



October 12, 2004, Emmett, Idaho

Pursuant to a recess taken on October 5, 2004, the Board of Commissioners of Gem County, Idaho, met in regular session this 12<sup>th</sup> day of October, 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.**

**CLAIMS:** The claims presented were reviewed. A motion was made by Commissioner Sherrer to pay the claims for FY2004 as presented and noted in the Claims Report Form. It was seconded by Commissioner Pratt and carried unanimously.

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**BOARD OF COMMUNITY GUARDIAN UPDATE:** Barbara Pultz and Farrin Farnworth from the Board of Community Guardians met with an update on their Board. There is one vacancy on the Board, and there may be another. Farrin is currently acting as Chairman, possibly becoming the permanent chairman. They went through the steps of someone becoming a ward of the Board. It has to go through Adult Protective Services, the Prosecuting Attorney's Office, and then a court order. During the court process, the Board of Community Guardians can determine that the person is not appropriate for the Community Guardian program because of them not being the "port of last resort."

There needs to be some local training for the Board of Community Guardians. The only training the last few years has been too far away to work for the local Board. This will be looked into because with new Board members, training is imperative.

**PROSECUTING ATTORNEY MATTERS:** Deputy Prosecuting Attorney David Hargraves met on legal matters. The Transportation Plan can probably be amended by resolution.

The Qwest contract can be signed by resolution, after determining that they are the sole source of telephone service in the County, and publishing such resolution in the newspaper.

**QWEST SOLE SOURCE OF PHONE SERVICE:** A motion was made by

Commissioner Sherrer to declare Qwest as the sole source procurement of telephone service in Gem County. 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.**

**Commissioner Sharon Pratt was not in attendance in the afternoon meeting because she went to Valley County to attend a Valley County Commissioners' meeting.**

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

04-072 Application for medical assistance that is being appealed and there is more information to be considered.

No decision was made. A motion was made by Commissioner Sherrer, seconded by Commissioner Mansfield, and carried unanimously to come out of executive session.

**ROAD TOUR:** The Commissioners went on a road tour with Road and Bridge Supervisor Dennis Pulley to inspect an irrigation drain ditch on the corner of Clinton Avenue and Black Canyon Highway. Gem Soil and Water Conservation District is putting a 319 Grant Project Design Package together for Mr. Drenzel Haws to pipeline this ditch. The County Road and Bridge Department will be doing in-kind work of cleaning the ditch and backfilling after the placement of the culvert.

**SHADOW BUTTE INDUSTRIAL PARK UPDATE:** Members of Shadow Butte Industrial Corporation and others met to update the Commissioners on Shadow Butte Industrial Park. Karla Mitchell, Sage Planning Assistant, presented a draft copy of the Gem County Fair Housing Plan.

Since the last update the Corps of Engineers is requiring a completed wetland delineation.

SBIC is working on changing the sales contracts to now be in the County's name.

The final plat will be submitted soon. John Blom from Holladay Engineers reported on the things he is working on. Other items were discussed. Main construction will not be started until spring except for some possible grubbing of the roads and some utility work through the winter.

Last Chance Ditch has the water rights on the property. Dean Charters from Last Chance Ditch thought there would be a couple of options with the water rights. The water rights will be given to each lot for potable water and irrigation. Water Resources may be willing to convert the water rights to an aquifer recharge. The County could give the shares back to the Ditch Company, but the Ditch Company needs the money rather than extra shares. The shares could be retained if the Corp of Engineers need to enhance a wetland to make up for the wetland area taken up by the Industrial Park.

The Wetland Delineation Proposals were gone over. There

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were six proposals. Each was discussed. Consensus was to go with CH2MHill for the amount of \$7,125, payable upon completion, if several additional concerns were answered satisfactorily. A motion was made by Commissioner Sherrer to accept the proposal from CH2MHill, contingent on getting acceptable answers to several concerns—hourly rate, how long to complete filed work, number of copies of report, and definition of "lump sum payment." It was seconded by Commissioner Mansfield and carried unanimously.

**The Board recessed at 5:00 p.m. to 8:00 a.m. on October 18, 2004.**

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

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