



January 11 & 12, 2010, Emmett, Idaho

Pursuant to a recess taken on January 5, 2009, the Board of Commissioners of Gem County, Idaho, met in regular session this 11th day of January, 2010, at 8:00 a.m.

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

Whereupon the following proceedings were had, to-wit:

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The Pledge of Allegiance was said.

INDIGENT HEARING 09-066: At 10:00 a.m. a motion was made by Commissioner Sherrer, seconded by Commissioner Pratt to go into executive session under Idaho Code 67-2345(1)(d) for indigent matters with a roll call vote as follows: Commissioner Smith, aye, Commissioner Sherrer, aye, and Commissioner Pratt, aye.

Neither the applicant nor representatives from the hospital were in attendance. Deputy Clerk, Diane Wright was sworn in. The hospital has filed a request for further continuance to allow payout of auto insurance claim. The request for continuance was entered into the record as Exhibit B. Regular session reconvened at 10:07 a.m.

A motion was made by Commissioner Pratt to continue the hearing on case 09-066 to March 15, 2010 at 10:00 a.m. per request from the hospital. It was seconded by Commissioner Sherrer and carried unanimously.

INDIGENT APPLICATIONS: At 10:30 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 Smith, aye, Commissioner Sherrer, aye, and Commissioner Pratt, aye.

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| 10-013 | Medical Application |
| 10-014 | Medical Application |

10-016 Medical Application
10-018 Notice of Statutory Lien
10-019 Notice of Statutory Lien
99-065 Release of Statutory Lien

After reconvening in regular session at 10:53 a.m. a motion was made by Commissioner Pratt to approve 10-013 and 10-014; deny application 10-016 because the applicant is not indigent, the County is not the last resource, incomplete application, lack of interview and lack of cooperation; to sign Notice of Statutory Lien and N1 Lien as applicable for 10-018 and 10-019 and to sign Release of Statutory Lien for 99-065. It was seconded by Commissioner Sherrer and carried unanimously.

CONSENT AGENDA: Items on the consent agenda included A. January Payroll Claims Approval, B. Keller Associates Engineering Services Contract Addendum #2 Changing the Scope of Services regarding Rate of Compensation, C. Gem County Resolution 2010-04 Setting Forth Fees for Planning & Zoning Department and Building Permits, D. Certificate of Residency for Ashtyn Mull, E. Agreement for Development Services Department Staff between Gem County and the City of Emmett for Fiscal Year 2010, F. Agreement for Building Inspector Staff between Gem County and the City of Emmett for Fiscal Year 2010, G. Notice of Appeal Application Decision and Order to Uphold in Whole the Zoning Commission Denial of File #SUP-09-007, H. Facilitating Classes Agreement Between Choices in Life LLC and Gem County Juvenile Probation, I. Tax Cancellation for Various Parcel Numbers and J. Juvenile Probation Contract for Facilitator Services.

A motion was made by Commissioner Sherrer to approve items A., B., C., D., G., H., I. and J. and remove items E. and F. for discussion. It was seconded by Commissioner Pratt and carried unanimously. Following discussion of the agreements between Gem County and the City of Emmett a motion was made by Commissioner Pratt to approve items E. and F. It was seconded by Commissioner Sherrer and carried unanimously.

APPROVAL OF MINUTES: The minutes of December 28, 2009 were reviewed. A motion was made by Commissioner Sherrer to approve the minutes of December 28, 2009 as amended. It was seconded by Commissioner Pratt and carried unanimously.

The minutes of January 4 & 5, 2009 were reviewed. A motion was made by Commissioner Sherrer to approve the minutes of January 4 & 5, 2009 as amended. It was seconded by Commissioner Pratt and carried unanimously.

ALCOHOLIC BEVERAGE LICENSE RENEWAL FOR COLD MOUNTAIN CREEK

RESTAURANT: While being recorded an alcoholic beverage license for Cold Mountain Creek Restaurant was reviewed. A motion was made by Commissioner Pratt to approve alcohol beverage license number 28. 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.

The Commissioners were out of the office attending funeral services.

PUBLIC AUCTION OF GEM COUNTY REAL PROPERTY: The Sheriff conducted a public auction of Gem County real property. Assessor's Parcel RP00189010 was sold to James Patrick Barrett for \$593.56. Assessor's Parcel RP00184300 was sold to Scott Christenson for \$357.13. There were no bids on the remaining parcels.

CLAIMS: The claims presented were reviewed. A motion was made by Commissioner Sherrer to approve the claims as initialed on the 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 12, 2010.

JOINT CITY/COUNTY MEETING: A joint City/County Meeting was not held.

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The Commissioners talked with Dave Shaw, Chairman of the Hospital Board, regarding the filing of 501C3 paperwork by Walter Knox Hospital in order to privatize the hospital. Although it had been decided in November 2009 that further information would be obtained no decisions had been made to move forward. The Commissioners said they had been caught off guard when they found out the paperwork had been filed.

They expected the public to be made aware and be able to comment prior to moving forward. Dave was asked to relay that efforts need to be put on hold.

Commissioner Pratt was absent from the meeting due to attendance at a Rural Conservation and Development meeting.

ELECTED OFFICIALS: The Elected Officials met. Those in attendance included Commissioners Smith, Sherrer, Clerk Gannon, Treasurer Goins, Assessor Himes and Deputy Prosecutor McNeese. Topics discussed included conversion of Walter Knox Hospital, worker's compensation dividend and rates, Bishop Road Bridge project reconstructing the bridge and realigning Bill Burns Road, tax collections, tax deed property auction, county mapping, sale of odd lot property on Plaza Road, upcoming Midwinter Legislative Conference, Christmas potluck and State budget cuts.

PUBLIC WALK-IN: Jerry Davis and James Meldrum met with the Commissioners to discuss issues with compliance with the Conditions of Approval for GCAT Subdivision. Conditions discussed include the easement, well and fencing. Jerry stated he doesn't have adequate funding for quality improvements. James requested a modification to the conditions in order to be able to obtain financing. Allowing a reconsideration hearing and costs associated with a hearing was discussed. Reasons the conditions need to be met were discussed. The Commissioners will discuss the issues with the Development Services Director this afternoon to determine if the conditions could be reconsidered.

PROSECUTING ATTORNEY MATTERS: Prosecutor Dick Linville met with the Commissioners to discuss legal issues. Topics discussed included Manatron License Agreement, reminding employees of computer use policy and monitoring employee internet activity, personnel policy revision, personal property taxes on road equipment, and County District 3 meetings.

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

Commissioner Pratt rejoined the meeting.

DEPARTMENT HEADS: Development Services Director Brad Hawkins-Clark, Maintenance Supervisor Chuck Shambaugh, Landfill Supervisor Martin Joyce, Ambulance Director Mark Rekow, Weed Department Supervisor Jake Wyant, Road Department Supervisor Kim Reed, Extension Educator Rikki Wilson and Juvenile Probation Director Janelle Schneider met with the Commissioners. Topics discussed included conversion of Walter Knox Hospital, worker's compensation dividend and rates, Bishop Road Bridge project reconstructing the bridge and delivery of wood chips to the Juvenile Probation building and the Gem Island Sports Complex. Each department head discussed current activities and projects in their departments.

ADMINISTRATIVE TIME: The Commissioners worked on administrative issues.

The Board recessed at 5:00 p.m. to 8:00 a.m. on January 19, 2010.

Approved: _____
Chairman

Attest: _____
Clerk