



April 1, 2003, Emmett, Idaho

Pursuant to a recess taken on March 25, 2003, the Board of Commissioners of Gem County, Idaho, met in regular session this 1<sup>st</sup> day of April, 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:

April 1, 2003:

**Pledge of Allegiance was said.**

**MINUTES READ AND APPROVED:** The minutes of March 24 & 25, 2003, were reviewed. A motion was made to approve the minutes of March 24 & 25, 2003, as read and corrected. It was seconded and carried.

**KRIS GRIMSHAW, PRE-PAID LEGAL SERVICES:** Kris Grimshaw from Pre-Paid Legal Services met with the Commissioners to present a plan where County employees can pay a monthly fee for legal fees. Members benefits are: unlimited telephone consultation and advice; contract and document review; will preparation and updates; motor vehicle legal service; trial defense services; and IRS legal services. There is a membership discount for other legal services. The cost of the program is \$15.95/month per member (includes dependants,) or \$14.95/month if more than five employees participate. It could be handled though a payroll deduction, but does not have to be. The Commissioners will discuss this service with Department Heads and other Elected Officials to determine the interest from County employees.

**PUBLIC WALK-IN AND INPUT:** Brandon Willard met with an update on his skateboard park proposal. He presented the Commissioners with some plans and reported that he needs a letter from the Commissions in order to open an account at a local bank for donations and fundraiser money. The Commissioners will ask the Prosecutor about the letter.

**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:

03-027 Application received an untimely request for a hearing on a denial.

03-035 Application for medical expenses for a deceased person.

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

A motion was made to deny an appeal hearing on 03-027 because of the request being untimely and to approve 03-035. It was seconded and carried.

**DAVE HECKMAN - SALE OF COUNTY PROPERTY:** Marilyn Knighton reported that Dave Heckman had purchased a piece of property, adjacent to his property, that was taken by the County on a tax deed. He paid the total of the over-due property taxes and all fees and fines which will be distributed to the proper funds per Idaho Code.

**PROSECUTING ATTORNEY MATTERS:** Prosecuting Attorney Richard Linville met concerning legal matters.

An Orchard Review Board problem with an orchard owner was discussed. The time is up for the owner to take care of his orchard. It is now time for the County to take some action. PA Linville indicated he will take over the case, which action to be taken is clear in Idaho Code.

The Prosecutor advised that the County could give Brandon Willard a letter of support for raising money for the Skateboard Park, but cannot authorize him to open any kind of checking account.

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

**BAILEY & COMPANY - OUTSIDE AUDIT REPORT:** Jared Zwygart, the County's outside auditor from Bailey & Company, met to go over his FY2002 audit. Discussion was had concerning next year's change to the GASB-34 accounting system. The County received a clean audit except for the asset list, which was not audited at this time. No major internal controls were an issue. The controls in place should be good enough to catch any problems.

**CATHY SMITH - IDAHO COMMUNITY REVIEW:** Cathy Smith, from GEDA, met to update the Board on the Idaho Community Review

process. She gave a sample two-day Community Review schedule, for the May 20 & 21 assessment. On April 8, 2003, the focus team and the AIC team will be in Emmett for a first meeting. Possibly on April 29 or 30, 2003, there will be a meeting with the AIC Team, the Mayor and City Council, and the Commissioners. Cathy went over possible names and lists for the home teams. There is a survey that needs to get out to the community in time to get it back and evaluated before May 20. Cathy will give a presentation to the City Council next week.

**INDUSTRIAL PARK GRANT & AMBULANCE BUILDING GRANT:** Shawn Charters from Sage Community Resources, Pat Maderieta from Department of Commerce, Steve Salskov and Rick Weekly from Shadow Butte, and Economic Development Specialist Morris Huffman met with the Commissioners.

Pat Maderieta reported that they had a meeting with a business that was committed to come to the Industrial Park. The business has been greatly impacted by the economy. They are still very interested in the Shadow Butte Industrial Park. The situation puts the project on hold until that business decides what they will do (by April 11,) or unless other businesses come forward. Pat gave a couple of options that could be used if needed.

Pat said that the grant for the Ambulance building is looking good. The presentation will be given on April 24, 2003. Commissioner Mansfield will be presenting for the County. The format for the presentation was gone over by Shawn Charters, and a time will be set for a practice run.

**RUSS MANWARING - STORM WATER GRANT:** Russ Manwaring met with a proposed agreement to use the storm water grant to hire a person to mitigate the Fire Plan. A motion was made to sign the Cooperative Agreement between the Gem County Commissioners and the West Central Highlands Resource Conservation and Development Council, Inc., to allow the West Central Highlands RC&D Council, Inc., to perform, or oversee the performance, of the specified Tasks in Agreement Number DLA020426, meeting all conditions outlined in said agreement. It was seconded and carried.

**EVELYN ARREGUY - MOSQUITO ABATEMENT & ENTERPRISE DITCH CO.:** Evelyn Arreguy had some concerns that the Mosquito District does not have any legal counsel for a tort claim filed against the Mosquito Abatement District. The Mosquito Abatement District has found no one to cover them. ICRMP reportedly has denied coverage based upon an aircraft

exclusion and Worker's Compensation has rejected the claim. The Commissioners will call ICRMP and try again with them.

Evelyn feels there is still some problems with the Star Lane Bridge where the Enterprise Irrigation ditch goes under the road. The Commissioners told her that they have asked Dennis Pulley, the Road Supervisor, to look into some money available on a 20%/80% match grant specifically for bridges, to help repair that bridge. Evelyn said there may be some money available through the Irrigation District.

Evelyn said there is a problem on Union Lane where she says the County has dumped some Butte rock that had gone into the Enterprise ditch and is causing problems that will require a backhoe to get the rock out. The Commissioners told her that if the County had done what she said, the County would take care of it. She requested that the Road Department let the Ditch Company know when they are going to be dumping around one of their ditches and then they can work together so no more problems happen.

**MINUTES READ AND APPROVED:** The corrected minutes of March 17 & 18, 2003, were approved, through a motion.

**ICRMP CONFERENCE CALL:** A conference call was made to ICRMP concerning a tort claim against the County and the Mosquito Abatement Board. Dave Sasser said he would investigate into what has been said and what had been sent to the Mosquito Abatement Board concerning ICRMP representation of them.

**CERTIFICATE OF RESIDENCY:** A motion was made to approve a Certificate of Residency for tuition aid for John McLinn to attend the 2003 Spring term at College of Southern Idaho. It was seconded and carried.

**The Board recessed at 5:00pm to reconvene at 8:00am on April 7, 2003.**

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

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