



January 9 & 10, 2006, Emmett, Idaho

Pursuant to a recess taken on January 3, 2006, the Board of Commissioners of Gem County, Idaho, met in regular session this 9th & 10th day of January, 2006, at 8:00 a.m.

Present:	Sharon Pratt	Chairman
	Michele Sherrer	Commissioner
	Susan Howard	Clerk

Whereupon the following proceedings were had, to-wit:

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Pledge of Allegiance was said.

ELECTED OFFICIALS: An elected officials meeting was held at the EMS Building. Those in attendance were Commissioners Pratt and Sherrer, Clerk Howard, Treasurer Connie Goins, Sheriff Clint Short, and Assessor Chief Deputy Marion Henderson. The two topics of discussion were the land use change Moratorium and Courthouse security.

DEPARTMENT HEAD REPORTS: Kim Reed, Road & Bridge Assistant Supervisor, reported they are working on a washed-out culvert on Dewey Road. The road is closed while the culvert is being repaired. It will be closed for approximately two more weeks. They had 12 washouts on Ola Road and 8 plugged culverts.

Jake Wyant, Noxious Weed Supervisor, stated that he has a Forest Service Contract that needs to be signed.

Martin Joyce, Landfill Supervisor, has an inspection on January 12 with the Southwest Health Department. He will be doing interviews this week for an opening in his staff.

Mark Rekow, Ambulance Director, reported they collected \$13,561.66 last month. They had 65 transports and 31 non-transports, which were 18 calls up from last year. A Basic EMT class is going on. He attended two days of Incident Command Class over the weekend. The Gem County EMS web page has been revised.

Chuck Shambaugh, Maintenance Supervisor, reported that the manual hydraulic shutoff work is finished in the elevator. There has been some work done on the generator. The generator still needs to be brought up to date in some areas. Power for the Sheriff's and the Assessor's Offices will be put on the generator.

Other Department Heads in attendance were Brian Sullivan, Building Official, Morris Huffman, Economic Development Specialist, Brad Hawkins-Clark, Planning Director, Janelle Schneider, Juvenile Probation Officer. Topic of discussion was the land use change Moratorium.

NEW ALCOHOLIC BEVERAGE LICENSE: While being tape-recorded a new alcoholic beverage license was presented for Carol Church dba

Cold Mountain Creek Restaurant. After hearing no objections from the public, Commissioner Pratt made a motion to approve the new alcoholic beverage license for Carol Church dba Cold Mountain Creek Restaurant. It was seconded by Commissioner Pratt and carried unanimously.

INDIGENT APPLICATIONS: 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)(d). Deputy Clerk Sue Spencer presented the following indigent applications:

- 05-060 Application needed a release of statutory lien.
- 06-004 Application needed a release of statutory lien.
- 06-006 Application needed a release of statutory lien.
- 06-007 Application needed a release of statutory lien.
- 06-008 Application for medical assistance.
- 06-010 Application for medical assistance.
- 06-014 Application for medical assistance.
- 06-015 Application for help with Gem Home Health Agency expenses.
- 06-016 Application for medical assistance.
- 06-119 Application for rent 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 release statutory liens for 05-060, 06-004, 06-006, and 06-007, to approve 06-008, to deny 06-010 because no indigency exists, to deny 06-014 because the County is not the last resource and no emergency exists, to approve 06-015 for November and December expenses and deny 06-015 for July and October expenses because of untimeliness, to deny 06-016 because of lack of cooperation, County is not the last resort, no emergency exists, and inability to determine indigency, and to approve and sign a statutory lien for 06-119 for January's rent of \$380. It was seconded by Commissioner Pratt and carried unanimously.

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

CONTRACTORS' REGISTRATION DISCUSSION: Planning Director Brad Hawkins-Clark and Building Official Brian Sullivan met to discuss whether the County will issue building permits to contractors who have not registered with the State. Brad and Brian would like to have the City of Emmett and Gem County adopt the same rules. More discussion will be had.

