



May 17 & 18, 2004, Emmett, Idaho

Pursuant to a recess taken on April 27, 2004, the Board of Commissioners of Gem County, Idaho, met in regular session this 17<sup>th</sup> & 18th day of May, 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:

May 17, 2004

Pledge of Allegiance was said.

P & Z BOARD UPDATE: Bruce Wall, Planning & Zoning Board Chairman met with the Commissioners to discuss P & Z matters.

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)(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.

WAYNE WOODWARD - PROPERTY TAX CANCELLATION: Wayne Woodward met with the Commissioners to ask for a cancellation of the last half of his 2003 property taxes. He felt there was an error on the way his property was assessed, as non-agriculture property. Assessor Greg Himes provided a copy of the signed form that Wayne filled out stating that his property had not been used for agriculture. There has been an agricultural exemption form filled out for the current year. Assessor Himes stated that the date of the appraisal was March 19, 2003, and he presented a signed application from Mr. Woodward that stated the property had not been used for agricultural purpose for three years. The cancellation asked for was \$538.49.

A motion was made by Commissioner Pratt to deny the request to cancel the property taxes asked for by Wayne Woodward. It was seconded by Commissioner Sherrer and

carried unanimously.

**DISASTER DRILL UPDATE:** Disaster Services Coordinator Steve Buck met with an update on the Disaster Drill that is happening this Saturday, May 22, 2004. The emergency operation center(EOC) will be the Ambulance building. One of Steve's responsibilities is to notify the Commissioners that a disaster is happening. He went over the plans for the mock disaster. The Emmett High School and Junior High Drama Club and others will participate as the victims.

**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:

04-050 A denied application for medical assistance needed a Notice of Appeal Hearing signed.

04-060 A release of statutory lien needed to be signed because of the application being denied.

04-064 An application for medical assistance needed a statutory lien signed.

04-065 An application for assistance for power.

04-066 An application for medical assistance needed a statutory lien signed.

04-067 An application for medical assistance needed a statutory lien signed.

04-068 An application for medical assistance 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 Pratt to sign a Notice of Appeal Hearing for 04-050, to sign a release of statutory lien for 04-060, to sign a statutory lien for 04-064, to deny 04-065 because of non-compliance of Health and Welfare, and to sign statutory liens for 04-066, 04-067, and 04-068. An amendment to the motion was made by Commissioner Sherrer to also send UCC filings to the Secretary of State's Office for 04-064, 04-066, 04-067, and 04-068. It was seconded by Commissioner Pratt and carried unanimously.

**CERTIFICATE OF RESIDENCIES APPROVED:** A motion was made by Commission Pratt to approve Certificate of Residencies for tuition aid for Helena Torres, Sharla (Guest) Brown, Brenda Elliott, Patricia Hope, Christa John, Rae Lynn Kelley,

Teresa Leasy, Diane Marchant, Juana Martinez, Irene Martz, Terry McCullough, Gail McDonough, Valarie Padgett, Virginia Schaefer, Fawn Stallions, Susan Standley, Beverly Tower, Alta Urcaregui, Kathy Wessel, and Joan Wright to attend the Spring, 2004, semester at College of Southern Idaho. It was seconded by Commissioner Sherrer and carried unanimously.

**QUARTERLY REPORT APPROVED:** A motion was made by Commissioner Sherrer to approve the quarterly Treasurer/Auditor report for the second quarter of FY2004. It was seconded by Commissioner Pratt and carried unanimously.

**PAYROLL CLAIMS APPROVED:** A motion was made by Commissioner Pratt to approve the Payroll Claims Approval for the month of February. It was seconded by Commissioner Sherrer and carried unanimously.

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

**TERESA HOLCROFT - SPEED LIMIT ON BEACON AVE.:** Teresa Holcroft presented a letter from taxpayers living on Beacon Avenue. They would like to see the 45mph speed limit changed to 35mph north from Black Canyon to Hillview Road and 25mph on Beacon from Hillview north to the end of Beacon. The reason is a safety issue for children and animals. Teresa will get a few more signatures and the Commissioners will visit with the Road Department Supervisor.

**P & Z "WILL & JERRY TRAINING" UPDATE WITH STAFF:** Planning & Zoning Supervisor Debra Lish and Debbie Smith from the P & Z Office met to go over the handouts and notes from training that Commissioners Pratt and Sherrer attended. They all shared ideas.

**The Board recessed at 5:00 p.m. to reconvene at 8:00 a.m. on May 4, 2004.**

**May 18, 2004**

**Pledge of Allegiance was said.**

**INDIGENT HEARING:** The Indigent Hearing for Case # 04-041 was held in executive session. Those in attendance were

Commissioners Mansfield, Pratt, and Sherrer, Deputy Clerk Sue Spencer, Prosecuting Attorney Richard Linville, and Daniel Luker. Neither the applicant nor St. Alphonsus Hospital representative were present. After coming out of executive session, Commissioner Sherrer made a motion to uphold the previous decision of denial. It was seconded by Commissioner Pratt and carried unanimously.

In executive session, Case #03-008 was discussed from information presented at a previous hearing. After coming out of executive session, Commissioner Sherrer made a motion to reconsider denial of the application based on all evidence in the file and testimony at the hearing, to approve the claim as indigency existed at the time of application. It was seconded by Commissioner Pratt and carried unanimously.

**STORMWATER GRANT DISCUSSION:** Russ Manwaring and Debra Lish were present. Discussion was had about following through with getting the County and City involved to meet the requirements of storm water drainage, develop County and City Ordinances for standards to treat storm water for future development. They discussed what needs to be done to accept the grant. Debra's staff will be spending time on the ordinance, research, etc. They will gather information from John Henderson, mapper from the Assessor's Office, about the format he will need to input this project.

**EXECUTIVE SESSION:** Commissioner Pratt made a motion to go into Executive Session 67-2345(1)(b) concerning personnel. Seconded by Commissioner Sherrer and carried unanimously. Commissioner Pratt made a motion to come out of executive session. Seconded by Commissioner Sherrer and carried unanimously. No decisions were made.

**PUBLIC WALK-IN AND INPUT:** Quinn Nuffer and Ron Montgomery met to discuss the plan for mosquito abatement. The spray barrier at Gem Island Sports Complex depends on the product used. Mosquitoes need to be controlled when larva. Regulations must follow so it doesn't affect the water when controlling mosquitoes. They need to locate flooded areas to identify where mosquitoes are coming from that are found in the park. Ron commented on the clean water issue and the program is being reinvented to meet the requirements. Richard Linville stated he has not received any notice from Mosquito Abatement but does not want his property sprayed.

**PROSECUTING ATTORNEY MATTERS:** Richard Linville met to

discuss legal matters. They discussed auctioning the jail module which is to be advertised as being auctioned on-line. Property for sale is Idaho Code 31-808.

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

**FIRE DISTRICT NO. 1 ANEXATION ORDER ADOPTED**: Commissioner Pratt made a motion to adopt the Order Annexing Property into Gem County Fire Protection District No. 1, as presented. Commissioner Sherrer seconded the motion and it carried unanimously.

**MOSQUITO PLAN ACCEPTED**: Commissioner Pratt made a motion to accept the Mosquito Abatement Plan as presented. Commissioner Sherrer seconded it and it carried unanimously.

**The Board recessed at 5:00 p.m. to 8:00 a.m. on May 24, 2004.**

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

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