



January 20, 2009, Emmett, Idaho

Pursuant to a recess taken on January 13, 2008, the Board of Commissioners of Gem County, Idaho, met in regular session this 20th day of January, 2009, at 8:00 a.m.

Present:	Lan Smith	Chairman
	Michele Sherrer	Commissioner
	Sharon Pratt	Commissioner
	Shelly Gannon	Clerk

Whereupon the following proceedings were had, to-wit:

January 20, 2009

Commissioner Pratt attended the Shadow Butte Development Corporation Meeting.

Commissioners Sherrer and Smith attended the Local Emergency Planning Committee Meeting.

PUBLIC WALK-IN: No members of the public met with the Commissioners during public walk-in.

PROSECUTING ATTORNEY MATTERS: Deputy Prosecutor, Tim McNeese, met with the Commissioners to discuss legal matters.

Topics discussed included an ordinance regarding covered loads to the landfill and pasture lease at the Shadow Butte Industrial Park.

At 11:08 a.m. 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)(f) for potential litigation with a roll call vote as follows: Commissioner Sherrer, aye Commissioner Pratt, aye, and Commissioner Smith, aye.

Regular session reconvened at 11:16 a.m.

INDIGENT APPLICATIONS: At 11:30 a.m. 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) for indigent matters with a roll call vote as follows: Commissioner Sherrer, aye Commissioner Pratt, aye, and Commissioner Smith, aye.

09-017	Medical Application
09-020	Medical Application

After reconvening in regular session at 11:39 a.m., Commissioner Pratt made a motion to deny 09-017 because the applicant is not a resident of the State of Idaho or of Gem County and deny 09-020 because the application is incomplete, unable to determine medical indigency, the county is not last resource, failure to co-operate and failure to interview. It was seconded by Commissioner Sherrer and carried unanimously.

**The Board recessed at 12:00 p.m. for lunch to reconvene at 1:15 p.m.**

**CONSENT AGENDA:** The Consent Agenda included items A. Tax Cancellation of \$320.26 on parcel RP00181200A and B. Emergency Operation Center Independent Contractor Agreement with Judy Bedal. A motion was made by Commissioner Sherrer approve the consent agenda. It was seconded by Commissioner Pratt and carried unanimously.

**APPROVAL OF MINUTES:** The minutes of December 30, 2008 and January 5 & 6, 2009 were reviewed. A motion was made by Commissioner Sherrer to approve the minutes of December 30, 2008 and January 5 & 6, 2009 as amended. It was seconded by Commissioner Pratt and carried unanimously.

**INDIGENT HEARING :** At 1:58 p.m. 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) for indigent matters with a roll call vote as follows: Commissioner Sherrer, aye  
Commissioner Pratt, aye, and Commissioner Smith, aye.

All parties expecting to provide testimony were sworn in. New information provided by St. Luke's Regional Medical Center and the applicant along with Medicaid approval was entered into the record as Exhibit C.

After reconvening in regular session at 2:21 p.m., Commissioner Sherrer made a motion to close the hearing. It was seconded by Commissioner Pratt and carried unanimously.

A motion was made by Commissioner Sherrer for reconsideration and approval of the application (#08-048) for the dates prior to approval of Medicaid. It was seconded by Commissioner Pratt and carried unanimously.

*Kim Reed, Road Department Supervisor, and Don Carnahan with Keller Engineering discussed stimulus package overlay projects, reporting and specifications.*

**AS400 DISCUSSION:** Assessor Himes, Treasurer Goins and IT personnel met with the Commissioners to discuss upgrades or replacement of the AS400 which supports assessment and tax programs.

*John Evans with Evans Realty met with the Commissioners to discuss potential buyers for lots at the Shadow Butte Industrial Park. An offer received for the 42 acre parcel was denied and a counter offer was discussed and signed.*

*A motion was made by Commissioner Pratt to add and approve Seller Representation Agreement for county property (located on Ranch Road) with John Evans. It was seconded by Commissioner Sherrer and carried unanimously.*

**CLAIMS:** The claims presented were reviewed. A motion was made by Commissioner Sherrer to approve the claims as approved on individual claim forms. It was seconded by Commissioner Pratt and carried unanimously.

**The Board recessed at 5:00 p.m. to 8:00 a.m. on January 26, 2009.**

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

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