SHADOW BUTTE GUIDANCE TEAM: Cheryl Conrad and Shawn Charters from the Shadow Butte Industrial Park Guidance Team met to update the Commissioners on Shadow Butte Industrial Park. The Commissioners will ask that Bruce Evans join the Guidance Team as a member.

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 application:
05-076 Application for medical expenses needed a Continuation of Hearing on Denial 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 Sherrer to sign a Continuation of Hearing on Denial signed for 05-076. It was seconded by Commissioner Pratt and carried unanimously.

The Board recessed at 5:00 p.m. to 8:00 a.m. on January 10, 2006.

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POSTAGE METER LEASE AGREEMENT: A motion was made by Commissioner Sherrer to sign the postage meter lease agreement with Neopost Leasing and the equipment lease with Northwest Mailing, Inc. It was seconded by Commissioner Pratt and carried unanimously.

EXTRICATION EQUIPMENT AGREEMENT: A motion was made by Commissioner Sherrer, seconded by Commissioner Pratt, and carried unanimously to sign a Consent to Common Representation in the matter of an agreement between Gem County and Fire Protection District #1 with respect to the extrication equipment.

RESOLUTION NO. 2006-01: A motion was made by Commissioner Sherrer, seconded by Commissioner Pratt, and carried unanimously to adopt Resolution No. 2006-01, which sets Gem County election precincts.

RESOLUTION NO. 2006-02: A motion was made by Commissioner Sherrer, seconded by Commissioner Pratt, and carried unanimously to adopt Resolution No. 2006-02, which sets Gem County Commissioner Districts.

WATER RESOURCES - AQUIFER LEVELS, ETC: Sean Vincent and Shane Bendixsen from the Hydrology Department of Idaho Department of Water Resources met with the Commissioners to discuss water rights and acquisitions and aquifer levels. They stated that they do not have a lot of information at this time on Gem County. Their purpose in meeting with the Commissioners was to determine what information the County needs. The water table is consistently high in the Emmett Valley because of the Payette River and the level is consistent with the River level. There needs to be a well log study done, but Gem County wells seem to have high yield. There has not been a question of water supply problem in Gem County, so a study has never been done. It would probably take a legislative mandate to have the State do a study. With the growth in the area, it may be something to pursue. Because there is no moratorium in Gem County area, a water right can be obtained through an application process.

PUBLIC WALK-IN AND INPUT: JoAnne Waters and Ray Rohrbacher met with the Commissioners concerning the land use change moratorium. They wanted to know where they fall within the moratorium. They

were directed to Development Services.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecuting Attorney David Hargraves met with the Commissioners to discuss legal matters. He presented a draft of an extrication equipment agreement. Discussion was had on the contract for the postage meter and an indigent appeal hearing.

Other topics of discussion were contractors' registration, purchase agreements for Shadow Butte Development Corporation and when they should be in force, CC&R's for Shadow Butte Industrial Park, realtor RFQ could be just a letter to the realtors in the County, CAFO Ordinance, site visits by P & Z Board members.

SHADOW BUTTE INDUSTRIAL PARK SERVICES AGREEMENT: A motion was made by Commissioner Sherrer, seconded by Commissioner Pratt, and carried unanimously to sign the Shadow Butte Industrial Park Services Agreement with Shadow Butte Development Corporation.

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 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.

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

MINUTES READ AND APPROVED: The minutes of December 12 & 13, 19 & 20, and 27, 2005, were reviewed. A motion was made by Commissioner Sherrer to approve the minutes of December 12 & 13, 19 & 20, and 27, 2005, as read and corrected. It was seconded by Commissioner Pratt and carried unanimously.

The Board recessed at 5:00 p.m. to 8:00 a.m. on January 17, 2006

Approved: _____
Chairman

Attest: _____
Clerk