



February 10 & 11, 2003, Emmett, Idaho

Pursuant to a recess taken on February 3, 2003, the Board of Commissioners of Gem County, Idaho, met in regular session this 10<sup>th</sup> & 11<sup>th</sup> day of January, 2003, at 8:00 a.m.

Present:	Ed Mansfield	Chairman
	Sharon Pratt	Commissioner
	Michele Sherrer	Commissioner
	Susan Howard	Clerk

Whereupon the following proceedings were had, to-wit:

February 10, 2003:

**Pledge of Allegiance was said.**

**JAIL UPDATE:** Carlos Bilbao presented an invitation to a Jail Bond Committee meeting on March 4, 2003. The roof has one more application, which will be rock, and then it will be finished. A lot of the kitchen equipment and cabinets are in. The auditor has stated that everything is in good shape as far as the bond money.

**CERTIFICATE OF RESIDENCY:** A motion was made to approve a Certificate of Residency for tuition aid for Jeremy Reukauf to attend the College of Southern Idaho. It was seconded and carried.

**JILL CHESTNUT, DRUG FREE IDAHO - DRUG TESTING:** Jill Chestnut, from Drug Free Idaho, met with a proposal for them to be the third party administrator for drug testing for Gem County. They help with the policy, supervisor training, employee education, employee assistance, and drug testing. If all of the procedures are followed, there will be a 5% discount on Workman's Comp from the State Insurance Fund.

A motion was made to accept the proposed Drug-Free Workplace Drug Testing Policy from Drug Free Idaho to amend the current Gem County drug testing policy. It was seconded and carried.

**ECONOMIC DEVELOPMENT UPDATE:** Morris Huffman, Economic Development Specialist, presented his activity report. There were 15 items detailed. He gave the Commissioners a

list of hotel chains he has contacted to see if there is any interest in the Gem County area. There were two appraisers who responded with bids to appraise the County property on Highway 52 and Union Lane.

**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:

03-028 Application for rent assistance.

03-029 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 03-028 because no emergency existed and to sign a statutory lien for 03-029. It was seconded and carried.

**MOSQUITO ABATEMENT PLAN:** Quinn Nuffer, Mosquito Abatement Superintendent, was unable to attend the meeting, so general discussion was had concerning various changed items and other concerns in the proposed Mosquito Abatement Plan. Basically, the plan was agreeable. Another meeting will be set up with Quinn Nuffer.

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

**NOXIOUS WEED BOARD:** The Noxious Weed Advisory Board and staff from the Noxious Weed Department met with the Commissioners to discuss the possibility of starting a revolving fund to maintain an account for spraying private property for weeds. There are property owners in the County that have no resource for spraying small areas of weeds. This kind of a fund has been very successful in neighboring counties. The first step would be to change the County's policy. Jake will get copies of policies from other Counties. A motion was made to change the Noxious Weed Department Weed Control Policy to allow the Weed Department to spray private properties, for a fee, through a revolving Weed Department Fund. It was seconded and carried.

**PAT IRWIN - ROAD MATTERS:** Pat Irwin met with concerns about E. Idaho Blvd. She was hit by a rock from a speeding automobile. Commissioner Mansfield stated that there are many roads in the County that would be nice to pave, but

the funds are not there. Pat feels that E. Idaho Blvd. is a hazardous road. The County widened it last year to make it more safe. The biggest problem is speeding cars, which would probably get worse if the road was paved. The Sheriff will be talked to about patrolling a little more out there.

**MAX LONG - WALTER KNOX MEMORIAL HOSPITAL LOAN:** Max Long and Larry Droppers from the Walter Knox Memorial Hospital met to answer any more questions concerning the requested approval for a loan to build phase III and VII on the hospital remodel. A motion was made to have the Hospital proceed with their remodel and to give authority to the Hospital Board to borrow money from Idaho Health Facilities Board in the amount up to \$5,000,000. It was seconded and carried.

The Hospital should be getting approval from FAA today to go ahead with the building of the new heliport.

**LESLIE TOOMBS, SAGE - INDUSTRIAL PARK EDA APPLICATION:**

Leslie Toombs from Sage Community Resources met to go through the steps for the Industrial Park EDA Application. It is due on Friday, February 14, 2003.

A motion was made to authorize the signing of the Joint Agreement between Gem County and Shadow Butte Development Corporation for the purpose of submitting a final application to the U. S. Department of Commerce Economic Development Administration for development of Shadow Butte Industrial Park. It was seconded and carried.

A motion was made to resolve that Gem County guarantees that the Industrial Park project will successfully be completed in a timely manner to the satisfaction of EDA, and to further resolve that the County will promptly pay all amounts due and will either complete construction within the amount of the approved construction line item, plus any such change orders as are approved by EDA, or that any additional funds needed will be provided to successfully complete the project in a timely manner. It was seconded and carried.

A motion was made to tentatively accept the bid for a limited summary appraisal from Jess Payne Appraisal Services, depending on the outcome of the sale of County property on Saturday, February 15, 2003. It was seconded and carried.

A motion was made to approve the Professional Services Agreement with Sage Community Resources for the Gem County Industrial Park: Environmental Review. It was seconded and carried.

Application for Federal Assistance(SF 424A) for \$2,000,000 with construction and engineering probable costs, the Current and Estimated Employee Data, the Assurances for Construction Program, the Additional Assurances, the Drug-Free Workplace/Lobbying Declaration, and a letter regarding awarding the grant administration were all signed through motion.

