



March 25 & 26, 2002, Emmett, Idaho

Pursuant to a recess taken on March 19, 2001, the Board of Commissioners of Gem County, Idaho, met in regular session this 25<sup>th</sup> & 26<sup>th</sup> day of March, 2002, 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:

March 25, 2002

**Pledge of Allegiance was said.**

**MINUTES READ AND APPROVED:** The minutes of March 18 & 19, 2002, were reviewed. A motion was made to approve the minutes of March 18 & 19, 2002, as read and corrected. It was seconded and carried.

**OUTSIDE AUDIT REPORT:** Jared Zwyygart from Bailey & Company, the auditor who did the outside audit for Gem County, met with the Board. He stated that Gem County had a clean audit. He went through the numbers with the Board.

**GARMON REZONE FINDINGS OF FACT:** A motion was made to approve the Findings of Fact and Conclusions of Law for a rezone for Don Garmon to rezone approximately 5.2 acres from A-2 to R-2. It was seconded and carried.

**ORDINANCE 2002-07:** A motion was made to adopt Ordinance No. 2002-07 for the rezone of property owned by Don Garmon. It was seconded and carried.

**AMERICOM CELL TOWER DECISION:** Discussion was had on the Americom cell tower special use permit for a site on Roma Troutt's property. A motion was made to deny the appeal and uphold the decision of the Planning & Zoning Commission with the following changes in the Findings of Facts and Conclusions of Law of the P & Z Commission: to approve alternate site C located in the vicinity of Roma Troutt's residence, to change the "wood fence" to a "security

fence", and to take out the requirement for trees and shrubs. It was seconded and carried.

**The Board recessed for lunch at 12:00pm and reconvened at 1:30pm.**

**The Board had lunch with COMPASS (Community Planning Association).**

**JAIL COMMITTEE MATTERS:** John Ploeger and Russ Campbell, co-chairmen of the Citizens' Jail Committee, met with the Commissioners. They said they would like the irrigation box removed in the southeast corner of the Courthouse property, which the Commissioners are already working on. They went over the parking spaces that will be available. They would like to be able to purchase a copy of the plans as soon as possible so they can present it to the State Fire Marshall and the State Building Inspectors to approve, which would cost from \$400-500 for the inspection. After being told that if the jail bond passes, there is a waiting period of maybe 45 days before the bonds could be sold. They decided that would be sufficient time to get the plans and have the inspection done.

**SQUAW CREEK WATER DISTRICT FEES:** A motion was made to approve the collection and holding of water district funds for Squaw Creek Water District No. 65-A, by Gem County by putting them on the Tax Rolls.

**The Board recessed at 5:00pm to 7:00pm to meet at the Ola Community Hall for an open forum.**

**OLA OPEN FORUM:** Commissioners Mansfield, Skippen, and Pratt and Clerk Howard met at the Ola Community Hall. Nine citizens of the Ola community were there.

Perry Sutton reported that the Fire District and Commissioner Mansfield will be giving a presentation to the Governor's conference concerning the grant for the Ola fire station. If they don't get the grant this time around, it can be applied for next year.

The jail project was discussed.

Noxious weeds were discussed.

It was asked if the Ola Road will be sealed this year. There are some major cracks in the road. The Commissioners said they thought it was in the Road and Bridge Department's plan to do that. The Commissioners will check on it. Each season of the year brings a different group of

people up the road for recreation, woodcutting, etc.

It was asked if the County could bring up gravel for the front of the Ola Church because of the mud problem. Commissioner Skippen stated that if the gravel was donated by someone, then maybe the County could haul it. There will be a trade of road mix for gravel.

The possibility of a Dewey Road extension to the freeway was discussed. Further discussion was had on the Federal Exchange Funds program and other federal funds. Because of a presentation of the Commissioners to ITD, Gem County will get back close to \$50,000 in Federal funds that had been lost, due to an error by ITD, in the 2002 budget and another possible \$50,000 for FY 2003.

The new State Legislative district was discussed. Gem County will now be completely in one district, along with some of northern Canyon County. Gem County used to be District 8 and 9. Now it will be 11.

**The Board recessed to March 26, 2002, at 8:00am.**

**March 26, 2002**

**Pledge of Allegiance was said.**

**Commissioner Pratt left the meeting to go to a Southwest District Health Department meeting.**

**CLAIMS:** The claims presented were reviewed. A motion was made to approve the claims presented. It was seconded and carried.

**PUBLIC WALK-IN AND INPUT:** No public came in.

**PROSECUTING ATTORNEY MATTERS:** Deputy Prosecuting Attorney and legal extern Ron Shepherd met to discuss several legal matters.

**CRIMES VICTIM PROGRAM:** Traci Fedrizzi, the Victim Witness Coordinator, met to report on the Crimes Victim program that is funded primarily from grants. Her focus is on domestic violence. The County is legislatively required to have a crimes victim program. In the past nine months there have been 223 cases that included 41 domestic violence, 58 crimes against persons, and 106 crimes against property. There are 11 different crimes that when they are committed, the victims are contacted within 24 hours. Any other crime, there is contact with the victim within three

days.

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

**RON VAUGHN - MOSQUITO ABATEMENT FLIGHT PLAN:** Ron Vaughn, Mosquito Abatement Supervisor, met with the Board. Ron stated that the liability insurance that the Mosquito Abatement Board has is for any liability from spaying mosquitoes. It does not cover any damage to the pilot or airplane. Ron will bring in a copy of the insurance policy. The Commissioners let Ron know that he has to provide a letter of disclosure of conflict of interest because he has a brother working for him. He was given a letter of approval after presenting his flight plan.

**Commissioner Pratt came back into the meeting at 2:00pm.**

**RESOLUTION NO. 2002-11:** A motion was made by Commissioner Pratt to adopt Resolution No. 2002-11 calling a special election to be held for the purpose of submitting to the qualified electors of Gem County, Idaho, the proposition of the issuance of \$2,500,000 negotiable bonds of Gem County Idaho, and in providing for the issuance of such bonds, the levy of a tax to pay such bonds, for the purpose of building a jail facility. The motion was seconded by Commissioner Skippen and it carried unanimously.

**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:

02-027 Application needed a release of lien because of the approval of medicaid benefits.

02-032 Application for medical expenses.

02-035 Application needed a statutory lien release signed because of no indigency.

02-039 Application for medical expenses.

02-040 Application needed a statutory lien signed.

02-041 Application needed a statutory lien signed.

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

A motion was made to sign a release of lien for 02-027, to approve 02-032, to sign the release of lien for 02-035, to approve 02-039, and to sign the statutory lien for 02-040 and 02-041.

The Board recessed at 5:00pm to April 1, 2002, at 8:00am.

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

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Chairman

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

Clerk