



May 2 & 3, 2005, Emmett, Idaho

Pursuant to a recess taken on April 26, 2005, the Board of Commissioners of Gem County, Idaho, met in regular session this 2nd & 3rd day May, 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:

SHADOW BUTTE BID ACCEPTANCE: On Friday, April 29, 2005, bids were opened for Gem County Shadow Butte Industrial Park Phase I for the Utility Improvements and for Water Supply Improvements. Those bids that were accepted for the Utility Improvements were Sommer Construction with a total base bid of \$1,784,451.29 and PSI (Performance Systems, Inc.) with a total base bid of \$1,769,828.76. Those bids that were accepted for Water Supply Improvements were JC Constructors, Inc. with a total base bid of \$808,000, PSI (Performance Systems, Inc.) with a total base bid of \$786,124, RSCI (Record Steel & Construction) with a total base bid of \$727,113, and Burke Hills Construction with a total base bid of \$782,667. Those opening the bids were Kasey Ketterling from Holladay Engineering, Shawn Charters from Sage Community Resources, and Gem County Clerk Susan Howard.

May 2, 2005

Pledge of Allegiance was said.

S.W. DISTRICT HEALTH - BUDGET PRESENTATION: Gene Gunderson, Bruce Krosch, and Newton States presented a report of property values in District Three. District growth rate is approx 3% per year. Public Health Preparedness grants begins August 31, 2005, to the August 30, 2006, with an additional \$350,000 this year parceled to hospitals, EMS, etc. Following the Board meeting in Caldwell on May 24, 2005, there will be a public hearing and budget committee meeting. Grants are parceled out to various entity participation for Public Health preparedness. The proposed budget does allow for a 3% salary increase. This will be taken out of a merit pool. Population and market impact is 1.14% for Gem County, 7.84% increase for market value over one year. The request for FY-2006 budget is \$6,920,742. Gem County pledge requested for FY-2006 is \$74,472. It appears that all 7 districts in Idaho will be certified for Public Health Preparedness, which is highly unusual. There is \$6.41 returned to Gem County for each dollar put into the contribution for Southwest District Health.

DEPARTMENT HEAD REPORTS: Dennis Pulley, Road & Bridge Supervisor, reported South Slope Road overlay bid is due on May 4, 2005. South Slope Road overlay will be done as soon as possible after

bids are awarded. Maintenance on Frozen Dog Road is being delayed until the decision for Black Canyon development is made. They are finishing the preparation for the chipping of E. Idaho Blvd. The road at Gem Island Sports Complex will be double chipped so it will hold up better. Grading was completed on the road, commonly know as Johnson Creek, from Sand Hollow Road to Shale Rock Road. Before oil costs increased it was cheaper to maintain gravel roads for the long term.

Morris Huffman, Economic Development Specialist, reported the Governors Conference on Economics and Tourism will be held in Idaho Falls this week.

Debra Smith, Planning & Zoning Administrator, reported her office is busy with resolving complaints. She sent letters out addressing these complaints. Research has slowed down. There was a CAFO workshop session with the P & Z Board.

Mark Rekow, Ambulance Director, reported 60 transports, 20 non-transports, and 5 calls to the jail. April 2005 there were 49 transports and 15 non-transports. Collections for April 2005 were \$17,346.60. There was an incident with the overhead door in the ambulance garage. An ambulance damaged the bottom panel of the door and it was repaired for \$290. A new ambulance, still under warranty, had mechanical difficulties and is being repaired. There is a HRSA Grant meeting on May 4, 2005. Mark will be attending and will try to be a part of the grant participation.

Chuck Shambaugh, Maintenance Supervisor, reported the generator passed its semi-annual inspection. The current inspection on the furnace and safety valves has been completed. DMV air conditioner electrical wire and computer cabling has been rerouted so the basement windows can be replaced in the Courthouse. He is working on the elevator so it will pass inspection. He is pursuing a bid for sprinklers for the flowerbeds.

Brian Sullivan, Building Official, reported 32 building permits were issued with collected fees of \$28,386.30, two manufactured home placement permits issued with fees of \$1,254.80, 26 city permits issued with fees of \$8042.83; 41 inspections, 26 permits and 7 plan checks were done for April. He posted one notice in Sweet for an undesirable building. They usually have ten days to respond. Brian's time is still approximately 60% for the County inspections, etc. There is less activity for the city.

Martin Joyce, Landfill Supervisor, reported June 11, 2005, will be a free tire day. As of April 28, 2005, 845 tons of trash with 2,693 vehicles crossed the scale. The average number of vehicles on Saturday is 250. Tire removal will be completed this week.

Will Cook, Extension Agent, reported an increase of 4-H members. The Orchard Review Board is still working on Black Canyon Orchard. The baseball field does not appear to have any disease. Recommendations for baseball fields are being developed. It appears maintenance needs to be done on the sprinklers.

Commissioner Sherrer reported the Gem Plan Health Insurance program and the quality have been complained about. Commissioner Smith stated the rates are comparable to other insurance plans. Gem Plan Board met and is continuing to work on improvements.

