



April 26 & 27, 2010, Emmett, Idaho

Pursuant to a recess taken on April 19, 2010, the Board of Commissioners of Gem County, Idaho, met in regular session this 26th 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 26, 2010**

The Pledge of Allegiance was said.

**EXECUTIVE SESSION - PERSONNEL:** At 9:04 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)(b) for personnel matters with a roll call vote as follows: Commissioner Smith, aye, Commissioner Sherrer, aye and Commissioner Pratt, aye.

Regular session reconvened at 9:32 a.m.

At 9:40 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)(b) for personnel matters with a roll call vote as follows: Commissioner Sherrer, aye, Commissioner Smith, aye and Commissioner Pratt, aye.

Regular session reconvened at 10:08 a.m.

**BOARD OF EQUALIZATION:** There were no applications for the Board of Equalization.

**ASSESSORS PARCEL MH00740600 PROPERTY TAX DISCUSSION:**

Treasurer Goins discussed parcel MH00740600 which is a 1963 mobile home which has been abandoned for a year, there were no bidders at the sheriff's sale. The owner of the land the mobile home sits on would like to dispose of it. As there is no other personal property to be seized it was discussed why the mobile home hasn't been seized in order

to cover the taxes. It was discussed if another Sheriff's sale could be held in order for the land owner to purchase it and have it removed. The trailer can not be moved or titled until the taxes and warrant of distraint costs are paid which total approximately \$157.00. The current year's taxes would also need to be paid which would be approximately \$123.00. Due to the budgeting issues that are caused to the taxing districts when taxes are cancelled, the Commissioners were not in favor of cancelling the taxes on the mobile home.

A motion was made by Commissioner Sherrer on mobile home MH00740600 that we authorize the Treasurer/Sheriff to sell the trailer pursuant to the warrant of distraint collecting taxes for 2009 in the amount of \$123.82 plus costs to the Treasurer's office, and the 2010 taxes which will be collected prior to the title being transferred. It was seconded by Commissioner Pratt and carried unanimously.

**INDIGENT APPLICATIONS:** At 11:00 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 Pratt, aye, Commissioner Sherrer, aye and Commissioner Smith, aye.

10-049 Medical Application  
10-052 Notice of Statutory Lien

After reconvening in regular session at 11:05 a.m. a motion was made by Commissioner Sherrer to deny 10-049 because Gem County is not the obligated county and the chairman sign Notice of Statutory Lien and N1 Lien as applicable on 10-052. It was seconded by Commissioner Pratt and carried unanimously.

A motion was made by Commissioner Pratt to add Ross Mason with the Department of Health and Welfare to the agenda this afternoon from 2:00-3:00 p.m. to discuss the closure of the local Health and Welfare office. It is being added to the agenda because the meeting was just requested by Health & Welfare to provide an update this week. It was seconded by Commissioner Sherrer and carried unanimously.

**ALCOHOLIC BEVERAGE LICENSE FOR KT'S LANES:** An alcoholic beverage license for KT's Lanes was reviewed. The business

will be a bowling alley with a café. The license is for beer only.

A motion was made by Commissioner Pratt to approve the alcoholic beverage license #30 for KT's Lanes. 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:** Items on the consent agenda included A. Byrd-McClain Minor Subdivision, B. Mill Creek-Council Mountain Landscape Restoration Priorities and Recommendations, C. Real Estate Lease Agreement with Vince Towne for Pasture Lease at the Shadow Butte Industrial Park, D. Bishop Road Bridge Idaho Transportation Department Change Order #2, E. Certificate of Residency for Yuri Rueda and Fallon Urquhart.

A motion was made by Commissioner Sherrer to approve the consent agenda items B., C., D. and E removing item A. for discussion. The motion was seconded by Commissioner Pratt and carried unanimously.

Regarding the Byrd-McClain Minor Subdivision, the Commissioners discussed that the application can be approved prior to taxes being paid, however the taxes must be paid prior to the final plat being signed. Irrigation water delivery and curb, gutter and sidewalk were discussed also. Letters that had been received in opposition to the minor subdivision were discussed. Brad stated that the applicant had wanted to divide into four lots, also a waiver on the well had been requested.

A motion was made by Commissioner Sherrer on minor subdivision 10-001 to approve the minor subdivision with conditions changed as discussed herein and deny the waiver requesting individual domestic wells. It was seconded by Commissioner Pratt with discussion. Discussion included the following changes, iii. Reworded to say "Prior to Final Plat signature, provide a receipt from the Gem County Treasurer demonstrating taxes have been paid in full", viii. "to be recorded but does not allow building permits for a dwelling unit or any other new structure", x. "new" would be struck and replaced with "revised". The motion was reconsidered and revised by Commissioner Sherrer to include an additional condition, number xii., that states "condition of approval will need to be added that requires the existing well be verified as providing adequate pressure and volume for two dwellings." The motion,

seconded by Commissioner Pratt, carried unanimously.

**DEPARTMENT OF HEALTH & WELFARE:** Ross Mason with the Department of Health & Welfare met with the Commissioners. Due to closure of the local Health & Welfare office Ross discussed looking at arranging some type of transportation for Gem County citizens to the Boise office. Local transit services were discussed. Ross stated that some services can be applied for via telephone, some require an in person interview.

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

**GEM PLAN DISCUSSION:** Tim Marks and Graden Staley from the Gem Plan met with the Commissioners to discuss the county health benefit plan. Insurance premiums versus claims paid were reviewed. Financial statements were also reviewed.

At 4:37 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)(b) for personnel matters with a roll call vote as follows: Commissioner Pratt, aye, Commissioner Sherrer, aye and Commissioner Smith, aye.

Regular session reconvened at 4:43 p.m.

**The Board recessed at 5:00 p.m. to 8:00 a.m. on April 27, 2010.**

**OLA OPEN FORUM:** The Commissioners held an open forum in Ola. