



July 8, 9, & 10 2002, Emmett, Idaho

Pursuant to a recess taken on July 2, 2002, the Board of Commissioners of Gem County, Idaho, met in regular session this 8th, 9th & 10th day of July, 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:

July 8, 2002

Pledge of Allegiance was said.

JAIL UPDATE: Russ Campbell from the Citizens Jail Committee met to update the Commissioners on the jail. He presented a construction manager job contract from Kreizenbeck, which is a little over budget, but he said it will be made up somewhere else. The bonds can be sold as of today. Russ has heard that \$1.5 million have been committed from County residents. August 8 is the deadline to have the lot cleared. The jail is on the city planning & zoning agenda to approve a 90 degree turn of the building to avoid the underground utilities. The south irrigation ditch needs to be replaced before construction starts. Russ will let the Jail Committee know about the appreciation lunch on July 23.

MINUTES READ AND APPROVED: The minutes of July 1 & 2, 2002, were reviewed. A motion was made to approve the minutes of July 1 & 2, 2002, as read and corrected. It was seconded and carried.

CITIZENS FOR A SAFE HIGHWAY 16/IDAHO TRANSPORTATION TASK FORCE: Chris Erlebach, Nissa Watts, and Dane Lyon, met with concerns about putting a light at Substation Rd. and Highway 16. They think that a flashing signal may be an answer. This was a suggestion already given at an ITD meeting held with the Commissioners. An overpass has been suggested for Cherry Lane and other roads, but there are problems with that, also. Another idea was to straighten out the curve in the road at the bottom of Freezeout Hill. Rerouting the traffic was discussed. They have been to

meetings with ITD and others where they have been getting different information than the Commissioners. There needs to be a meeting where everyone involved comes to the table. The meeting was tentatively set for July 9.

JOB APPLICATION REVIEWS: Job applications for the custodial/maintenance position were gone over and those to interview were selected.

ECONOMIC DEVELOPMENT UPDATE: Morris Huffman, Economic Development Specialist, met with the Commissioners. He met during the week with a company, Tomorrow's Hope, that is considering expanding to Emmett. It would create five new jobs. He will be in training most of the week.

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:

02-057 Application for medical expenses.

02-065 Application for medical expenses needed a statutory lien signed.

02-066 Application for medical expenses needed a statutory lien signed.

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

A motion was made to deny 02-057 because no indigence existed and there is potential income to pay medical bills and to sign statutory liens for 02-065 and 02-066. It was seconded and carried.

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

BOARD OF EQUALIZATION: A motion was made to suspend as Board of Commissioners and go into Board of Equalization. It was seconded and carried. All hearings were tape-recorded.

An appeal by **Boise Cascade** for parcel PP 02137400A, the co-generation plant and PP00330300A, land and buildings, was heard. Pat McGuire, representing Boise Cascade, stated that the building is custom-built for the application of co-generation. It was built over 20 years ago. It had the fuel needed to run it while the mill was running, but since the mill has closed, there is no easy access to fuel. They have tried extensively to sell the

building, but have had no success. Greg Himes, Gem County Assessor, presented how his office comes up with industrial values. The figures they came up with were derived by using the accepted method in Idaho. A 25% adjustment was made for the closure of the mill and the fuel access problem. He feels that for market value, it hasn't been marketed on the open market, so that figure is hard to come up with. Because a property is difficult to sell doesn't usually have any affect on the appraised value. Pat McGuire stated that there are three ways of assessing property—the income approach, the comparable sales approach, and cost approach. The income is zero because it is not economically feasible to run. He stated that Boise Cascade has widely marketed the building. The decision was taken under advisement.

An appeal by **Bobby McDaniel** for parcel No. MH0070600, a 1967 manufactured house, with improvements, was heard. Mr. McDaniel stated that the improvement is a separate structure. The porch is not physically attached to the manufactured home. The porch only cost \$1,008.25 to build. Greg Himes, Assessor, stated that the porch is added to the home category instead of the land category. The land belongs to his son-in-law, so if the category is changed, it would go on the son-in-law's tax roll. Wanda Mize, appraiser, stated that she came up with the value of the porch, with a 45% discount for dysfunctional use. The building permit was for a valuation of \$2,500, compared to the appraised value of \$2,590. His list of the cost of the porch did not have labor in it, which is added in for the valuation. A motion was made to double the cost of the building, which was \$1,008.25, and make the assessment at \$2,016.50, which was a reduction of the assessed value. It was seconded and carried.

An appeal by **Charles and Kathleen Hunt** for Parcel No. MH857700, a 1974 mobile home was heard. They stated the assessed value of \$11,840 is still severely over-inflated. They stated that the current regulations will not allow this mobile home to be sold or moved. Kathleen Hunt presented copies of "for sale" ads from local publications for other mobile homes. Wanda Mize, appraiser, presented the valuation of the mobile home and some comparable mobile home sales, both sales with the home staying in place and sales to move the mobile home. She also included the Idaho Code laws regarding the upgrade of mobile homes. A motion was made to uphold the Assessor's assessed value. It was seconded and carried.

An appeal by **Geraldine Brockett** for Parcel No.

RP00200503 was heard. Geraldine Brocket stated that an unfair increase in assessment was done because no improvements were done since the last assessment. Geraldine stated that she discovered that none of her neighbors' property values were raised. Her property went up 71% and the one across the street went down 6.5%. Steve Weston, appraiser, stated that in 1996 the property was assessed as a general purpose building. The building permit was given as a storage building. This year, Steve appraised the home as a dwelling with living quarters, with septic system, etc., because it appeared, from a distance, that someone was living in it. He showed comparable properties and sales prices. Daniel Brocket stated that he has been living in the building since it was built in 1996. A picture of the building was shown by the Assessor's Office. It was taken from the neighboring property's driveway because access to the property has been denied. A motion was made to take the decision under advisement. It was seconded and carried.

An appeal by **Harry Granger** for Parcels No. 00230500 and No. 233500, represented by Greg Himes. Harry is appealing the assessment of his land, valued at \$71,870 and \$91,110, respectively. Harry's written statement read that the subject property has been annexed into the city and has been zoned R1 which is single family home on a single lot. The property has neither city water nor sewer service, with no easy access to these city services. He feels that being annexed into the city lowered the value of the property because of being forced into hooking up to City services if a building permit is given. Steve Weston showed comparable properties which were sold before and after annexation. Harry has the property currently listed at \$340,000 for a total of 9 acres (6.8 acres of which are included in the 9 acres.) A motion was made, based on the current asking price and past sales, to uphold the Assessor's value of the two parcels.

An appeal by **Emmett Meadowbrook Association**, represented by Peter Van Dorne, for parcel No. RP00182300 was heard. Mr. Van Dorne stated that based upon assessments to similar properties, as well as the income approach valuation of actual income and expenses, the assessment as indicated by Gem County exceeds the market value. He compared a similar low-income project in Nampa, Idaho, which is a large difference. He stated that they have lost money on the project in operating expenses over the last year. They would like to keep this low-income project in the community. He presented copies of a similar

assessment notice in Canyon County and a cash flow statement. Greg Himes, Assessor, presented the sales comparisons of like property in Gem County. He used an average grade class and condition of the apartment complex. He feels that the market value assessment is the way to go. Mr. Van Dorne stated that they are restricted to the amount of income derived from their apartments for the next forty years. They are not allowed to charge retail rent for their apartments, so a different means of appraisal needs to be used, such as the income approach. He stated that the tax credits that they get for the low income program is not figured into the value. He stated that the tax credits are in building the property. Maybe a formula could be used with the tax credit included. A motion was made to take the decision under advisement. It was seconded and carried.

An appeal by **Trinity Boss** for parcel No. RP003702100A was heard. Trinity stated that it was a biased determination of tax base, unjustified farm credit removal, market price not realistic per area, and no allowance for area fly/odor problem. Gary Logsdon presented his market land assessment. When he went to do the five-year assessment, he noticed that nothing was being done with the land that was currently given an agriculture assessment. He gave some cost comparable sales. Trinity Boss stated that she still has fruit trees. She was given a profit/loss statement to fill out, which she doesn't think is necessary. She presented pictures and tax assessments for some surrounding properties. A motion was made, seconded, and carried to take the matter under advisement.

An appeal by **Richard Crosby**, represented by Andrea Crosby Webb, for parcel No. RP00204401 was heard. After discussing the situation with the Assessor's Office, Steve Weston stated that they were unaware the termite problem was there. An agreeable valuation was set and an amended assessment will be sent out. A motion was made, seconded, and carried to support the amended assessment.

An appeal by **John Peterson**, represented by Olav Peterson, for parcel No. 00475900A was heard. A written statement stated the costs of building the structures on the property that are made for the lambing of sheep. Wanda Mize, appraiser, stated that she redid the pole buildings as lean-tos, which reduced the value to \$81,404, compared to the original assessment of \$88,640, compared to the appellant opinion of \$74,085. The amended amount of \$81,404 was accepted by the appellant and a motion was made, seconded, and carried to support the amended

assessment.

An appeal by **Swanson Dairy** for parcel No. RP00475000 was heard. The appeal was on just one building. Harold Swanson stated that he paid \$17,500 in materials and he and his son built the building. Wanda Mize, stated that the building permit from Planning & Zoning would have valued the building over \$88,000, if a permit would have been required. Comparable buildings were discussed, which are appraised at a higher per square foot amount. Mr. Swanson's building was valued as a low quality building. He was told that even though a person saves money by doing the building themselves, it doesn't change the value of the building. If the cost of constructing the building is doubled, it would change the value of the building from \$55,270 to \$41,325. \$5.51/square foot is the Marshall and Swift cost of constructing a like building. A motion was made, seconded, and carried to support an amended assessment of \$41,325.

