



April 25 & 26, 2005, Emmett, Idaho

Pursuant to a recess taken on April 18, 2005, the Board of Commissioners of Gem County, Idaho, met in regular session this 25th & 26th day April, 2005, at 8:00 a.m.

Present:	Sharon Pratt	Chairman
	Michele Sherrer	Commissioner
	Lan Smith	Commissioner
	Sue Spencer	Deputy Clerk

Whereupon the following proceedings were had, to-wit:

April 25, 2005

Pledge of Allegiance was said.

CONNIE GOINS - TREASURER: Gem County Treasurer Connie Goins met to discuss three properties that were taken for tax deeds. The three properties are parcel numbers RP 00353001, RP 00327200, RP 00327300 and have been redeemed. There are still two parcels with tax deeds.

PLANNING AND ZONING UPDATE: Debbie Smith, Planning and Zoning Administrator, met to discuss various citizen complaints. She is currently working to clean up complaints from previous administrations. Legal descriptions need to match the actual legal description of property on plat maps.

MOSQUITO ABATEMENT DISTRICT: Commissioner Sherrer made a motion to approve and adopt the Gem County Comprehensive Mosquito Surveillance and Control Plan 2004-2005 and addendum as part of the plan. The motion was seconded by Commissioner Smith and carried unanimously.

IDA CHURCH - RESIGNATION: A motion was made by Commissioner Smith to accept Walter Knox Hospital Board resignation of Ida Church, seconded by Commissioner Sherrer and carried unanimously.

CONSIDERATION OF FUNDING: Commissioner Smith made a motion to consider the Board's intention of funding budget year 2005-2006 of \$5,100.00 for Gem Soil and Water Conversation District and \$3,250.00 for Squaw Creek Soil Conservation District. The motion was seconded by Commissioner Sherrer and carried unanimously.

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

05-036 Sign statutory lien for medical application.

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

A motion was made by Commissioner Sherrer to sign a statutory lien for 05-036. It was seconded by Commissioner Smith and carried unanimously.

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

BUREAU OF RECLAMATION ORDINANCE - ALCOHOL: Robert Adams and Kathy Mondor met to discuss the ordinance concerning alcohol at and around Black Canyon Dam area. They would be willing to pay for the cost of publishing the ordinance. They need rules and regulations included in the Ordinance. Commissioner Pratt asked for clarification of a few items and issues were referred to Deputy Prosecuting Attorney David Hargraves for further review.

JUVENILE PROBATION GRANT: Commissioner Smith made a motion for the chair to sign the JAIBG Accountability Grant. The motion was seconded by Commissioner Sherrer and carried unanimously.

The Board recessed at 5:00 p.m. to reconvene at 8:00 a.m. on April 26, 2005.

OPEN FORUM - EMMETT: An open forum was held at 7:00 p.m. on April 25, 2005, at the Gem County Courthouse. Those in attendance were Commissioners Pratt, Sherrer, and Smith, Clerk Howard, and four members of the public. Topics of discussion were building permits, dog control, public access on canal bank roads, impact fees, definition of a planner, tax deed properties, Welfare Conference report, possible Highway 16 improvements and extension, resulting problems from added population, and poor first impressions for people coming into the Emmett Valley because of several businesses.

April 26, 2005

Pledge of Allegiance was said.

Commissioner Smith attended a meeting at Southwest District Health until 1:00 p.m.

WADE DISHION - ADULT MISDEMEANOR PROBATION REPORT: Wade Dishion reported on adult misdemeanor probation for the 1st quarter of 2005. They received twenty-seven case assignments, of which eighteen were driving under the influence. Thirty-two cases were closed, sixteen were ordered to complete programs, and thirteen have completed the program. Fine payments collection is approximately 97%.

Twenty-four completed the SILD program and 3 were unsuccessful. One individual violated the program and chose jail time over SILD. Two began the program, but didn't complete it.

Drug testing for probation included 84 tested. There were 65 negative, 11 positive for marijuana and 8 positive for amphetamine.

PUBLIC WALK-IN AND INPUT: Kelly Taylor and Gretchen Hyde met to discuss Gem Island Sports Complex dugouts. Kelly stated that the proposal should have been finalized before meeting with Commissioners so they could have a better idea for funding. The Board instructed the committee to pursue another avenue. They were able to get a bid of \$1,079 for one dugout plus the bench construction. The goal is to have dugouts and benches. Funding changed from having five-year sponsors to life-time recognition for fund donors. They asked the County to make sure donation signs continue at county expense and that they note the donors. Commissioner Pratt questioned the sponsorship versus contributions. Gretchen stated that donations are vital to this project and it is not free advertising, as the dugouts don't yet exist. Kelly explained the differences of signs of sponsorship versus donations. Gretchen said the signs would be the same size, 18 x 24, that the text may vary somewhat but remain uniform. The benches will be fastened for safety. Commissioner Sherrer has concerns about donations versus sponsorships and who wants to be recognized. Gretchen doesn't feel that people who have donated time and money prior to this date would have to have signs. Commissioner Pratt stated this will be taken under advisement. No decision was made.

