



October 22 & 23, 2001, Emmett, Idaho

Pursuant to a recess taken on October 9, 2001, the Board of Commissioners of Gem County, Idaho, met in regular session this 22<sup>nd</sup> & 23<sup>rd</sup> day of October, 2001, at 8:00 a.m.

Present:	Ed Mansfield	Chairman
	Kathy Skippen	Commissioner
	Sharon Pratt	Commissioner
	Susan Howard	Clerk

Whereupon the following proceedings were had, to-wit:

October 22, 2001

Chairman Mansfield was not present October 22, 2001, because of illness.

Pledge of Allegiance was said.

**MINUTES READ AND APPROVED:** The minutes of October 15 & 16, 2001, were reviewed. A motion was made to approve the minutes October 15 & 16, 2001, as read and corrected. It was seconded and carried.

**EXECUTIVE SESSION:** A motion was made, seconded, and carried to go into executive session under Idaho Code 67-2345(b) concerning personnel. Those governing bodies present in the meeting were Commissioners Skippen and Pratt. No final decisions were made. A motion was made, seconded, and carried to come out of executive session.

**JAIL MODULAR:** Dave Gates from Shilo Automatic Sprinklers finished the installation of the sprinkler system and fire alarm system in the jail modular. Mel Fletcher, State fire inspector, would not pass it. A phone call was made to and returned from Mark Larson, acting State Fire Marshal and he stated that the classification of the modular jail had been changed because Mel Fletcher had assumed the prisoners were locked into the modular and could not get out in case of fire.

It was later discovered that Shilo had not finished the installation of the sprinkler and fire alarm system. Mark Larson stated that if he received a letter from the Commissioners and

signed by the Sheriff concerning the procedures of how the prisoners are housed in the modular, and that they do have a way to get out in case of fire, and if they get the certification from Shilo, the modular could be opened to house inmates.

**CERTIFICATE OF RESIDENCY:** A motion was made to approve the Certificate of Residency for Julie Jerome and for Lindsey Kline to attend North Idaho College for the academic year 2001/2002, and for Syd Carr to attend the College of Southern Idaho for the Fall, 2001 term. It was seconded and carried.

**MOSQUITO ABATEMENT PLANE LIABILITY:** With a phone call to ICRMP, John Gravely stated that the plane used for mosquito abatement in Gem County does not have liability coverage on the County's ICRMP policy. He stated that the owner of the plane needs to submit a copy of their liability insurance coverage and the County should be named as an additional insured on the policy. A letter from the Commissioners will be sent to the Mosquito Abatement Board.

**LIFE-FLIGHT CONTRACT:** Mark Rekow, Ambulance Supervisor, presented a proposed reimbursement contract from Life-Flight. He feels it would be a good contract to sign. The Prosecutor will look at it.

**CARL AUGUSTINE, SAGE COMMUNITY RESOURCES - OLA FIRE STATION:**

Several documents from the application of the Gem County Fire District II for an Idaho Community Development Block Grant for construction of a new fire station in Ola were presented by Carl Augustine, from Sage Community Resources. They were the Notice of Public Hearing, the Citizen Participation Plan, the Fair Housing Resolution, the Gem County Residential Anti-Displacement and Relocation Assistance Plan, and the Administrative Services Request for Proposals.

A motion was made to sign and publish the Notice of Public Hearing, to adopt and publish the Gem County Residential Anti-Displacement and Relocation Assistance Plan, to pass Resolution No. 2002-03 to update the Fair Housing Resolution and publish it, and to send the Administrative Services Request for Proposals to three grant administrators, including Sage Community Services, with a certification of mailing. It was seconded and carried.

**INDIGENT APPLICATIONS:** A motion was made, seconded, and carried to go into executive session under Idaho Code 67-2345(1)(d). Deputy Clerk Sue Spencer presented the following indigent applications:

- 01-059 Application is being appealed by St. Alphonsus Hospital.
- 02-005 Application for medical expenses needed a lien signed.
- 02-007 Application for medical expenses needed a lien signed.

02-008 Application for help on an Idaho Power bill of \$204.28.

A motion was made, seconded, and carried to come out of executive session.

A motion was made to sign the statutory liens for 02-005 and 02-007 and to approve 02-008 for \$204.28 on a one-time basis and sign a statutory lien. It was seconded and carried.

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

**FINDINGS OF FACTS - MIXED USE ORDINANCE AMENDMENT:** A motion was made to approve the Findings of Fact and Conclusions of Law for the Mixed Use Ordinance Amendment, with the change to exclude commercially zoned areas along North Washington Ave. from the Payette River to the intersection of Highway 52 and Black Canyon Highway. It was seconded and carried.

**ORDINANCE NO. 2002-02 - MIXED USE ORDINANCE AMENDMENT:** A motion was made to adopt Ordinance No. 2002-02 approving the Mixed Use Ordinance Amendment. It was seconded and carried.