An appeal by **Bill and Marybeth Conger** for parcels No. RP00349800 and No. RP00349301 was heard. The Congers were not appealing the value of their home, but were requesting special consideration to apply the Owner-Occupied Residential Improvement Exemption for the year 2002. They were not aware of the exemption until they received the 2003 form. By then it was too late to sign up for the 2002 year. Greg Himes, Assessor, stated that the Real Estate Transaction Form he usually sends out was sent out late, which is a courtesy that the Assessor's office does, although they are not required to send a notice to homeowners. A motion was made, seconded, and carried to deny the appeal because there is no notification requirement. More steps will be taken in the future with signs in offices, etc., to inform people.

A motion was made to come out of Board of Equalization and reconvene as Board of County Commissioners. It was seconded and carried.

The Board recessed to July 9, 2002, at 8:00am.

July 9, 2002

Pledge of Allegiance was said.

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

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.

MARK REKOW - AMBULANCE MATTERS: Mark Rekow, Ambulance Supervisor, met to discuss where the ambulances will be moved when the jail construction is started. There are a couple of possibilities. The back part of LaCosta restaurant is available and maybe some room at the City of Emmett fire station. Mark will check into any possible grants for the construction and/or purchase of a new fire station.

PUBLIC WALK-IN AND INPUT: Larry Droppers met with a second request for a 25mph speed limit in front of the golf course on Salesyard Road. He was told that it is still on the list to do.

Jim Olson met with an update on the Freezeout Hill Flag Project. They have the flag and the pole. They hope to begin installing in the next few days. The problem left is getting electricity to the site. They have raised over \$11,000. He is working on the ceremony for September 11, 2002, when the flag will be officially raised. He would like the County Commissioners to make comments and would like to include the local fire districts and police and sheriff offices. He went over other plans.

Bob King lives on Salesyard Road and is concerned about the mosquitoes. He stated that he feels that aerial spraying is very necessary. He was told that the Commissioners requested that the Mosquito Board not spray the properties that have requested to not be sprayed, but they have not been told to quit spraying the rest of the mosquito abatement district with larvicide—only adulticide. The Commissioners have an executive meeting scheduled later today concerning mosquitoes and there will be a press release after the meeting.

Kathleen Hunt asked about a letter that was sent to the Mosquito Board. She was told that it was a letter sent to the Board to invite them to an executive session meeting.

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.

EXECUTIVE SESSION: A motion was made, seconded, and carried to go into executive session under Idaho Code 67-2345 concerning pending litigation and 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.

MOSQUITO BOARD MATTERS: A mosquito control plan, required by Idaho Code 39-2804, will be given to the Commissioners by Monday, July 15, 2002. Aerial spraying will be resumed upon receipt of the plan.

COUNTY MAINTENANCE SUPERVISOR INTERVIEWS: Interviews were done in executive session. Interviews were had with Eldon Davis, Robert Dunbar, and Randy Pratt for the job opening of Maintenance Supervisor. No decision was made.

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

INDIGENT HEARING: The hearing was tape-recorded. An indigent hearing was held for No. 02-048. It was held in executive session. A motion was made, seconded, and carried to come out of executive session. By motion, the hearing was continued until July 22, 2002, at 2:00pm.

BOARD OF EQUALIZATION DECISIONS: A motion was made to suspend as the Board of Commissioners and reconvene as Board of Equalization. A motion was made to uphold the decision of the Gem County Assessor for the **Geraldine Brocket** parcel No. RP00200503 because the parcel was originally assessed as a storage building and has actually been lived in since it was built, being under assessed since it was built, and because the gate has been locked and access has been refused. It was seconded and carried.

A motion was made to uphold the assessment of the Gem County Assessor on the **Emmett Meadowbrook Associates** property, parcel No. RP00182300. It was seconded and carried.

A motion was made to uphold the Gem County Assessor on

the **Boise Cascade** property, parcels No. RP00330300A and No. PP02137400A. It was seconded and carried.

A motion was made to suspend as Board of Equalization and reconvene as Board of County Commissioners. It was seconded and carried.

COUNTY MAINTENANCE SUPERVISOR INTERVIEWS: Interviews were done in executive session. Interviews were had with Vince DeLeon and Donald Schnabl for the job opening of Maintenance Supervisor. No decision was made.

The Board recessed at 5:00pm to July 10, 2002, at 8:00am.

Pledge of allegiance was said.

COUNTY MAINTENANCE SUPERVISOR INTERVIEWS: Interviews were done in executive session. Interviews were had with Dave Evans, William Monte, Clayton Hardon, and Rhonda Bushong for the job opening of Maintenance Supervisor. No decision was made.

ROBERT DUNBAR - NEW COUNTY MAINTENANCE SUPERVISOR: A motion was made to hire Robert Dunbar as the Gem County Maintenance Supervisor. It was seconded and carried.

Approved: _____

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Chairman

Attest: _____

Clerk