Ed Klinker met with the Commissioners to discuss property that he has been complaining about concerning junk cars, etc. Mike Klinker stated a complaint was made about a junk trailer on the same property. Mike feels that the owner of this property is bringing in more junk, which Ed and Mike both feel is preventing the sale of their property. Ed Klinker was advised to meet with Debbie Smith and take pictures. Debbie is working with the Prosecuting Attorney on this matter.

Ed Mansfield met to discuss a large hole at the Island where the pond is being dug deeper. Dust oil was put on the roadway last year and now there are a lot of holes that need to be repaired. Ira from Idaho Power looked at a project to take power from the side of one of the buildings to the Amphitheater, approximately 963', at a cost of between \$5500 and \$8500. The Youth Auction will take place April 29, 2005, at 5:00 p.m. Ticket sales will possibly raise \$1500. Albertsons is donating hamburgers and hot dogs. Coca Cola is bringing two trailers for Youth Appreciation Day.

PROSECUTING ATTORNEY MATTERS: Prosecuting Attorney, Tim Fleming and Deputy Prosecuting Attorney, David Hargraves met to discuss various legal issues. Discussion was had about the issues dealing with Bureau of Reclamation land at Black Canyon Dam and surrounding parks. Tim suggested his office look over the recommendations from BOR and go forward from there. David reported he has been working on various property issues. The Comprehensive Plan needs to be approved by the city and county for amendments or revisions. Personnel policies will be

forthcoming. Bereavement was discussed and this will be reviewed. Clarifications need to be updated in the Personnel policy manual. David is continuing to work on several issues for the County, and there were several issues and complaints discussed.

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

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 litigation. Those governing bodies present in the meeting were Commissioners Pratt, Sherrer and Smith. No final decisions were made. A motion was made by Commissioner Pratt, seconded by Commissioner Sherrer, and carried unanimously to come out of executive session.

SHADOW BUTTE INDUSTRIAL PARK UPDATE: Pam Garrison, Shawn Charters, Qwest representatives and Kathy Skippen were present. Telecommunications update was given by Van Moser, field engineer, and Bruce Watkins, feeder engineer, from Qwest. Commissioner Smith questioned if there would be fiber or copper and if fiber will be provided to the businesses. Labor costs from facility to the cabinet is \$13,000 and then place copper from cabinet. Fiber is a custom based option and will be contracted with each business as needed. DSL can be provided on the copper. Bruce indicated this would provide the high speed as advertised. DS1 is on copper at 1.5 million bits per second. The type of business that would require fiber, as examples, are banks, Albertsons, Ore-Ida. Fiber is considered a custom built product. They can put in copper with an extra conduit for future use for fiber. If conduit is provided for the park, Qwest would then place the copper or fiber and the conduit belongs to the park. Commissioner Smith would like to see a written proposal of cost and what would be provided for that cost. Van stated that will be done. They will assist in advising the best location of conduit.

Shawn Charters reported the planning schedule is in the waiting stage for the permit that was submitted to Army Corps of Engineers. Bids for final approval for EDA and CDBG have been received. Bids will be opened for utilities and water improvements on April 29, 2005, and the Commissioners will review and possibly award the bid on May 3, 2005. EDA required four publishings for bids that have been done. The groundbreaking ceremony was tentatively set for mid May. The final plat will be completed by May 16, 2005, as reported by Holladay Engineering. Covenants will be discussed at a future date.

John Blom showed a preview of two options for a future State highway. Holladay Engineering selected Cherry Creek or Haw Creek as a corridor for a State highway as alternatives. City and County need to meet and discuss the alternatives. ITD would be willing to meet with them as well for determining the best locations to preserve future corridors. Bruce Evans suggested a special meeting be scheduled for City and County to begin looking at the corridors.

INDIGENT APPLICATION DECISION: Commissioner Smith made a motion to deny request to remove the lien on indigent case #03-030. Commissioner Sherrer seconded the motion and it carried unanimously.

CLAIMS: Commissioner Sherrer made a motion to approve claims as initially signed. Commissioner Smith seconded the motion and it carried unanimously.

The Board recessed at 5:00 p.m. to 8:00 a.m. on May 2, 2005.

Approved: _____
Chairman

Attest: _____
Deputy Clerk