed Supervisor, reported that he will be hiring a new secretary this week. There is a fire hazard on Tyler Lane that was quitclaimed and so the process has to be started over. They are treating puncture vine throughout the valley. There is a Lower Payette Cooperative weed meeting on October 18, 2000. They will keep up with the weeds on the Island throughout the fall, especially on the part that has no grass yet.

Martin Joyce, Landfill Supervisor, reported lots of green waste coming in. The new truck is in and it will be taken to get the roll-off system put on. The Landfill is down a little on regular waste.

Mike Williams, Planning & Zoning Administrator, reported that 29 building permits were issued, with a valuation of \$943,633 and total fees collected were \$11,893. He issued 5 zoning permits for manufactured homes and there were 6 applications for special use, variances, administrative splits, and subdivision preliminary plats. He is working on redoing the County sign ordinance and they are handling the driveway permits out of the P & Z office. He is headed to Coeur d'Alene for meetings this week.

Newton Hawley, Building Official, reported that there was a floor joist that failed in the P & Z building.

Janelle Schnieder, Juvenile Probation Officer, reported 62 juveniles on the caseload with 11 committed. There were 5 new juvenile petitions for the month. She has gone to training meetings in the last two weeks.

Mark Rekow, Ambulance Director, reported there were \$5,563.99 collections, which are down. There were 53 transports with 23 more calls they were dispatched to, but did not transport. There were 482 calls last year at this time, compared to 491 this year.

Bruce Reuck, Maintenance Supervisor, reported that an energy workshop with Re-build Idaho is being held in Sun Valley and he would like to attend. The Commissioners feel this would be a good idea. Enhanced 911 system contractors met with the engineers and the decided that the SILD office will probably be used for the equipment room. That will happen in December or January. The Assessor's office will be starting their remodel within the next month. Bruce is looking into some alternatives to carpet for the foyers and stairways. An irrigation pipe has been crushed behind the Courthouse. It will be repaired after the irrigation water is turned off later this month. The clock in front of the Courthouse is going again.

Will Cook, County Extension Agent, didn't have anything to report.

ELECTED OFFICIAL REPORTS: Greg Himes, Assessor, reported that there will be two tax appeals heard on November 15. His remodel in the Assessor's office will have moveable desk units in case they need to be moved.

Marilyn Frasier, Treasurer, reported tax collections were \$26,000 for the month. There are two outstanding warrants of distraint and one bankruptcy. Marilyn explained the NSF check procedure. She sends out a letter giving the person a week to pay the check. A copy of the letter is sent to the department that received the check. There has been \$590 collected in \$10 NSF charges in the past year. On October 13 there is a District III meeting in Emmett. Taxes will go out the end of October. There are two public administrator cases on the books, but she should end up not having to administrate them.

Clint Short, Sheriff, reported \$17,710 in out-of-county inmate costs for the month. There are 12 out right now and 11 in custody in Gem County. They are working on the program to get the paperwork sooner when the prisoner is sent to the State penitentiary. There were 69 bookings for the month and prisoner days are up.

Susan Howard, Clerk, gave each Department Head and Elected Official a memo with an accrual sheet for their department. The memo reminded them that comp time cannot be held over after the fiscal year and vacation time cannot be held over after their anniversary year unless there is permission from the department head and the Commissioners. It also stated that all salary changes need to be to the Clerk's office by October 13 and all bills turned in by October 31.

INDIGENT APPLICATIONS: Deputy Clerk Sue Spencer presented the following indigent applications:

99-029 A motion was made, seconded, and carried to forgive the debt of \$2,237.47 because of the applicant moving out of the United States.

00-065 St. Alphonsus Medical Center requested a hearing on the denied application. It will be set up in December.

00-071 Application was denied through motion because of an incomplete application and lack of cooperation.

00-076 Application for payment of a phone bill was denied through motion because of emergency.

BRAD LITTLE - ACCESS TO RADIO TOWER: Brad Little met concerning maintaining the access road to the radio tower above Freezeout Hill. It was determined that the County only uses that tower if there is a problem with the County tower. Brad wonders if there should be a gate put on the road to keep the public out. He will plan on doing that and have a "no trespassing" sign put on his private land. He will have someone work on the road and then send a contract for the cost to all those involved in the tower.

THE BOARD RECESSED FOR LUNCH AT 12:00 P.M. AND RECONVENED AT 1:00 P.M.

ALCOHOLIC BEVERAGE LICENSE AND CATERING LICENSE: A motion was made, seconded, and carried to approve an alcoholic beverage license for Charlie & Deana Newell dba Triangle T Ranch/Cook House to sell bottled or canned beer to be consumed on premises and bottled or canned beer not to be consumed on premises.

A motion was made, seconded, and carried to approve an alcohol catering permit for Ruthi L. & Bruce L. Caba dba Caba's Marsing Lounge catering for Emmett Valley Livestock on October 3,

2000.

SONITROL PACIFIC - COURTHOUSE SECURITY: Wayne Ohlemeier met to address some possible security programs for the Courthouse. There could be some video cameras (4) and a recording VCR unit with a cost of approximately \$2000, installed. He will send a proposal to the Board.