**FINDINGS OF FACTS - BRYCE WALKER REZONE:** A motion was made to approve the Findings of Facts and Conclusions of Law allowing the rezone of the Bryce Walker Property located at or about the south side of Mill Road between the intersections of the two segments of South Slope Road from RTA Rural Transitional Agriculture zone to R Residential zone. It was seconded and carried.

**ORDINANCE 2002-03 - BRYCE WALKER REZONE:** A motion was made to adopt Ordinance 2002-03 rezoning the property of Bryce Walker at or about the south side of Mill Road between the intersections of the two segments of South Slope Road from RTA Rural Transitional Agriculture to R Residential. It was seconded and carried.

**DEVELOPMENT SERVICES - PERSONNEL PROPOSAL:** The Development Services Department proposed a new policy that would allow mothers to bring their new babies to the workplace, with an agreement containing certain restrictions and with the approval of the department head and Commissioners. No decision was made.

**EXECUTIVE SESSION:** A motion was made, seconded, and carried to go into executive session under Idaho Code 67-2345(b) concerning personnel. Those governing bodies present in the meeting were Commissioners Skippen and Pratt. No final decisions were made. A motion was made, seconded, and carried to come out of executive session.

**EAST IDAHO BLVD WIDENING:** Members of the Ditch Company met with Dennis Pulley, Road & Bridge Supervisor, and the Commissioners with some problems with the widening of East Idaho Blvd. An agreement will be written up that the property owners can sign which will give consent for the widening of the road.

**SWEET OPEN FORUM:** Commissioners Skippen and Pratt, Clerk Howard, and P & Z Administrator Mike Williams met in open forum at the Syringa Hall in Sweet.

It was asked if the flood plane maps were ready. Mike Williams, P & Z Administrator, said the survey was finished, but the determination hasn't been made yet. He will let them know when it is made.

The jail bond survey was discussed. Other jail issues were talked about.

The revaluation of some of the properties in the area were discussed. Some were unhappy with the added valuation of their property.

It was stated that no discussion could be had on the upcoming hearing before the Commissioners concerning the vacation of the streets and alleyways in the Sweet township.

Questions were asked about the "junk yard" on Highway 52. Mike Williams, P & Z Administrator, stated that he had turned the file over to the Prosecutor for action on the matter.

It was stated that the traffic on the road through Sweet is really bad. There are a lot of speeders at all times of the day and all times of the year.

Different roads and problems were brought up and discussed.

**The Board recessed to October 23, 2001, AT 8:00AM.**

**October 23, 2001**

**Pledge of Allegiance was said.**

**PUBLIC WALK-IN AND INPUT:** There was no public walk-in.

**WADE DISHION - PROBATION & DRUG TESTING:** Wade Dishion for Dishion Enterprises Incorporated met to give his quarterly report for misdemeanor probation and drug testing for the County.

**PROSECUTING ATTORNEY MATTERS:** Prosecuting Dick Linville met and discussed various legal matters.

Dick will work up the contract for the Public Defender and the contract for conflicts with Nancy Callahan.

Discussion was had over the quit claim deeds offered to the

County from Maurice Sanders and from Brad Little. The Board had no agreement with Sanders and can reject the deed. There was an agreement that was not complied with between Brad Little and the County.

The widening of the part of E. Idaho Blvd. that is not paved will require easement agreements from the property owners. The Clerk's office will pull the deeds and the Prosecutor's office will work up the agreements.

**MAURICE SANDERS QUIT CLAIM DEED:** A motion was made to reject the quit claim deed signed on October 15, 2001, by Maurice Sanders, because accepting the property would not be beneficial to the County.

**BRAD LITTLE QUIT CLAIM DEED:** A motion was made to reject the quit claim deed, dated September 17, 2001, and signed by Brad Little, because the terms of the agreement haven't been complied with and it would not be beneficial to the County to accept the deed.

**RENTAL AGREEMENT FOR PROSECUTOR'S OFFICE:** A motion was made to sign the rental agreement between the County and Tom Woodward, Ron Morgan, John Goslin, and Mike McGowan for office space for the Prosecuting Attorney at \$788 per month for 12 months.

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

**WALKING PATH AT ISLAND TO BE PAVED:** A motion was made to sign the Amendment to Project Agreement No. 16-00494.3 with the Department of Parks and Recreation to amend it from \$52,530 to \$62,530 to go towards the paving of the walking path on Gem Island Sports Complex. It was seconded and carried.

A motion was made to sign the Amendment to Project Agreement No. 40-0002-00 with The Department of Parks and Recreation to increase the total project cost from \$55,000 to \$68,000 to go towards the paving of the walk path on the Gem Island Sports Complex. It was seconded and carried.

Neither of these projects will include any County budget money.

**CLAIMS:** A motion was made to approve the 2001 and the 2002 claims that were presented. It was seconded and carried.

**SAGE COMMUNITY RESOURCES:** The Commissioners left to attend a Sage Community Resources meeting at the Emmett City Hall. The discussion was concerning the area of land being donated by Boise Cascade to the City of Emmett, and the surrounding area, that

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could be used to build an industrial park.

**The Board recessed at 5:00pm to November 5, 2001, at 8:00am.**

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

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