Commissioner Smith stated there are 17% increases across the board for most other health insurance plans.

ELECTED OFFICIALS: Greg Himes, Assessor, reported the Board of Tax Appeals voted in favor of Gem County for the appeal concerning a property assessment. Circuit Breaker applications ended on April 15, 2005. The 2005 assessment areas have been completed. Auto License collections for April were \$107,793.94. Auto License Building Fund balance is \$203,396.34 as of April. He is expecting between 5% & 15% increases for new assessments. Assessment tax increases could increase substantially for some of the subdivisions. Assessors are pursuing making it mandatory to have the selling value submitted to the Assessors office for full disclosure laws.

Connie Goins, Treasurer, reported March property tax collections of \$79,467 and April collections of \$105,581. Beginning May 2, 2005, tax reminders will be sent as taxes are due June 20, 2005. Two Tax Deeds are pending. No communication has been received from either party. The interest from Auto License Building Fund money invested in bonds will be given back to the Building Fund. The settlement date is a year bond and matures April 28, 2006 and will receive interest of \$2,700 for the first 6 months, \$2,700 for the next six months and a maturity of \$1,100 for an approximate total of return \$6,500. Commissioner Smith asked if the Jail Bond Redemption payment can only be paid at certain times. Connie will research the agreement.

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:

- 05-006 Application for additional medical assistance
- 05-036 Application for medical assistance needed a statutory lien signed.
- 05-037 Application for rental assistance & various payments
- 05-038 Application for medical evaluation for orthopedic physician.
- 05-039 Application for rental assistance.
- 05-040 Application for rental assistance.

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 approve 05-006 for additional medical; sign statutory lien for 05-036; deny rent assistance, as no emergency exists for 05-037; approve medical evaluation for 05-038; deny rental assistance as no emergency exists for 05-039; and deny rental assistance Idaho Code 31-3405 not obligated to provide nonmedical assistance with any twelve month period for 05-040. 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.

PROPERTY TAX HARDSHIP EXEMPTION APPLICATION: This request is for

considering application for a hardship exemption. Commissioner Sherrer read the income and expenses of applicant as stated in the application for Hazel Dewey. Jamie Dewey appeared on behalf of Hazel. The parcel numbers are RP 00466002 and MH 00867700. The amount of fees requested to be exempted is \$72.04 for 2005. No decision was made.

FREEZEOUT HILL CLIMB: Sherm Johnston met to have the hill climb race approved by the Commissioners. The Bogus Basin Hill Climb Association is requesting the 39th hill climb on Freezeout. The Association notifies the residents who live in the immediate area of what is taking place. The starting point will be near the canal and ends in the middle of the cut at the top. The Hill Climb will take place June 25 and 26, 2005. Sherm spoke with Steve Buck and ambulance service will be available. The Road Department has been cooperative in maintaining the road for them.

JAIL INSPECTION: Quarterly inspection was completed as required.

BUDGET DISCUSSION: Discussions were had concerning the budget for FY2006.

CRUISE NIGHT-SUNDAY LIQUOR SALES: Vicky Tikala and her manager from Tik's Tavern and Buffy from the Round-Up met to discuss Cruise Night and Sunday liquor sales. Vicky was told by Police Chief Blaine Hyde, the City and County want to close this activity as people were walking up and down the street with alcohol in hand. Commissioner Pratt stated the County was not aware of stopping Cruise night. They will meet with the City Council to discuss this matter.

There is an interest in allowing Sunday liquor sales. Vicky submitted petitions of individuals supporting this change. Vicky doesn't believe this would be detrimental to the County or City. Most business on Sunday is by the drink and probably would be mostly people traveling through. LaCosta, Round-Up, and Tik's would be affected by the Sunday sales. Commissioner Pratt stated this would be taken under advisement for Sunday liquor sales and have further discussion at a later date.

The Board recessed at 5:00 p.m. to reconvene at 8:00 a.m. on May 3, 2005.

CITY/COUNTY DISCUSSION MEETING: A meeting was held at the Emmett City Hall to discuss transportation and planning issues that concern both the City of Emmett and Gem County.

May 3, 2005

Pledge of Allegiance was said.

CEDS REPORT: Morris Huffman met to discuss the Comprehensive Economic Development Strategy (CEDs).

PUBLIC WALK-IN: Ed Klinker met to discuss the possibility of selling organic fertilizer for Gem Island Sports Complex. When

first beginning, the cost would be approximately \$2,000. It takes about three or four years to get the nutrients back into the ground. Application should be done when no games are scheduled as this is a fish smell. Sprinklers may be turned on to wash it into the ground to help with the smell.

(Commissioner Smith left the meeting.)

Dallan Johnson, Fair Board Chairman, met to report that horse racing revenue tripled over last year. A simulcast group wants to use the fairgrounds for racing events. Logistics were discussed.