**The Board recessed at 5:00pm to reconvene at 8:00am on February 11, 2003.**

**FEBRUARY 11, 2003**

**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.

**RHONDA BUFFINGTON - NEIGHBOR MATTERS:** Rhonda Buffington met with some problems concerning a neighbor, Jim Holmes, who she says has built a building which encroaches on her property. She said that it has prevented her from putting in a car wash because of it. She is also getting all of his drain water coming onto her property and the building is sitting on her drain field. She feels there were errors made by the Planning and Zoning when the building permit was given and when the inspections were done. After the fact, a stop order was given and a letter was written to the owner by P & Z stating that he was not in compliance. The Commissioners will investigate the matter and get back to Rhonda within the next two weeks.

**PUBLIC HEARING - BUDGET ADJUSTMENT:** The public hearing was tape recorded. The hearing was held pursuant to Idaho Code 31-1605 for the purpose of adjusting the FY2003 Budget in the following Funds: Justice Fund, Patrol Grant/DUI Enforcement, to add \$1,800 from the Office of Highway Safety; Justice Fund, Patrol Grant/Seat Belt Awareness, to add \$3,610 from the Office of Highway Safety; Current Expense Fund, General Fund, to add \$35,000 from the Bureau of Land Management; Road & Bridge Fund to add \$107,004 from Idaho Transportation Department, \$3,060 from the City of Emmett, and \$5,417 from excess cash; Cigarette Tax/Block Grant, Juvenile Justice Block Grant, to add 6,868.34 from excess cash from the 2002 Block Grant; Justice Fund, Prosecuting Attorney, to add \$3,125.04 from the City

Misdemeanor Contract increase; Current Expense, Parks & Recreation, to add \$3,800 from a grant from Parks & Recreation; Current Expense Fund, General Fund to add \$550,000 from the Department of Commerce and \$2,000,000 from the EDA. Adjusting the above named Funds will not result in any increase in property tax for FY2003, but will allow for expenditure of funds from excess and unanticipated revenue.

Neither seeing nor hearing any comment from the public, a motion was made to approve the said stated adjustments and have a resolution drawn up allowing for the expenditures. It was seconded and carried. The hearing was closed.

**PUBLIC WALK-IN & INPUT:** Greg Himes, Assessor, went over some items from his assessor's conference. Some counties are separating out the budget for the mapper into a separate fund. He would like to keep his mapper in the Assessor's budget.

Marilyn Knighton, Treasurer, reported \$101,551.51 tax collection for January, and that there are 26 parcels pending issue of tax deed that are being sent out. The Tax Deed hearing is April 15, 2003. Warrants of distraint will be turned over to the Sheriff on March 21, 2003. She let the Commissioners know that she gets all of the ambulance bills with medical records in her office and wanted them to be aware of that because of any problems with the new HIPPA rules.

Rex LaBrie met to visit about an airport matter. In passing, he stated that he felt the progress of the new jail was coming along well. He asked about the excess money that had been in the Airport Fund. He was told that the Fund has been inactive since the early 1990's and that it was determined excess money at the beginning of the 2003 fiscal year and put into the General Fund to fund other budgets. Rex would like to see the current airport expanded. The current airport belongs to the City of Emmett and is controlled by them. Discussion was had on what improvements he thinks are needed at the airport and what it would take to make those improvements.

**PROSECUTING ATTORNEY MATTERS:** Prosecuting Attorney Richard Linville met to go over legal matters.

PA Linville will look over an agreement with the Department of Transportation.

Discussion was had on the encroachment of Rhonda Buffington's property by her neighbor. The P & Z

Administrator has been working with the Prosecutor's Office.

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

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

**PERSONNEL HEARING:** The hearing was tape recorded. It was requested by the claimant, Tamera Burke, that her right to have the proceedings be in executive session be waived. Those in attendance were claimant Tamera Burke, her attorney David Wynkoop, Prosecuting Attorney Richard Linville, Clerk Susan Howard, and Commissioners Mansfield, Pratt, and Sherrer. Witnesses, Lori Vaughn and Marilyn Knighton, were called by the claimant. No decisions were made.

**TOM BLESSINGER, STEVE TIMM - BLACK CANYON GOLF COURSE:** Tom Blessinger and Steve Timm met to share their plans and progression of the Black Canyon Ranch Development. They plan on golf courses and a possible housing development of homesites. All discussion, plans and maps are very preliminary. They will come in as the project progresses with a master plan and map, to discuss concerns and accepting suggestions and ideas from the County. At some point, they will have a public meeting to inform the community.

Commissioner Mansfield stated that the infrastructure would be the main concern for the County. Also, it would be nice to see the current airport improved for the added traffic.

Sage Community Resources is working with them in some of the areas, such as the airport.

**The Board recessed at 5:00pm to February 18, 2003, at 8:00am.**

**SPECIAL MEETING - AUCTION OF COUNTY PROPERTY:** A public auction was held during a special meeting on Saturday, February 15, 2003, at 9:00a.m., to offer property owned by

Gem County. The parcel of land is located in a portion of the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 10, the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 14, and the North  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 15, all in Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho. It is an area of 119.857 acres, more or less, generally located 1.75 miles west of the City of Emmett, along the north side of State Highway 52. The minimum bid price acceptable to the County was the amount of \$5,000/acre. No bids were received.

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

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