



November 3 & 4, 2003, Emmett, Idaho

Pursuant to a recess taken on October 28, 2003, the Board of Commissioners of Gem County, Idaho, met in regular session this 3rd & 4th day of November, 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:

November 3, 2003:

EMMETT COMMUNITY ARTS COMMISSION: Janet Monti and Lori Coniglio met with the Commissioners and let them know that the Emmett City Council is in the process of the readings of an ordinance to form the Emmett Community Arts Commission. The Chairman will be Ida Church and the Treasurer will be Jill Nash with four other board members. Janet invited the Commissioners to attend their meetings.

DEPARTMENT HEADS: Dennis Pulley, Road & Bridge Supervisor, reported they are getting ready for the winter by checking their equipment. They are cutting brush. Dennis has been working on a grant for signs.

Debra Lish, Planning & Zoning Administrator, reported that their public hearing this month will be on November 17 and there are no hearings scheduled in December. She has gotten several phone calls concerning the mobile homes on Terry Jones' property, which is being taken care of in the P & Z Office. Ray Bowden's neighbors should be told that their concerns are civil matters and should be taken to an attorney. The Minor Subdivision application is being refined. Debra is working on getting some private roads named and recorded. The CAFO Ordinance is being worked on. Debra turned in a monthly report (later) showing that 26 building permits, 5 zoning permits, and 2 special applications were issued, for a total of \$23,360.04 fees collected.

Mark Rekow, Ambulance Director, reported \$17,162.20 in collections. They had 72 transports with 20 calls not transported, with 3 calls from the jail. Last year there

were only 48 transports, with a YTD of 667 compared to 558 last year. The block layers are getting started on the remodel of the EMS building. They are still on track with their budget. Mark had to spend about \$81 for heaters to keep the ambulances going over the weekend. It will be several days before they can be parked back in the building. One of the ambulances backed into a pile of rocks, which caused \$80 worth of damage. At a later time, Mark will present information on forming an ambulance district.

Morris Huffman, Economic Development Specialist, reported on his activities in Idaho City. He submitted an Edge Accomplishments Report for 2003 that he will be presenting on December 11, 2003, to the Department of Commerce.

Martin Joyce, Landfill Supervisor, reported 2,496 people used the landfill in October. Holladay Engineering is working on the Landfill project. The Landfill office employee is gone for surgery, probably until the end of the month.

Janelle Schneider, Juvenile Probation Officer, sent a report showing 93 juveniles on the caseload, with ten new juvenile petitions and two juveniles serving detention time. The report stated that there has been an increase in petitions and police reports for juveniles in this area.

Clerk Susan Howard let the Department heads know that there will be a Payroll Direct Deposit Authorization Form sent to each employee to use if they choose to participate. She also told them that the 2003 W-2's will not include the month of December salary because it will be received in January, 2004. Commissioner Sherrer gave the Department Heads a copy of an amendment to the personnel file concerning paydays now being on the 7th of the month for them to sign and to take to their employees. Commissioner Pratt talked about getting auction items turned in.

ELECTED OFFICIALS: Greg Himes, Assessor, reported that the FY2003 fees collected in the Motor Vehicles Department was \$1,037,648 which is about \$37,648 more than last year, and up almost \$300,000 from 1998. The fees haven't increased much, just the numbers.

Marilyn Knighton, Treasurer, reported that the 2003 tax drive is finished. There are 10,260 accounts, totaling \$7.5 million in taxes. There are 900 accounts already paid for 2003, with \$124,730.94 collected in October. The tax-deeded property sold to Scott Ethington cleared off tax years 1997, 1998, and 1999. There are two new public

administrator cases. Marilyn asked if the Commissioners are considering giving the day after Thanksgiving, the day after Christmas, or the day after New Year's Day off as a holiday. A bank has not yet been chosen for handling the County direct deposit.

