



December 17 & 18, 2001, Emmett, Idaho

Pursuant to a recess taken on December 11, 2001, the Board of Commissioners of Gem County, Idaho, met in regular session this 17th & 18th day of December, 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:

December 17, 2001

Pledge of Allegiance was said.

MINUTES READ AND APPROVED: The minutes of December 10 & 11, 2001, were reviewed. A motion was made to approve the minutes of December 10 & 11, 2001, as read and corrected. It was seconded and carried.

ALCOHOLIC BEVERAGE LICENSES: A motion was made to approve alcoholic beverage licenses for: Jeannette Novak doing business as Westside Market for bottled or canned beer not to be consumed on premises and retail wine; William G. and Barbara Perkins doing business as Triangle Restaurant for draught and bottled or canned beer and wine by the drink. It was seconded and carried.

KEN ROBERTS, STATE REPRESENTATIVE: Ken Roberts, District 8 State Representative, met to discuss items of interest and/or concerns of the Commissioners.

Term limits were discussed. Representative Roberts feels there will be several pieces of legislation on it this legislative year. He suggested that if communities see term limits as being destructive to local government, petition drives should be started.

Funding for economic development for rural Idaho was discussed. Representative Roberts feels that the funding needs to be run a little different way that would include more of the logging, mining, and farming industries.

The personal property tax exemption for agriculture funding

was discussed. Representative Roberts' understanding was that the extra 6% will be included in the reimbursement this next year. He feels there are too many exemptions that are breaking down the tax structure in Idaho.

Funding for County roads was discussed. Several projects were discussed, including the Indian Valley Cutoff and the Hwy 16 connection to the freeway.

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 Mansfield, Skippen, and Pratt. No final decisions were made. A motion was made, seconded, and carried to come out of executive session.

WEED CONTROL AGREEMENT: A motion was made to sign the contract with the Transportation Department for the year 2002 Weed Control Agreement. 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:

02-005 A denied application needed a release of lien signed because the time for appeal had run out.

02-007 Application for medical expenses for a deceased applicant.

02-011 Application needed an approval of a letter of withdrawal because of wanting no lien on their home.

02-017 Application for assistance with rent.

02-018 Application for medical assistance needed a statutory lien signed.

02-019 Application for medical assistance needed a statutory lien signed.

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

A motion was made to sign the release of lien for 02-005, to approve 02-007, to accept a letter of withdrawal for 02-011, to deny 02-017 because no emergency existed, and to sign statutory liens for 02-018 and 02-019.

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

NANCY CALLAHAN—PUBLIC DEFENDER REPORT: Public Defender Nancy Callahan met to go over her yearly report on her budget and the cases she has had from October 2000 through September 2001.

INDIGENT HEARING: The hearing was tape recorded in an executive session. Those present were Commissioners Mansfield, Skippen, and Pratt, Clerk Howard, Deputy Clerk Sue Spencer, and Deputy Prosecuting Attorney Tim Fleming. The hearing was for Indigent Case No. 01-052. Sue Spencer was sworn in for testimony. After coming out of executive session, a motion was made to uphold the previous denial because no further information was provided to prove indigence. It was seconded and carried.

INDIGENT HEARING: The hearing was tape recorded in an executive session. Those present were Commissioners Mansfield, Skippen, and Pratt, Clerk Howard, Deputy Clerk Sue Spencer, the applicant, applicant's daughter, and Deputy Prosecuting Attorney Tim Fleming. The hearing was for Indigent Case No. 01-057. Sue Spencer and the applicant were sworn in for testimony. After coming out of executive session, a motion was made to take the decision under advisement and request additional information from the applicant to help make the decision.

LOWER PAYETTE COOPERATIVE WEED MANAGEMENT AGREEMENT AND LOWER PAYETTE COOPERATIVE WEED MANAGEMENT AGREEMENT: Jake Wyant from the Noxious Weed Department presented the Lower Payette Cooperative Weed Management Agreement and the Upper Payette Cooperative Weed Management Agreement, and they were signed. Other weed issues were discussed. It was approved for Jake and Steve Wyant from the Noxious Weed Department to attend weed training in February.

PRIVATE ROAD ORDINANCE AMENDMENT NO. 2002-05: A motion was made to adopt Ordinance No. 2002-05 which amended the Private Road Ordinance No.95-04, effective December 26, 2001. It was seconded and carried.

The Board recessed to 7:00pm for the open forum in Emmett at the Courthouse.

OPEN FORUM (EMMETT): An open forum was held in Emmett. In attendance were Commissioners Mansfield, Skippen, and Pratt, Clerk Howard, and P & Z Administrator Mike Williams. There were two members of the public present.

It was discussed who was up for re-election in the County next year.

County property that is for sale and that has been sold was discussed.

Jail issues were discussed.

The funding for the Economic Development Specialist position was discussed. Other economic development matters were discussed.

The transfer of cash from the Road & Bridge Fund to the Justice Fund was discussed.

Discussion was had concerning executive sessions. Decisions are not being made during executive sessions. Recently, when it was realized that a decision made after an executive session was not put in the minutes, it was put in at that time, with the date of the decision.

Special use permits were discussed.

Questions were asked about the suspension and subsequent termination of Quinn Nuffer, Noxious Weed Supervisor. Most of the answers were not given because it was confidential information.

Discussion was asked about the Maintenance Supervisor raking leaves instead of the SILD workers doing it. SILD workers are not always available when needed.

Commissioner Skippen reported about the conference she went to a couple of weeks ago concerning after school programs for children. She was gone on one Commissioner Meeting day and three days of her own time, at no expense to the County, spending about \$100 of her own money.

The Board recessed to December 18, 2001, at 8:00am.

December 18, 2001

Commissioner Mansfield was not present in the meeting until 3:30pm because he attended a hay-certification meeting with the Noxious Weed Department.

COUNTY BOARD APPOINTMENTS: A motion was made to re-appoint Hap Boyer to the Fair Board and Roger Beal to the Hospital Board. It was seconded and carried.

PUBLIC WALK-IN AND INPUT: Brad Little suggested that a firebreak be put around the Landfill. Possibly the BLM would help with it. He feels that the runoff from the landfill needs to be controlled.

He discussed the quit-claim deed he would like the County to accept for the old landfill, which the County rejected. He stated that the blade taken up through Johnson Road made a mess.

Commissioner Skippen stated the intent was not to make the road useable, but just to make sure the right-of-way is kept. He thinks that the County should be involved in getting Quest to extend their broadband service into Emmett.

PROSECUTING ATTORNEY MATTERS: Prosecuting Attorney Dick Linville met to discuss legal matters.

The cost of outside legal council on a litigation case for a Sheriff's Department employee was discussed. The expenses are very

high. The idea of putting a line item in the Sheriff's budget to cover these kinds of expenses was discussed.

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

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

AMBULANCE AND EXTRICATION VEHICLE FOR SALE: A motion was made to have Mark Rekow advertise the old ambulance and extrication vehicle for sale. It was seconded and carried.

The Board recessed at 5:00pm to December 27, 2001, at 8:00am.

Approved: _____
Chairman

Attest: _____
Clerk