



January 2, 2001, Emmett, Idaho

Pursuant to a recess taken on December 26, 2000, the Board of Commissioners of Gem County, Idaho, met in regular session this 2nd day of January, 2001, 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:

**Pledge of Allegiance was said.**

**MINUTES READ AND APPROVED:** The minutes of December 26, 2000, were reviewed. A motion was made to approve the minutes of December 26, 2000, as read and corrected. It was seconded and carried.

**DEPARTMENT REPORTS:** Dennis Pulley, Road & Bridge Supervisor, reported that the drain water ditch will be started on the County property on Highway 52 near Star Lane. It will be staked by surveyor Roger Bennie.

Martin Joyce, Landfill Supervisor, reported 1167 people using the landfill, which is up from last year, but they took in 104 less tonnage. They like their new truck.

Mike Williams, Planning & Zoning Administrator, reported that all permits and fees are down from December of 1999. There will be a public hearing on the 29th of January for some zoning ordinance changes.

Newton Hawley, Building Official, reported issuing 17 building permits with a valuation of \$142,131, four zoning permits for manufactured housing for a valuation of \$182,768, and five applications for special use, variances, and subdivisions, with a total of all fees collected of \$3,736.50.

Bruce Reuck, Maintenance Supervisor, reported that the transition of the SILD office to becoming the enhanced 911 office is going good. The Assessor's office remodel will be done in six weeks. Bruce is waiting on floor covering bids for the foyers and stairs.

Will Cook, County Extension Agent, had nothing to report.

**ELECTED OFFICIAL REPORTS:** Greg Himes, Assessor, reported that

Roger Nebeker's bid for his office remodel was lower than the Idaho Department of Corrections. He stated that there is a consensus of the Department Heads and Elected Officials in the Courthouse that there needs to be some janitor work done, vacuuming, dusting, etc., on an off-hours, regular basis.

Marilyn Frasier, Treasurer, reported collecting approximately \$2.3 million in taxes for December. There are still twenty-four 1997 taxes not paid and they will be going to tax deed hearing if not paid. The Justice Fund and the Ambulance Funds are low in cash, but after taxes are dispersed, they should be okay. There was \$9455 in ambulance collections. District III meeting will be on January 19 in Ada County.

Clint Short, Sheriff, reported that if the modular jail is purchased, it could be put on the South side of the exercise yard. He stated that there was \$10,125 spent in out-of-County expenses.

There are presently 17 inmates in the County, with 9 housed out-of-County. There were 62 inmates booked last month, 22 female and 40 males. They figured that having a modular last month would have saved the County \$8,000. Lightning has hit the repeater and damaged it. They are checking into it as far as why it happened. It looks like it will cost about \$3,000 to fix it.

**PUBLIC NOTICE HEARING - SWEET ROAD/ALLEY VACATIONS:** Chairman Elliott read the notice for hearing for the vacations of certain public rights-of-way in Sweet. He then opened the hearing up for testimony.

Ervin Carskaddon stated that he wants nothing on the East side of Sweet-Ola Highway vacated.

Art Beal stated that because he petitioned the Commissioners, he wondered if there needed to be further testimony on his behalf. He stated that he is still in agreement with what was submitted.

A letter was written by Kay Winnstrom asking that Grant Street be left opened back to Lincoln Street. There were no objections to leaving it open.

Erv Carskaddon spoke for Paul and Karen Shay, stating that they have concerns about the width of Hays Street and also the ability to get to an irrigation ditch if Grant Street is closed. He also stated that he would like Second Street left open.

Diane Lowery stated that the width of Hays street is not a problem because it is just an access to homes and she doesn't feel it should be any wider.

Commissioner Skippen asked Art Beal if a previous option presented by Shay's would work for them. Art agreed to a slight bend at the end of Hays Street so that Shays could still have access to their property.

Carol Owens stated that Mike Misnick wants 2nd Street closed. Karen Shay stated that they have a building permit on

property past Hays Street and if Hays is only 25 feet wide, they may not be allowed a building permit, since it is the access to that property. She stated that if Lincoln is closed, half of it should be hers.