Clint Short, Sheriff, reported there are 38 inmates currently in the jail. They received \$230 from drug court, \$1,480 from Boise County inmates, and about \$8,000 from the State inmates. Currently there are 6 State inmates and 1 inmate from Boise County being held in the Gem County jail. Having a doctor come to the jail once a week for inmate exams is working well. The Sheriff's Office has purchased 4 docks for the Black Canyon Reservoir.

John Buck, Coroner, has quite a collection of medications gathered that are in need of disposal. He will work with the Sheriff to dispose of them with the Sheriff Department's accumulation. He had four coroner calls in the month of October. The Prosecutor's Office and the Coroner's Office will do the County Christmas party.

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:

98-035 Application needed a release of lien because of it being paid off.

99-080 Application needed a release of statutory lien signed.

02-020 Application needed a release of statutory lien because of a pay-off.

03-078 Application for medical expenses.

04-012 Application 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 98-035, 99-080, and 02-020, to approve 03-078, and to sign a statutory lien for 04-012. It was seconded by Commissioner Pratt and carried.

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

PUBLIC HEARING - BUDGET ADJUSTMENT: The hearing was tape-recorded. Commissioner Mansfield opened the public hearing to adjust the FY2004 Budget for the purpose of increasing

it with an unanticipated grant of \$80,847 from a Title V grant to Starfish Promise Coalition and an unanticipated grant of \$81,000 (less \$13,500 anticipated) from the Idaho Bureau of Disaster Services for a Pre-Disaster Mitigation Program. He then asked for public comment, of which there was none. A motion was made by Commissioner Pratt to approve the budget adjustments as stated. It was seconded by Commissioner Sherrer and carried unanimously.

RESOLUTION NO. 2004-02: A motion was made by Commissioner Pratt, seconded by Commissioner Sherrer, and carried unanimously to adopt Resolution No. 2004-02 to make budget adjustments in the FY2004 budget in the City-County Planning Department in the General Fund for unanticipated grants.

APPEAL HEARING - SIPLE SPECIAL USE PERMIT: The hearing was tape-recorded. Commissioner Mansfield opened the hearing for an appeal from Stacy Ratcliff of the Planning & Zoning Commission's decision for a special use permit approved for David Siple for the building of a kennel.

Stacy Ratcliff, appellant, was allowed to state the basis for her appeal. She went over the three areas of General Standards #7, #4, and #6, which included traffic, noise, concern about the number of dogs, odors, gunfire, paving the dirt road, and it being detrimental to the community.

Dave Siple then responded to the remarks by Stacy Ratcliff. He stated that he has met all of the stipulations required by the Planning & Zoning Board.

Commissioner Pratt asked if blanks shot from guns make much noise and was told that there is a big difference from real ammunition. She asked about the hours of training and Dave Siple explained that he trains at several kennels. He also explained when he would be using real bullets. He also explained to Commissioner Pratt how the ultrasonic sound control works. He explained about his plans for the breeding of his dogs. His kennel is set up for 15 adult dogs. He stated that he does very select breeding, and that he is not in a puppy mill business.

Commissioner Sherrer asked how many litters he expects per year. He stated that he couldn't answer that—it depends on the dogs. He told Commissioner Sherrer that the ultrasonic sound control is only supposed to be heard by animals within a 2,000 square foot area. He has been using the sound control on his house pets in town, without any complaints from neighbors.

Debra Lish, Planning & Zoning Administrator reported on the decision of the Planning & Zoning Commission.

Tim Fleming, Assistant Prosecuting Attorney spoke to the dates of the original hearing and the appeal hearing. He told the Commissioners that they should not expand the record from the original record of the P & Z.

A motion was made by Commissioner Sherrer to take the decision under advisement. It was seconded by Commissioner Pratt and carried unanimously.

The Board recessed at 5:00 p.m. to reconvene at 8:00 a.m. on November 4, 2003.

November 4, 2003

Pledge of Allegiance was said.

