



October 15, 2002, Emmett, Idaho

Pursuant to a recess taken on October 8, 2002, the Board of Commissioners of Gem County, Idaho, met in regular session this 15th day of October, 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:

October 15, 2002

Commissioner Ed Mansfield didn't come into the meeting until 11:00am.

Pledge of Allegiance was said.

MINUTES READ AND APPROVED: The minutes of October 7 & 8, 2002, were reviewed. A motion was made to approve the minutes of October 7 & 8, 2002, as read and corrected. 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:

99-045 Application needed a release of lien because of filing bankruptcy.

02-086 Application for medical expenses.

03-002 Application for \$610.50 assistance in space rent.

03-003 Application for rent of \$650 for October.

03-004 Application for \$873 assistance on power bill.

03-005 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 a release of lien due to bankruptcy for 99-045, to approve 02-086 with stipulations that the 401K retirement, the Wells Fargo IRA and the Putman investments be liquidated and one vehicle be sold with all moneys going to Gem County, to approve 03-002 on a one time basis for \$610.50 and sign a statutory lien, to sign a statutory lien and postpone the decision on 03-003 until more information is received, to sign a statutory lien and deny 03-004 because of no emergency and because of it being

prior month's billing, and to sign a statutory lien on 03-005. It was seconded and carried.

PUBLIC WALK-IN AND INPUT: Kathy Smith visited with the Board about a discussion at the last GEDA Board meeting. The Citizens for Save Highway 16 have put up some signs and wondered if GEDA could help pay for them. Since GEDA is supported by County money, they wanted to get the approval of the County for a \$20 donation for the signs. The Commissioners decided that the signs are too political to be paid for with taxpayer money.

Commissioner Mansfield came into the meeting.

PROSECUTING ATTORNEY MATTERS: Assistant Prosecuting Attorney Tim Fleming met concerning legal matters. He advised that the Commissioners need to accept the public defender contract proposal from one of the three recommended by the committee appointed by Judge Morfitt.

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

LETHA SEWER BILLS PUT ON PROPERTY TAX ROLLS: A motion was made to add the delinquent Letha Sewer bills from the list provided by the Letha Sewer Board onto the 2002 tax rolls. It was seconded and carried.

NANCY CALLAHAN CHOSEN FOR PUBLIC DEFENDER: Following the advice of the Prosecuting Attorney's Office, a motion was made to withdraw the approval of the public defender contract proposal from Bob Pangborn, and to accept a proposal from Nancy Callahan, who was one of the three people recommended by the committee appointed pursuant to Idaho Code 19-860(a)(2). It was seconded and carried.

STONE CREEK ESTATES SUBDIVISION: Terri and Jeff Barrus reported that their complaints with Darwin Hillman, developer of the Stone Creek Estates Subdivision, that she voiced in July, 2002, have not been resolved. They have not gotten any return phone calls from the prosecuting attorney concerning the exercising of the bond from the developer, which has a 60-day time frame. The bond in place would probably be a sufficient amount of money to finish the well and the fire suppression plan. Assistant Prosecutor Tim Fleming stated that he would review the file and have some direction for them by the end

of the week.

The Board recessed for lunch at 1:30pm and reconvened at 2:30pm.

RESOLUTION NO. 2003-01 - FUNDS BORROWED FROM SOLID WASTE TO TORT: A motion was made to adopt Resolution No. 2003-01 to borrow \$32,000 from the Solid Waste Fund to the Tort Fund, with payment no later than January 29, 2003, and with a 2% interest charge. It was needed because of not enough cash in the fund to cover warrants issued. It was seconded and carried.

RESOLUTION NO. 2003-02 - AIRPORT FUND CLOSED AND CASH TRANSFERRED TO GENERAL FUND: A motion was made to adopt Resolution No. 2003-02 to close the Airport Fund, which had not been active for several years, and to transfer the cash balance of the Airport Fund into the General Fund (Current Expense.) It was seconded and carried.

JAIL SUB-CONTRACTOR AGREEMENTS SIGNED: Contract agreements were signed with TML LLC, C-B Contractors, Inselman Plumbing, and Romar Electric Co., Inc., for work on the new jail under Kreizenbeck Constructors, Inc. Performance and Payment Bonds were also received form Inselman Plumbing, Romar Electric Co., Architectural Building Supply, and TML LLC.

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The Board recessed at 5:00pm to reconvene at 8:00am on October 21, 2002.

Approved: _____
Chairman

Attest: _____
Clerk