Patricia Beyer met to discuss property sold to her by Sharon and David Pratt and asked Commissioner Pratt to recuse herself. Commissioner Sherrer stated this is a civil matter and should not be before the Board of Commissioners. Commissioner Pratt recused herself from the meeting. Commissioner Sherrer stated that with only one Commissioner, there was not a quorum and no decisions were made.

Melvin Rowley asked if R-2 zoning required a community well and septic systems for approval from Southwest District Health. The Findings of Facts stated 3 splits were allowed in this rezone. There is enough acreage for 4 splits. Commissioner Sherrer will get more information.

Steve Weston encouraged the Commissioners to upgrade the fax machine in the Assessors office to receive a better quality so it can be used. The present copies are not legible enough.

Janelle Schneider, Juvenile Probation Officer, met and informed the Commissioners she has hired a Deputy Probation Officer. Janelle reported one juvenile is in detention. Substance Abuse training was very informative and she feels a greater effort is needed to offer training to teachers. Janelle has also attended several other meetings.

PROSECUTING ATTORNEY MATTERS: David Hargraves, Deputy Prosecuting Attorney, and Dallan Johnson, Fair Board member, met to discuss the Simulcast Group. Simulcast wants to use the facilities at the fairgrounds for more than one weekend as initially presented. The Fair Board already has contracts with different businesses for the alcohol license and concessions. A contract needs to be developed in working with Simulcast and there is a conflict with events already scheduled, but these conflicts can be resolved. Simulcast sent papers to be signed and David indicated he needs time to look it over and get more information on it, but will move as quickly as he can to complete it. Commissioner Pratt is requesting David to make certain of the legal issues that may arise. Gem County Fair Board would be applying for the Simulcast license. Commissioner Sherrer indicated the Simulcast needs to take priority because of the timelines.

Further discussion was had concerning several other legal matters.

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 Pratt, Sherrer, and Deputy Prosecuting Attorney David Hargraves. 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.

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

Commissioner Smith returned to the meeting.

DUGOUT DISCUSSION: Discussion was had concerning dugouts at the Gem Island Sports Complex. Commissioner Sherrer moved to accept the proposal by Jerico for construction of eight dugouts. It was seconded by Commissioner Smith and carried unanimously.

BRAD ELLIOTT: Brad Elliott met to discuss issues regarding hiring a project manager for Shadow Butte Industrial Park project. A project manager is needed to oversee the construct of the water system, sewer system, communication system, CCR's, etc. Brad has experience in dealing with engineers, construction, field engineer, and projects on industrial facilities. He is familiar with environmental issues and other issues that arise on a new project. Brad will, if hired, look over the Shadow Butte Industrial project outline and keep in contact with Commissioner Smith.

BIDS DISCUSSION: Kasey Ketterling, Holladay Engineering, was present to review bids for Shadow Butte Industrial Park with the Commissioners. Bids and alternatives were discussed with Kasey Ketterling and Shawn Charters. Shawn stated there is \$365,000 in the construction line item that could be used for the Utility Improvements to begin.

Commissioner Smith made a motion to reject all bids for Utility Improvements, amend the construction plans, remove landscaping items 40 and 41 and re-bid the project. The motion was seconded by Commissioner Sherrer and carried unanimously.

Commissioner Sherrer made a motion to accept Hills Construction bid as the lowest bid for the Water Supply Improvements, contingent upon approval of EDA, including deductible Alternative A and Alternative B. The motion was seconded by Commissioner Smith and carried unanimously.

SIMULCAST LICENSE APPROVED: A motion was made by Commissioner Sherrer to write a letter to the Idaho Racing Commission to authorize the Fair Board to pursue the Simulcast license according to the law. Commissioner Smith stated he believes this is detrimental to the community and doesn't believe the community wants gambling in the county. The motion was seconded by Commissioner Pratt and carried with ayes from Commissioners Pratt and Sherrer and nay from Commissioner Smith.

The Board recessed at 5:00 p.m. to 8:00 a.m. on May 9, 2005.

CLAIMS FOR THE FOLLOWING FUNDS WITH WARRANTS WRITTEN April 1

through April 30, 2005:

CURRENT EXPENSE FUND	\$ 150,822.75
ROAD & BRIDGE FUND	73,843.72
CIGARETTE TAX/BLOCK GRANT	3,464.84
DISTRICT COURT FUND	19,975.81
COUNTY FAIR FUND	2,381.38
COUNTY JUSTICE FUND	152,832.34
FAIR, GROUNDS & BUILDINGS FUND	4,671.53
III HEALTH DISTRICT FUND	6,061.33
INDIGENT	46,682.75
REVALUATION FUND	13,587.36
SOLID WASTE FUND	27,700.68
TORT	77,046.00
NOXIOUS WEED FUND	11,301.09
WATERWAYS	48.48
INSURANCE POOL	1,977.83
AMBULANCE FUND	<u>14,653.00</u>
TOTAL	\$ 607,050.89

Approved: _____
Chairman

Attest: _____
Deputy Clerk