



October 27 & 28, 2003, Emmett, Idaho

Pursuant to a recess taken on October 21, 2003, the Board of Commissioners of Gem County, Idaho, met in regular session this 27th & 28th day of October, 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:

October 27, 2003:

Pledge of Allegiance was said.

PROPERTY TAX CANCELLATIONS: Assessor Greg Himes met to present several property tax cancellations that were needed due to clerical errors. The cancellations were approved for Parcels No. RP00486720, No. RP00399200, No. MH00732900, and No. PP02150300.

WELLS FARGO - DIRECT DEPOSIT: A motion was made by Commissioner Sherrer to sign the Wells Fargo agreement with Wells Fargo as a first step in starting direct deposit for payroll. It was seconded by Commissioner Pratt and carried unanimously.

AVAYA VOICE MAIL LEASE: A motion was made by Commissioner Pratt, seconded by Commissioner Sherrer, and carried unanimously to sign the lease with Avaya for the pay-off amount of \$2,833.59 for the Courthouse voice-mail system.

PREPAID LEGAL SERVICES: Kris Grimshaw from Prepaid Legal Services met to update the Commissioners on some additional benefits available through their company. They now have a Legal Shield benefit for unlawful arrests and an Identity Theft benefit. The Identity Theft benefit can be purchased as a stand-alone benefit for \$12.95 or for \$9.95 in connection with the full program. A motion was made by Commissioner Pratt to allow Prepaid Legal Services to contact Gem County Department Heads to offer their program. It was seconded by Commissioner Mansfield and carried with ayes from Commissioners Pratt and Mansfield and a nay from Commissioner Sherrer.

ECONOMIC DEVELOPMENT UPDATE: Morris Huffman met to update the Commissioners on economic development matters. He presented a letter from the Idaho Department of Commerce that stated the conditions for the DOC grant of \$500,000 for Shadow Butte Industrial Park. The Department of Commerce is asking that the six businesses committed to the Park solidify the real estate transactions with earnest money commitments for specific parcels and that the preliminary plat should be submitted to the County for approval. Each business should document they have an architect or contractor working on site plans and cost estimates. Each business should document their efforts to secure financing for construction. It is also important to document the progress to secure the DOC grant contract and execute the agreement with the city for sewage treatment.

Morris presented a copy of an ad to go into the *Business Expansion Journal*. There will be an issue dedicated to Idaho.

There is a big marketing plan ad campaign going on in the Treasure Valley. Morris asked if Gem County would like to participate. The Commissioners asked Morris to check on what the cost and the expectations from Gem County would be.

Morris went over his calendar for the current week.

INDIGENT APPLICATIONS: A motion was made by Commissioner Pratt, seconded by Commissioner Sherrer, and carried unanimously to go into executive session under Idaho Code 67-2345(1)(d). Deputy Clerk Sue Spencer presented the following indigent applications:

00-053 Application needed a release of statutory lien signed because of a pay-off.

03-068 Application needed a release of statutory lien signed because the appeal was withdrawn.

03-070 Application for medical expenses only two days of medical expenses, because of the timeliness of the application.

04-009 Application for medical expenses needed a statutory lien signed.

04-010 Application for medical expenses needed a statutory lien signed.

A motion was made by Commissioner Sherrer, seconded by Commissioner Pratt, and carried unanimously to come out of executive session.

A motion was made by Commissioner Sherrer to sign releases of statutory liens for 00-053 and 03-068, to

approve 03-070, and to sign statutory liens for 04-009 and 04-010. It was seconded by Commissioner Pratt and carried unanimously.

The Board recessed for lunch at 11:30 p.m. and reconvened at 12:30 p.m.

APPEAL HEARING - SIPLE SPECIAL USE PERMIT: The hearing was tape-recorded. Commissioner Mansfield read the notice of hearing for an appeal of an approval of a Special Use Permit request by David Siple to allow a dog kennel on 10 acres of currently vacant land on Morehouse Road, 6N; 2W; Section 7.