Paul Shay stated that they need access to maintain their irrigation ditches. He also feels that Hays Street is too narrow. He feels that it needs to be 40 feet wide.

Art Beal, after visiting with Shays, stated that Shay's proposal on Hays Street is not acceptable to him.

Chairman Elliott closed the Public Hearing and stated they will take the decision under advisement and further discussion.

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

00-071 A motion was made to sign the Findings of Facts and Conclusions of Law for the hearing and to approve the application for medical expenses. It was seconded and carried.

01-011 Application for help with rent was denied because no emergency exists. It was done so through motion.

01-012 Application for January rent was approved on a one-time basis, through motion. Commissioners Mansfield and Elliott voted aye and Commissioner Skippen voted nay.

A motion was made to sign the Satisfaction of Promissory Note on case #99-007. It was seconded and carried.

**The Board recessed for lunch at 12:00 p.m. and reconvened at 1:00 p.m.**

**ALCOHOLIC BEVERAGE LICENSES HEARING:** A motion was made to approve the previously signed alcoholic beverage licenses for David and Janice Beberniss dba Round-Up for draught and bottled or canned beer and wine by the Drink and for Charlie & Deana Newell dba Triangle T Ranch for bottled or canned beer to be consumed on premises, bottled or canned beer not to be consumed on premises, and wine by the drink, the license application from Silvia Deleon dba Tacos Don Chente for bottled or canned beer to be consumed on premises, and a transfer of an alcoholic beverage license from Kevin Hansen dba Timbers Restaurant to Scott Desind dba Timbers Restaurant for draught and bottled or canned beer and wine by the drink. It was seconded and carried.

**GARY RESINKIN - SPRINT BOAT BUSINESS:** Gary Resinkin met with the Board to see if they had considered an alternate price for the County land he asked about purchasing for a sprint boat business. He was told that the County is still asking \$3500 an acre, but hadn't had a counter offer from him. Gary stated that the Marsing

sprint boat track is for sale for \$100,000 and he said his corporation will probably purchase it.

**PUBLIC WALK-IN AND INPUT:** Roberta Ushman asked to have the County drug testing policy explained to her. She was told that as of right now, only employees operating with CDL licenses for the County are required to take random drug testing. She asked about the Sander's subdivision and if any decision has been made. She was told it was scheduled for the Supreme Court. She was told the County requires no burning permit.

**Commissioner Skippen left the meeting at 3:00pm to attend another meeting.**

**ITD AGREEMENT FOR NOXIOUS WEED CONTROL:** A motion was made to sign the Idaho Transportation Department Division of Highways District No. 3 and Gem County Weed Control Agreement for Noxious Weed Control. It was seconded and carried.

**PROSECUTING ATTORNEY MATTERS:** Deputy Prosecuting Attorney Dick Linville will look at the Beer and Wine Ordinances and see if there should be any revamping of them. The application forms need to be redone, also.

Dick Linville, soon to be Gem County Prosecutor, is having a hard time finding a candidate for Deputy Prosecuting Attorney. He will keep trying. He stated, "No one wants my job."

**The Board recessed to January 8, 2001, AT 8:00AM.**

**CLAIMS FOR THE FOLLOWING FUNDS WITH WARRANTS WRITTEN DECEMBER 1 - DECEMBER 31, 2000:**

CURRENT EXPENSE FUND .....	\$ 97,530.45
ROAD & BRIDGE FUND .....	109,995.38
CIGARETTE TAX/BLOCK GRANT .....	3,624.79
DISTRICT COURT FUND .....	20,269.06
COUNTY JUSTICE FUND .....	136,589.56
FAIR, GROUNDS & BUILDINGS FUND .....	2,713.84
III HEALTH DISTRICT FUND .....	5,289.88
CHARITIES & PENSIONS FUND .....	26,892.48
REVALUATION FUND .....	8,167.41
SOLID WASTE FUND .....	23,917.03
TORT FUND .....	8,878.11
NOXIOUS WEED FUND .....	11,330.10
WATERWAYS FUND .....	99.65
INSURANCE POOL .....	5,530.55

AMBULANCE FUND	.....	<u>13,830.02</u>
	TOTAL	\$ 474,658.31

Approved: \_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk