



April 05 & 06, 2010, Emmett, Idaho

Pursuant to a recess taken on March 30, 2010, the Board of Commissioners of Gem County, Idaho, met in regular session this 5th day of April, 2010, 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:

**April 5, 2010**

The Pledge of Allegiance was said.

**RATIFICATION OF REAPPOINTMENT OF RICHARD T. ROBERGE, M.D. AS THE PHYSICIAN REPRESENTATIVE ON THE SOUTHWEST DISTRICT HEALTH BOARD:** A motion was made by Commissioner Pratt to ratify the reappointment of Dr. Roberge to the Southwest District Health Board. It was seconded by Commissioner Sherrer and carried unanimously.

**INDIGENT HEARING 10-016:** At 10:02 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 Pratt, aye and Commissioner Sherrer, aye.

The applicant, his family and Deputy Clerk Diane Wright were sworn in. The applicant's daughter-in-law translated the hearing for the family. New information filed by Idaho Elks Rehab was entered into the record as Exhibit C. and new information filed by the applicant was entered into the record as Exhibit D.

Regular session reconvened at 10:30 a.m.

A motion was made by Commissioner Pratt to continue (Indigent case 10-016) to April 12<sup>th</sup> at 11:00 a.m in order to allow review of a recent Supreme Court case. It was seconded by Commissioner Sherrer and carried unanimously.

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

10-035 Medical Application  
10-036 Non-Medical Application  
10-041 Non-Medical Application  
10-042 Medical Application  
10-044 Non-Medical Application  
10-045 Non-Medical Application  
10-016 Notice of Lien  
10-037 Notice of Lien  
10-038 Notice of Lien  
10-039 Notice of Lien  
10-040 Notice of Lien  
10-043 Notice of Lien  
10-046 Notice of Lien  
10-007 Additional Services  
09-068 Additional Services  
10-006 Discussion  
10-025 Discussion

After reconvening in regular session at 12:10 p.m. a motion was made by Commissioner Pratt to deny 10-035 because the county is not the last resource, services not medically necessary and lack of co-operation; approve 10-036; approve 10-041; deny 10-042 because Gem County is not the obligated county should be Payette county; deny 10-044 because the county is not the last resource and the applicant is not medically indigent; approve 10-045; sign Notices of Statutory and N1 Liens as applicable for 10-016, 10-037, 10-038, 10-039, 10-040, 10-043 and 10-046 and approve additional services for 09-068 and 10-007. It was seconded by Commissioner Sherrer and carried unanimously.

**The Board recessed at 12:15 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 and Water Conservation meeting.**

**CONSENT AGENDA:** Items on the consent agenda included A. Lynda Vista #2 Subdivision Time Extension Request Approval, B. Idaho Liquor Catering Permits for Cherries for Gem County Horseraces at the Fairgrounds, C. Idaho Liquor

Catering Permit for Helina Marie's for Gem County Posse at the 4-H Building, D. Certificates of Residency for Kara Jenkins, Inna Roshchuk, Cody Green, Jason Ingram, Teri Olsen, Ashley Smalley, Kassandra Watson, Zach Whitford, Kristi Anderson, Wanda Brock, Shawn Cole, Mayra Diaz, Amanda Gosse, Maybelle Harness, Bradden Jensen, Jennifer Jewell, Michael Rohrbacker, Symone Calderon, Candice Moyer, Alina Urquhart, Francine Dillard, Spencer Young and Kayla Curtiss, E. Manatron Master Agreement for Software, Hardware and Services and F. April Payroll Claims Approval.

A motion was made by Commissioner Sherrer to approve the consent agenda items A., B., C., D., E. and F. The motion was seconded by Commissioner Smith and carried unanimously.

**APPROVAL OF MINUTES:** The minutes of March 30, 2010 were reviewed. A motion was made by Commissioner Sherrer to approve the minutes of March 30, 2010 as amended. It was seconded by Commissioner Smith and carried unanimously.

**Commissioner Pratt rejoined the meeting.**

**EMT VOLUNTEER/EMPLOYEE STATUS DISCUSSION:** Ambulance Director Mark Rekow and Deputy Prosecutor Tim McNeese met with the Commissioners to discuss changing EMTs from volunteer to employee status. Clerk Gannon explained information received during the recent IRS audit in which the auditor stated the EMTs should become employees and be paid as such. The logistics of this change were discussed including costs, rate of pay, benefits and scheduling. The change will be made by July 1<sup>st</sup> to allow time for implementation. The Clerk will continue to negotiate the taxes the IRS is suggesting the county owes due to the EMTs being paid by contract rather than as employees in the past.