Commissioner Mansfield stated that because the Commissioners did not receive the record until that morning, the hearing would be continued to a later date. At that time, a decision will be made without any further input from anyone. The hearing was closed.

CATERING PERMIT APPROVED: A motion was made by Commissioner Pratt, seconded by Commissioner Sherrer, and carried unanimously to approve a catering permit for Tik's Tavern, catering for Black Canyon Bow Hunters at the Gem Co. Fairgrounds on November 8, 2003.

MARK REKOW - AMBULANCE SERVICES: Mark Rekow, Ambulance Director, met with information about possibly forming a paramedic unit in Gem County. The Commissioners thought it would be a good idea—it just comes down to dollars. Mark gave the Board some information he had gathered on paramedic services in neighboring areas.

The Commissioners asked Mark to come back with a cost estimate spreadsheet on a paramedic setup for Gem County.

Mark stated that two full-time employees and the current part-time volunteers in Gem County are at the point of not being enough employees to handle the workload of the EMS Department. He thinks there will soon be a need for satellite ambulance stations in the County.

Gem County Ambulance service now provides extrication services, which is normally done by the Fire Districts. He would like to get rid of it because it takes time away from their patient care at an accident scene. One of the local fire districts is interested in taking care of the extrication, and another is not.

PIGGY-BACK CONTRACT WITH SEUBERT EXCAVATORS, INC.: A motion was made by Commissioner Pratt to allow the Road & Bridge

Department to piggy-back off of the 1998 crushing quote with Seubert Excavators, Inc., for 15,000 c.y. ITD Spec. ¾" Roadmix @ \$4.59/c.y. = \$68,850. It was seconded by Commissioner Sherrer, and carried unanimously.

TOM HOPPELL - ISLAND SPRINKLERS: Tom Hoppell met with the Board with a new proposal for a lawn mower from Campbell Tractor. The amount is lower than the original. Tom obtained two proposal, but only Campbell Tractor met the requirements.

Tom also asked for \$2000, which is half of a \$4000 charge to cut down some "big gun" sprinklers. It was approved.

The Board recessed at 5:00 p.m. to reconvene at 8:00 a.m. on October 28, 2003.

SWEET OPEN FORUM: An open forum was held at the Syringa Hall in Sweet, at 7:00 p.m. on October 27, 2003. In attendance were Commissioners Mansfield, Pratt, and Sherrer, Clerk Howard, and ten members of the community. Topics discussed were the speed limit on Kirkpatrick Road and the problem of no regular Sheriff's patrol in the area to help control speeding. The Commissioners were thanked for the "blind child area" sign that was put on Kirkpatrick Road.

October 28, 2003

CLAIMS: The FY2003 claims presented were reviewed. A motion was made by Commissioner Pratt to approve the claims presented. It was seconded by Commissioner Mansfield and carried unanimously.

CLAIMS: The FY2004 claims presented were reviewed. A motion was made by Commissioner Pratt to approve the claims presented. It was seconded by Commissioner Sherrer and carried unanimously.

ROMA TROUTT - WEED ISSUES: Roma Troutt met with the Board with concerns about weeds on her neighbor's property. The weeds are allowed to dry and then are cut. The cut weeds then blow over into the other property owners' fences, fields, and yards. The Commissioners will visit with the Prosecuting Attorney about the matter.

PUBLIC WALK-IN AND INPUT: Kathy Adams and neighbors from

Haw Creek Subdivision met concerning an issue at the entrance of their subdivision. There has been a manufactured home brought in by the developer of the subdivision and put on a 1/3 acre that the residents thought was common area of the subdivision. The residents aren't sure that the correct rules and laws have been followed. The Commissioners took the information and will check into the matter.

