



August 3 & 4, 2009, Emmett, Idaho

Pursuant to a recess taken on July 28, 2009, the Board of Commissioners of Gem County, Idaho, met in regular session this 3rd day of August, 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:

August 3, 2009

The Pledge of Allegiance was said.

PUBLIC DEFENDER UPDATE: Susie Mimura with Mimura Law Offices met with the Commissioners. The fiscal year 2009 statistics were reviewed. Susie stated case load is expected to be the same or slightly higher than last year. Drug Court and Community Service were discussed. Susie said the office will be expanding due to Mimura Law obtaining the Canyon County Public Defender contract. Mark Mimura will continue as the Public Defender for Gem County but will cross train another attorney to help in Gem County also. Susie stated that Mimura Law proposes to decrease the Gem County contract to \$180,000 per year.

NATIONWIDE RETIREMENT SYSTEMS PRESENTATION: John Carver with Nationwide Retirement Systems met with the Commissioners to discuss a new State of Idaho Deferred Compensation Account which has no user fees for the employees.

INDIGENT HEARING 09-041: At 10:01 a.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.

Deputy Clerk Diane Wright, the applicant and the representative from the hospital were sworn in. A faxed list of drugs from the hospital was entered into the record as Exhibit E. and Explanation of Benefits from the

applicant were entered as Exhibit F.

Regular session reconvened at 10:33 a.m.

A motion was made by Commissioner Sherrer, given that that information is pending, to continue the hearing to Monday October 5th at 9:00 a.m. It was seconded by Commissioner Pratt and carried unanimously.

INDIGENT APPLICATIONS: At 11:01 a.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.

09-046	Release of Statutory Lien
09-049	Release of Statutory Lien
09-055	Release of Statutory Lien
09-057	Release of Statutory Lien
09-064	Medical Application
09-041	Notice of Hearing
09-053	Notice of Hearing
09-059	Notice of Hearing

After reconvening in regular session at 11:14 a.m., Commissioner Pratt made a motion not to sign Release of Statutory Lien request on 09-046, 09-049, 09-055 and 09-057; deny 09-064 because the applicant is not medically indigent, the county is not the last resource, lack of cooperation, lack of interview and incomplete application; sign Notice of Continuance of Hearing for 09-041 and sign Notice of Hearing for 09-053 and 09-059. 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.

Commissioner Pratt was absent from the meeting due to attendance at a Gem Soil & Water Conservation meeting.

CONSENT AGENDA: The consent agenda included items A. Gem County Resolution 2009-15 Authorizing Reduction in Force, B. Bishop Road Bridge 23rd Invoice Package, C. Idaho Department of Juvenile Corrections Computer Update Program Grant Award and D. Walter Knox Memorial Hospital Medical Staff By-Laws Amendment.

A motion was made by Commissioner Sherrer to approve the consent agenda items A., B., C. and D. It was seconded

by Commissioner Smith and carried unanimously.

APPROVAL OF MINUTES: The minutes will be approved next week.

Commissioner Pratt rejoined the meeting.

BUDGET DISCUSSION: The Commissioners reviewed the fiscal year 2010 budget for accuracy and final changes.

The Board recessed at 5:00 p.m. to 8:00 a.m. on August 4, 2009.

August 4, 2009

ROAD DEPARTMENT UPDATE: Road Department Supervisor Kim Reed met with the Commissioners to discuss Road Department matters. The Road Department is currently working to assist the city at the airport. Grader patching, equipment repairs and fiscal year 2010 budget was discussed.

PLANNING & ZONING UPDATE: Development Services Director Brad Hawkins-Clark met with the Commissioners to discuss Planning & Zoning matters. The code enforcement position, irrigation district dispute on Wills Road, STP Concrete's zoning permit at the Shadow Butte Industrial Park and the Design Review Committee were discussed. Scheduling a meeting with the City Council regarding the Planning Commission drafts for housing, population and property rights chapters of the Comprehensive Plan was discussed. The Confined Animal Feeding Operation ordinance is being worked on.

At 9:56 a.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)(b) for personnel matters with a roll call vote as follows: Commissioner Sherrer, aye, Commissioner Pratt, aye and Commissioner Smith, aye.

Regular session reconvened at 10:03 a.m.

PUBLIC WALK-IN: Tony Loukes met with the Commissioners to request confirmation of completion of Frozen Dog Road improvements. The Commissioners have received a final acceptance letter from Keller Associates.

Gerald Erickson met with the Commissioners regarding mileage reimbursement for a Service Officers School being

held in Boise. The Commissioners advised that mileage reimbursement is budgeted.

Dick Hamilton met with the Commissioners to request that the annual assessment for Gem County residents in Drainage District No. 1 of Canyon County be levied on the general tax rolls. The Commissioners will have it added to the consent agenda next week.

PROSECUTING ATTORNEY MATTERS: Prosecutor Dick Linville and Deputy Prosecutor David Hargraves met with the Commissioners. A salary and hiring freeze resolution, zoning issues resulting by judges splitting land, Dewey property clean up repayment and appeal of a mental hold case Gem County was ordered to pay by order of Ada County court were discussed.

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

The Commissioners attended a webinar regarding flu epidemics.

The Commissioners and Landfill Supervisor Martin Joyce went to tour the Clay Peak Landfill in Payette County to research capital landfill projects.

The Board recessed at 5:00 p.m. to 8:00 a.m. on August 10, 2009.

Approved: _____
Chairman

Attest: _____
Clerk