**EMERGENCY MEDICAL SERVICES/FIRE DISTRICT:** With Fire District #1 Fire Chief Rick Welch and Ambulance Director Mark Rekow attending, the Commissioners discussed an agreement with Fire District #2 to house an ambulance and assist with EMT service. Discussion included housing an ambulance in a bay at the fire station. Fire District #2 is asking a portion of water and phone costs to be paid by the county. Heating the ambulance in the winter was discussed. EMTs from Sweet would be available on weekends for the Sweet area, the EMTs would be county employees

reporting under the county ambulance director. Active involvement and training would be essential. Commissioner Smith will let Fire District #2 know the county is willing to go ahead with the agreement including power, a place to put an ambulance and storage of supplies.

A motion was made by Commissioner Sherrer to adjourn as a Board of Commissioners and convene as a Board of Equalization. It was seconded by Commissioner Pratt and carried unanimously.

**BOARD OF EQUALIZATION - HARDSHIP APPLICATION FOR CANCELLATION OF PROPERTY TAXES:**

Dorothy Shooter explained financial struggles she is having. She said she missed the circuit breaker last year but has applied for it this year. She paid last years taxes and is requesting cancellation of this year's taxes. The Commissioners explained the tax deed process stating she wouldn't be in danger of losing her property to the county with one year of taxes being unpaid.

A motion was made by Commissioner Pratt to deny the request of cancellation of taxes due to hardship because, only being current taxes that are due, there is not a danger of losing the home to tax deed. It was seconded by Commissioner Sherrer and carried unanimously.

A motion was made by Commissioner Pratt to recess as a Board of Equalization and reconvene as a Board of Commissioners. It was seconded by Commissioner Smith and carried unanimously.

**EMERGENCY MEDICAL SERVICES BLOOD COLLECTION FEE DISCUSSION:**

EMS Blood Collection fees were discussed. EMS Director Mark Rekow stated the Judge is requesting a restitution schedule for blood draws through the jail. Mark said \$50.00 to \$75.00 would be a reasonable charge. The Commissioners decided the charge would be \$60.00.

**The Board recessed at 5:00 p.m. to 8:00 a.m. on April 6, 2010.**

**YOUTH APPRECIATION DAY PROCLAMATION SIGNING:** The Commissioners attended the Youth Appreciation Day Proclamation signing.

**April 6, 2010**

**ROAD DEPARTMENT UPDATE:** Road Department Supervisor Kim Reed met with the Commissioners to discuss status of road projects.

**DEVELOPMENT SERVICES UPDATE:** Development Services Director Brad Hawkins-Clark met with the Commissioners to discuss planning and zoning matters. Topics discussed included Walter Knox Memorial Hospital property boundary, subdividing previous Buckner property, driveway permits and joint city/county design review.

**PUBLIC WALK-IN:** Cheryl Conrad met with the Commissioners to discuss membership of the Gem County Historic Society. She said donations and memberships are essential as the society is running without funds.

Dennis Drake and Shawn Charters met with the Commissioners to discuss block grant funding for infrastructure and power upgrades. Job creation funds are also available through Idaho Gem Grant implementation funds. Emerald Forest Products and Shadow Butte Development Corporation would provide the required matching funds. The Commissioners agreed to sponsor the grants.

Martin Fry met with the Commissioners representing the Kiwanis Club to discuss a project which will include community members and wheel chair assisted residents enjoying a 1 mile walk and a luncheon the Kiwanis Club will provide at the Gem Island Sports Complex on Wednesday May 5<sup>th</sup>.

**Commissioner Pratt was absent from the meeting to tend to Resource Conservation and Development duties.**

**PROSECUTING ATTORNEY MATTERS:** Deputy Prosecutor Tim McNeese met with the Commissioners to provide the Gem County Board of Guardians annual report. Members of the Board of Guardians Bud Elquist and Gail Gaul also attended. Tim reviewed the fiscal report, volunteer guardians, incapacitated persons for whom the board is acting as guardians and recommendations for improving guardianship services. He recommended Joan Buck to the board. Whether funds should be kept by the board or budgeted through the county was discussed. It was decided the funds would be turned over to the clerk to be added to the county budget.

Prosecutor Linville and IT employee Diana Stewart discussed issues he is having with his current laptop. Specifications needed on his laptop were discussed, Diana will research options and costs.

Other topics discussed included policy discussion for tax exemptions (HB490), ambulance agreement for Fire District #2 and the Welfare Conference.

At 10:02 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 Smith, aye and Commissioner Sherrer, aye.

**Commissioner Pratt rejoined the meeting during the executive session.**

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

**LITTLE LEAGUE UPDATE:** This update will be held next week.

**COLLEGE OF WESTERN IDAHO DISCUSSION:** Shirl Boyce with the College of Western Idaho met with the Commissioners. He said 57 students are enrolled for the spring semester from Gem County with a potential of 220 next year based on interest cards. A training facility in Gem County was discussed.

**PERSONNEL POLICY WORKSHOP:** The Commissioners worked on updating the county personnel policy to incorporate several policy changes that have been made since the policy was last updated in 2001. The Idaho County Risk Management Program (ICRMP) sample personnel policy was used as a guide to incorporate new policies and laws.

**The Board recessed at 5:00 p.m. to 8:00 a.m. on April 12, 2010.**

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

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