Scott Ethington met with the Commissioners to give a proposal for a tax deeded property, previous offered at auction, on Lower Bench Road. There is a total of \$1,313.04 taxes due on the property. The Assessor's Office has valued the property at \$21,900. It is 1.88 acres of land-locked property. A motion was made by Commissioner Pratt to sell parcel No. RP00495400 to Scott Ethington for the amount of \$1,313.04, which is the amount of tax and fees owed. It was seconded by Commissioner Sherrer and carried unanimously.

PROSECUTING ATTORNEY MATTERS: Assistant Prosecuting Attorney Tim Fleming met with the Commissioners concerning legal matters.

Pre-employment drug testing results should be put in the employee's personnel file.

Mr. Fleming will make sure that the MOU with the Irrigation Districts allowing use of County equipment in emergency situations has a liability clause in it.

Discussion was had on a County-owned parcel of land in the Sweet area. The property has been used and taken care of by an adjoining property owner, thinking that it was part of their property, for at least 60 years. Mr. Fleming will research as to what the options will be.

In an appeal hearing, the appellant can voice his opinion as to how the decision was inconsistent with the ordinance. The P & Z Board or staff could rebut or respond. No new information could be taken. If the Commissioners grant the appeal, the case could be remanded back to the P & Z Commission.

Mr. Fleming will look for any ordinance that prevents a neighbor's weeds from becoming a nuisance to the neighbors.

Discussion was had on the Haw Creek Subdivision issue concerning a mobile home being put on a lot at the entrance of the Subdivision. The Commissioners need to talk to Planning & Zoning. On it's face, Mr. Fleming seemed to think that maybe there are some violations.

VICTIM WITNESS QUARTERLY REPORT: Traci Fedrizzi, Victim Witness Coordinator, presented the quarterly report for the victim witness program. The report covered July 1 through Sept 30, 2003. There were 106 new victimizations and 385 total contacts with victims. Those numbers were up from the same quarter a year ago, but down a little from the past quarter.

The Commissioners attended a memorial tree planting ceremony for William "Bill" Paller, sponsored by Southwest District Health.

The Board recessed at 12:00 p.m. for lunch to reconvene at 1:00 p.m.

ALL HAZARD MITIGATION PLAN AGREEMENT AND RFP: A motion was made by Commissioner Pratt, seconded by Commissioner Sherrer, and carried unanimously to sign an agreement between the Gem County Commission and the West Central Highlands RC&D Council, Inc., regarding an All Hazard Mitigation Plan Grant. An RFP for the planning services to assist the Counties within the West Central Highland Resource Conservation and Development Council to conduct All Hazard Mitigation Planning was agreed on. It will be presented to the other counties for approval and then the bid process will be followed, with the bid opening scheduled for December 2, 2003.

RESOLUTION NO. 2004-01, SPEED LIMIT CHANGES: A motion was made by Commissioner Pratt, seconded by Commissioner Sherrer, and carried unanimously to adopt Resolution No. 2004-01 changing the speed limit on Enterprise Street, Service Avenue, and part of Kirkpatrick Road.

EXECUTIVE SESSION: A motion was made by Commissioner , seconded by Commissioner Mansfield, and carried unanimously, to go into executive session under Idaho Code 67-2345(1)(f) concerning probable litigation. Those governing bodies present in the meeting were Commissioners Mansfield, Pratt, and Sherrer. A motion was made by Commissioner , seconded by Commissioner Sherrer, and carried unanimously, to come out of executive session. No decisions were made.

HIPAA PRIVACY OFFICER: A motion was made by Commissioner Pratt to appoint Clerk Susan Howard as the HIPAA Privacy Officer for Gem County. It was seconded by Commissioner

Sherrer and carried unanimously.

MINUTES READ AND APPROVED: The minutes of October 27 & 28, 2003, were reviewed. A motion was made to approve the minutes of October 27 & 28, 2003, as read and corrected. It was seconded and carried.

The Board recessed at 5:00 p.m. to 8:00 a.m. on November 3, 2003.

Approved: _____
Chairman

Attest: _____
Clerk