



April 12 & 13, 2004, Emmett, Idaho

Pursuant to a recess taken on April 6, 2004, the Board of Commissioners of Gem County, Idaho, met in regular session this 12th & 13th day of April, 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:

April 12, 2004

Pledge of Allegiance was said.

EXECUTIVE SESSION: 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)(b) concerning personnel. Those governing bodies present in the meeting were Commissioners Mansfield, Pratt, and Sherrer. No final decisions were made. A motion was made by Commissioner Sherrer, seconded by Commissioner Pratt, and carried unanimously to come out of executive session.

JEFF CHAPMAN - BUILDING INSPECTOR MATTERS: Jeff Chapman, Building Inspector, reported that he will be taking the residential test to certify, possibly next week. He is feeling more comfortable with doing inspections. The Commissioners let Jeff know that there wouldn't be a problem with him doing framing work on his own time for someone if it is within the Emmett City limits or in any other County besides Gem County.

The Co-Generation plant will be coming up for inspection. Jeff is working at finding qualified inspectors to do the inspections.

If a structural engineer is going to be required for all remodels of mobile homes, there needs to be advertisement in advance of requiring it. Jeff stated that the requirement is already in the code.

MAX LONG - COUNTY INSURANCE LAB PROGRAM: Max Long met with the Commissioners to visit about the lab program with Gem Plan, the new County medical insurance plan. Gem Plan has contracted with Lab One for 100% coverage for lab work. Max said that it is a concern because of the business loss

and also because there are some tests that they are not willing to send out, so the patient may be unhappy. Marilyn Knighton, Treasurer, and John Henderson, mapper, brought up their concerns. Max was told that the people from Gem Plan have stated that they are very flexible and will work with all situations in every County. Max will be given a contact person for Gem Plan.

ECONOMIC DEVELOPMENT UPDATE: Morris Huffman will be going to a Sage Community Resource meeting this week. He presented the CEDS (Community Economic Development Schedule) report. During discussion of the report, the Commissioners asked that the Dewey Road freeway access and the southern bridge crossing to Gem Island Sports Complex both be moved up to a level I. They also deleted the Gem County Ambulance building from the list because of it being finished.

Morris discussed the week's schedule of meetings he will be attending. He is working on a full-blown advertising campaign project for Shadow Butte Industrial Park that is planned, but put on hold until some of the land in Shadow Butte Industrial Park is sold to provide finances for the project.

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:

04-024 Needed an assignment of 89.7% for the Catastrophic Fund.

03-008 Needed an assignment of 88.5% for the Catastrophic Fund.

03-062 Needed an assignment of 27.2% for the Catastrophic Fund.

03-030 Needed an assignment of 49.4% for the Catastrophic Fund.

03-032 Needed an assignment of 75.8% for the Catastrophic Fund.

04-023 Needed a release of statutory lien signed.

04-050 Application for medical assistance.

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 the Catastrophic Fund assignments for 04-024, 03-008, 03-062, 03-030, and 03-032, to sign a release of lien for 04-023,

and to deny 04-050 because of lack of cooperation. It was seconded by Commissioner Pratt and carried unanimously.

PAYROLL CLAIMS APPROVED: A motion was made by Commissioner Sherrer to approve the Payroll Claims Report and Direct Deposit Report for the months of February and March, 2004. It was seconded by Commissioner Pratt and carried unanimously.

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

JAKE WYANT - WEED MATTERS: Jake Wyant, Noxious Weed Supervisor, met with the Commissioners and reported that EPA will not issue aquatic herbicide permits to treat the Eurasian Milfoil in Gem County. They say that the ponds and areas treated in Gem County are not a point source so we do not have to have a permit. The Weed Department could assist Fish and Game in treating their ponds in the County and not actually do the treating, if the Commissioners make that decision. Jake needs to get direction from the Commissioners as to whether he should treat the water. Commissioners Pratt and Sherrer told him they think he should continue his programs, following the herbicide labels and documenting everything he does, knowing there is a lawsuit out there against the County on the Clean Water Act. Commissioner Mansfield would make no commitment.

ARTS COMMISSION: Ida Church, from the Arts Commission, met to discuss the corner of Washington Avenue and Main Street where a furniture store burnt down. The owners of the lot have agreed to rent the lot to the Arts Commission for five years at \$1.00 per year. They are looking for a tax relief of \$725 property taxes for the next few years. She was told that the owner would have to apply for the tax exemption—the Arts Commission cannot. Ida went over their fundraiser ideas and their plans for beautifying the corner.