DICK LINVILLE, LOU GORONO - ZAMZOW EASEMENT: Rick Zamzow met with the Commissioners, Attorney Louie Gorono, and Deputy Prosecutor Dick Linville concerning the easement across Zamzow's property. Zamzows want to establish the property as wetlands with a contract with USDA, who requires the release of the easement. The easement is for flood control along the river, where the property is situated. Dick Linville is concerned about giving that up. Another concern is that easement is in the middle of a system of easements that could possibly be used for a recreational purpose, such as a greenbelt. This possibility could work hand-in-hand with the wetlands project. This easement may also be of value, and statutorily, there are steps to go through in order to release the easement.

Louie Gorono stated that there has been a precedent set by releasing neighboring property of their same kind of easement. Also, he stated, the original easement was given strictly for flood control and cannot be used for any other reason.

DAVE BEBERNISS - SALE OF ALCOHOL ON SUNDAYS: Dave Beberniss met with the Commissioners asking for a permit to sell liquor on Sundays. He owns the Round-up Bar on Main Street. The Commissioners will visit with the Sheriff and City Chief of Police and Commissioner Skippen, and a decision will be sent to Mr. Beberniss.

PROSECUTING ATTORNEY MATTERS: PA Doug Varie said he will have the notice for the newspaper publishing the public hearing for the Sweet road/alley openings/closings ready to be published in next week's Messenger Index.

Where the Gem Cycle Park is on both sides of a County Road, the County shouldn't be more liable as long as the traffic laws are being enforced on the road.

MINI-CASSIA INMATE HOUSING AGREEMENT: A motion was made to sign the inmate housing agreement for 2000-2001 budget year between Mini-Cassia Criminal Justice Center and Gem County. It was seconded and carried.

THE SALE OF LIQUOR ON SUNDAY: A motion was made to deny the request that liquor be sold on Sunday in Gem County. It was seconded and carried with ayes from Chairman Elliott and Commissioner Mansfield and a nay from Commissioner Skippen. Chairman Elliott and Commissioner Mansfield felt it would not be in the best interest of the community to sell liquor on Sunday. Commissioner Skippen felt there is no difference in selling hard liquor than there is selling beer and wine..

EXECUTIVE SESSION: A motion was made, seconded, and carried to go into executive session under Idaho Code 67-2345(f) concerning pending litigation. Those present in the meeting were Commissioners Elliott, Mansfield, and Skippen, and Clerk Howard. The topic discussed was the proposed Applewood Subdivision. No decisions were made. A motion was made, seconded, and carried to come out of executive session.

On motion the Board recessed to October 3, 2000, at 8:00am.

October 3, 2000

Commissioner Elliott left the meeting at 12:00 noon.

PLEDGE OF ALLEGIANCE WAS SAID.

BARBARA WEISSENBUHLER - FENCE EASEMENT: Barbara Weissenbuehler met to discuss a fence they are putting up in their yard on their property in Haw Creek Subdivision. Dennis Pulley, Road & Bridge Supervisor, let them know that the fence will be in the County road right-of-way. She says that many of the neighbors have encroached with fences, lawn, sprinkler systems, etc., and wonders why they are being singled out. The decision was tabled for further discussion.

RESOLUTION 2000-13: A motion was made to approve Resolution 2000-13 to move the \$3,000 from the School District - Building Permits, Fund 9123, into 01-0018 General Fund. It was seconded and carried.

FLORENCE ROAD TO BE BROUGHT UP TO COUNTY STANDARDS: A motion was made to bring up to County standard the east end of Florence Road in Letha from Lot 7, Block 22 to the east edge of Lot 12, Block 22. It was seconded and carried with aye votes from Commissioners Skippen and Elliott and a nay vote from Commissioner Mansfield.

THE BOARD RECESSED FOR LUNCH AT 12:00PM AND RECONVENED AT 1:00PM.

ROAD TOUR: Commissioners Mansfield and Skippen went on a road tour of the County and returned to the office at 3:30pm, at which time they did miscellaneous office work, with no public agenda set.

ON MOTION, THE BOARD RECESSED TO OCTOBER 10, 2000, AT 8:00AM.

CLAIMS FOR THE FOLLOWING FUNDS WITH WARRANTS WRITTEN SEPTEMBER

1 – SEPTEMBER 30, 2000:

CURRENT EXPENSE FUND	\$ 151,586.16
ROAD & BRIDGE FUND	81,096.78
CIGARETTE TAX/BLOCK GRANT	7,078.24
DISTRICT COURT FUND	28,803.23
COUNTY JUSTICE FUND	167,146.81
FAIR, GROUNDS & BUILDINGS FUND	6,373.41
III HEALTH DISTRICT FUND	5,970.25
CHARITIES & PENSIONS FUND	10,754.54
REVALUATION FUND	23,737.37
SOLID WASTE FUND	117,125.73
NOXIOUS WEED FUND	9,971.74
WATERWAYS FUND	3,216.18
INSURANCE POOL	12,222.02
AMBULANCE FUND	<u>23,446.23</u>
TOTAL	\$ 648,528.69

Approved: _____
Chairman

Attest: _____
Clerk