



February 17, 2004, Emmett, Idaho

Pursuant to a recess taken on February 10, 2004, the Board of Commissioners of Gem County, Idaho, met in regular session this 17th day of February, 2004, 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:

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Pledge of Allegiance was said.

LOIS VanHOOVER - RS2477: Lois VanHoover, independent contractor who has worked on RS2477 roads for other counties, met with the Commissioners. She explained the RS2477 process and explained that these roads are controlled by Counties. They need to be validated as historical rights-of-way, and are usually on public land. All mapping needs to be done on them by July 1, 2005.

Dennis Pulley, Gem County Road & Bridge Supervisor, stated that the Johnson Creek right-of-way may have been given back.

The County does not have to maintain the RS2477 roads nor do they have any liability for an RS2477 road. State law says that the only way to close an RS2477 road is by eminent domain. If there is a County road on a public right-of-way the County could vacate the road, but the public right-of-way would still stand.

The Commission will discuss if they want to go forward with Lois VanHoover researching out the RS2477's in Gem County. The cost should be under \$5,000.

AIRPORT PROPERTY BID OPENING: Bids were opened for the lease of of County land known as proposed Airport Site 7. Bids were received from Jim & Carla Standley for \$8,500 and from David Coburn for \$1,200. Both bids had the required 5% bid bond. A motion was made to accept the bid from from Jim & Carla Standley for \$8,500, with it being pro-rated for time and amount of land as any construction happens.

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

04-022 Application needed a Notice of Hearing signed.

04-034 Application needed a Release of Lien signed because the application was denied.

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

A motion was made by Commissioner Pratt to sign a Notice of Hearing on 04-022 and have the Chairman sign a Release of Lien on 04-034. It was seconded by Commissioner Sherrer and carried unanimously.

PUBLIC WALK-IN AND INPUT: Blake Leonard met with the Commissioners concerning the number of Sheriff Deputies on duty to control the speeding on E. Locust Road where he lives. He stated that he sees a lot more Police Officers out patrolling than there are Sheriff Deputies. He has been told from the Sheriff's office that there is not enough money available to hire more patrolmen. The Commissioners stated that they would visit with the Sheriff. They asked Mr. Leonard to keep track of the time of the day that there seems to be the biggest problem and possible descriptions of repeat speeders.

Don Dittmer met and stated that almost everything on the Gem Fire Mitigation Plan has been signed. He will get copies to those who need them.

Richard Rex met with a map detailing his proposed property line change. A time was scheduled on the Commissioners' agenda for Monday, February 23, 2004, for all parties concerned to go over the matter.

TYLER TRAILER PARK: Gene Gunderson from Southwest District Health, Kate Kelly from DEQ, and Ron Sutcliffe from the Attorney General's Office, met with the Commissioners and Assistant Prosecutor Tim Fleming to go over the situation with the water and sewer systems at Tyler Trailer Park. A packet is being put together for the Prosecuting Attorney's Office with all of the information in it. There are only emergency, band-aide repairs being done at the present time. The long-term repairs are much more significant. The owner wants to do what is right. His options are fairly limited. The Southwest District Health will not be issuing

permits for repair work of the septic systems that are currently on site. The park is so old that there are no records of any permits or map locations of any reported nine septic and drain field systems in the park. There have been medical examinations on some of the residents with nothing significant found. There is a large dumpster available on site and it is being filled with trash from the Park area. There are portable toilets on site and bottled water is being brought in. The drinking water system has been determined as "failed" by DEQ. DEQ is exploring their options as to what action they will take—either administrative, civil, or criminal. There are 15 families living in the Park. DEQ, SW District Health, the AG's Office, with the County will continue to aggressively address the situation.

AIR QUALITY MONITOR IN EMMETT: There will be an air-quality monitor put at the Idaho Power Building in Emmett by DEQ to monitor the PM 2.5, which are small particulates. It will be operational within two months and Kate Kelly from DEQ will bring the air quality stats in and will explain the program. It will be accessible on the Internet. Emmett will be a normal part of their air quality network.

PROSECUTING ATTORNEY MATTERS: Assistant Prosecuting Attorney Tim Fleming will look over the contract between Gem County Fair Board and Les Bois Park, Inc., for horseracing.

The Board recessed for lunch at 12:30 p.m. and reconvened at 1:30 p.m.

GEM PLAN: Discussion was had on changing from Blue Cross Medical Insurance. The Gem Plan has been proposed as a health insurance program run by a board made up of County Commissioners. Several counties have joined the program. It has been organized similar to the ICRMP liability insurance program established by the Counties. There was no motion made.

RACINO DISCUSSION: A recorded collection of voice mail messages from Ron Erickson to Commissioner Sherrer was listened to. The other Commissioners received similar messages. The message indicated that there had been an "agreement" with Gem County that may need to be changed and that everything was "in place." It was determined that there has been no agreement between the County and Ron

Erickson.

The Commissioners reviewed the contract between the Fair Board and Les Bois Park, Inc., for LBP to serve as the license holder for pari-mutuel racing at the Gem County Fairgrounds during the term of the agreement. This was the first time the Commissioners had ever seen the contract. The voice mail messages indicated that Ron Erickson has been visiting with Clayton Russell, who has been the one to negotiate with Les Bois each year. The County Prosecuting Attorney is currently reviewing the contract.

Discussion was had on several of the things that had affected their (the Commissioners') opinion of Ron Erickson and Shawn Scott and their proposal. There have been promises made and not kept, there have been changes in attitudes from them towards the Commissioners and the Community, and there have been questions that have never been answered adequately. There has been a lot of personal contacts with the Commissioners when they were asked to only meet and contact them at the Commissioners' Office and during meeting times.

Commissioner Sherrer has researched and found that the 20% profit given back to the Counties/Horsemen, seems to be the lowest amount given in any other state. The average is around 50%. She has found other instances where their facts and figures have not been supported by any of the research she has done. She found many of the total opposite. Commissioner Sherrer feels strongly that there would be a dramatic increase to the monetary cost to the County if their proposal would be accepted.

Commissioner Pratt stated she is not sure this is the direction the County should be going to provide jobs. She is concerned with part of the initiative, especially the part that states they could have immediate licensing if the initiative passes. There were other parts of the initiative that was discussed.

Commissioner Sherrer stated that she feels that the Commissioners should be supporting the horsemen whenever possible. She stated that she hoped that by not supporting Ron Erickson's proposal it would not make the horsemen think that the Commissioners did not support them.

The Commissioners agreed that to support the initiative would be supporting something that is currently illegal. Commissioner Pratt stated that it is pretty obvious that the Community is not in support of the proposal. She stated that even though she is not personally against gambling, there could be no amount of money worth changing the good things that are going in Gem

County. Commissioner Mansfield is concerned about losing current business and future business if a racino comes into the County.

A decision was made to start working on a letter of non-support to Ron Erickson concerning his proposal, but to wait to finalize the letter until hearing back from the Prosecutor's Office concerning the contract between the Fair Board and the Les Bois Park. The Commissioners agreed that they do support the initiative process to allow citizens to make laws.

MINUTES READ AND APPROVED: The minutes of February 9 & 10, 2004, were reviewed. A motion was made by Commissioner Pratt to approve the minutes of February 9 & 10, 2004, as read and corrected. It was seconded by Commissioner Mansfield and carried unanimously.

The Board recessed at 5:00 p.m. to reconvene at 8:00 a.m. on February 23, 2004.

Approved: _____
Chairman

Attest: _____
Clerk