STEVE BUCK - DISASTER DRILL ROUNDTABLE: The Commissioners attended a roundtable exercise to prepare for a State disaster drill scheduled for May, 2004. The roundtable was held in the Emmett City Council Room.

The Board recessed at 5:00 p.m. to reconvene at 8:00 a.m. on April 13, 2004.

April 13, 2004

Pledge of Allegiance was said.

INDIGENT HEARING: An indigent hearing was held in executive session for Case No. 04-022. Those in attendance were Commissioners Mansfield, Pratt, and Sherrer, Clerk Howard, Deputy Clerk Sue Spencer, West Valley Hospital representative, and the indigent party. After coming out of executive session, Commissioner Sherrer made a motion to leave the record open and continue the hearing to May 4, 2004, at 9:00 a.m. It was seconded by Commissioner Pratt and carried unanimously.

Commissioner Mansfield left to attend an ITD meeting concerning Butte Road Bridge.

PUBLIC WALK-IN AND INPUT: Cheryl Conrad from Shadow Butte Development Corporation met to get an answer as to the condition of the lots when sold to businesses in Shadow Butte Industrial Park. She asked if there will be any grubbing and/or grading of the lots before the sale. She was told a decision will be made today.

Jim Jauregui from Idaho Power met to let the Commissioners know about the power outage on Saturday, April 17, 2004. It will happen in order to allow Idaho Power to put in the needed equipment for new meters that are being put into homes and businesses in the County. The new meters will allow meter readings from the Idaho Power office.

PROSECUTING ATTORNEY MATTERS: Prosecuting Attorney Richard Linville met with the Commissioners. Discussion was had on a proposed dog-at-large ordinance. PA Linville suggested taking a draft ordinance, specific to BOR parks and the Gem Island Sports Complex, to the public before adoption.

PA Linville will look into the need for findings of fact and conclusions of law for Planning & Zoning decisions.

Some of the budgeted civil attorney wages will be used for attorney fees for specific suits the County is involved in.

It would be a policy decision whether wood products in the landfill can be given to a private business. There is no legal decision to be made.

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

ECONOMIC DEVELOPMENT: Leslie Toombs and Shawn Charters from Sage Community Resources met to discuss updates on Shadow Butte Industrial Park. The Architect Agreement of Services was presented. An addendum was made with a timetable on it, per the EDA requirement. There is still no date for the signing of the sewer agreement with the City of Emmett, but there has to be some kind of a sewer agreement signed for the engineering to move forward.

Holladay Engineering will be the project manager with a prime contractor assigned through the bid process, for the Shadow Butte Industrial Park project.

A motion was made by Commissioner Pratt, seconded by Commissioner Sherrer, and carried unanimously to grub the lots in the Park before their sale and use the material for the landscaping berms.

GENERATOR SERVICE CONTRACT: A motion was made by Commissioner Pratt to accept the proposal from Advanced Automation for a generator service contract for \$133.50 per month and also a 100-hour generator service call for \$500, plus parts. It was seconded by Commissioner Sherrer and carried unanimously.

HIPAA RESOLUTION: A motion was made by Commissioner Sherrer to approve Resolution No. 2004-05 concerning the HIPAA privacy officer and HIPAA Compliance. It was seconded by Commissioner Pratt and carried unanimously.

CLAIMS: The claims presented were reviewed. A motion was made by Commissioner Pratt to pay the claims as presented and noted in the Claims Report Form. It was seconded by Commissioner Sherrer and carried unanimously.

EXECUTIVE SESSION: 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)(f) concerning pending litigation. Those governing bodies present in the meeting were Commissioners Mansfield, Pratt, and Sherrer. No final decisions were made. A motion was made by Commissioner Sherrer, seconded by Commissioner Pratt, and carried unanimously to come out of executive session.

Commissioner Sherrer left the meeting.

MINUTES READ AND APPROVED: The minutes of April 5 & 6,

2004, were reviewed. A motion was made by Commissioner Pratt to approve the minutes of April 5 & 6, 2004, as read and corrected. It was seconded by Commissioner Mansfield and carried with both Commissioners voting aye.

The Board recessed at 5:15 p.m. to 8:00 a.m. on April 19, 2004.

Approved: _____
Chairman

Attest: _____
Clerk