EDGE & SHADOW BUTTE DEVELOPMENT CORPORATION: Cheryl Conrad from Shadow Butte Development Corporation and Morris Huffman, Economic Development Specialist, met with the Commissioners. They would like to have a get-together with the City, County, Dept of Commerce, and prospective businesses. It would be a formal meeting with expenses at about \$300. They suggested that EDGE pay \$150 and Gem County pay \$150. December 5, 2003 will be the date.

Cheryl wondered who is working on the plot plan for Shadow Butte Industrial Park—Holladay Engineering or Roger Bennie, surveyor. It needs to be determined who is doing it.

There needs to be an amount set on the land price after the number of jobs requirement is met.

PARENTS AS TEACHERS OFFICE SPACE: Previously, the County approved the use of the SILD trailer at the Fairgrounds for office space for Americorp Volunteer Project Promise Coalition, but they will not be needing it. Roseanne Daily from the Gem County Recreation District asked if the Parents As Teachers could use the trailer as a temporary office for the month of November. It was approved.

PUBLIC WALK-IN AND INPUT: Meg Davis from the Gem County Historical Society met to ask about who is responsible to repair the sidewalks in front of the Hunt House. It was determined that Gem County owns the Hunt House, therefore, Gem County will take care of doing the repair.

PROSECUTING ATTORNEY MATTERS: Prosecuting Attorney Richard Linville and Assistant Prosecuting Attorney Tim Fleming met with the Commissioners concerning legal matters. The Planning & Zoning appeal process was discussed.

A resolution needs to be adopted for the fee for beer and wine licenses.

MUTUAL AID AGREEMENT: A motion was made by Commissioner Pratt to sign a Mutual Aid Agreement between Gem County and Emmett Irrigation District. It was seconded by Commissioner Sherrer and carried unanimously.

SPECIAL USE PERMIT APPEAL DECISION: A motion was made by Commissioner Sherrer to overrule the Planning & Zoning Commission decision for a special use permit for Dave Siple to build a dog kennel on his property, because the record was not complete. This would allow the application to be brought back to the Planning & Zoning Commission, without a fee, to reconsider General Standards No. 4 which concerns the kennel being a disturbance or hazard to the neighborhood, and No. 7 concerning uses creating excessive noise. It was seconded by Commissioner Pratt and carried unanimously.

The Board recessed at 12:00 p.m. for lunch to reconvene at 1:30 p.m.

CITY/COUNTY LUNCHEON: A City/County luncheon was held with the City of Emmett. Those in attendance from the City were Mayor Ron Morgan and Councilmen Tony Villanueva, Leonard Becken, Darel Harris, and Dennis White. Those in attendance from the County were Commissioners Mansfield, Pratt, and Sherrer, Prosecuting Attorney Richard Linville, Asst. Prosecuting Attorney Tim Fleming, Assessor Greg Himes, and Coroner John Buck. Others in attendance were Morris Huffman from EDGE, Linda Jackson and Dr. Vetter from the Chamber of Commerce and Janet Monti from the Messenger Index. Shirl Boyce, Todd Bunderson, and Nick Miller from Boise Metro Chamber of Commerce were special guest speakers. Topic of discussion was economic development and the Boise-Metro Economic Development Council.

The Board recessed at 5:00 p.m. to 8:00 a.m. on November 10, 2003.

**CLAIMS FOR THE FOLLOWING FUNDS WITH WARRANTS WRITTEN
October 1, 2003, to October 31, 2003:**

CURRENT EXPENSE FUND	\$ 96,308.99
ROAD & BRIDGE FUND	3,065.62
CIGARETTE TAX/BLOCK GRANT	1,439.72
DISTRICT COURT FUND	2,660.17
COUNTY JUSTICE FUND	29,340.74
ENHANCED 911	1,130.57
REVALUATION FUND	490.00
SOLID WASTE FUND	19,077.57
TORT	32,000.00
NOXIOUS WEED FUND	1,657.30
JAIL FACILITIES BUILDING	177.00
INSURANCE POOL	1,701.99
AMBULANCE FUND	<u>91.52</u>
TOTAL	\$189,071.20

Approved: _____
Chairman

Attest: _____
Clerk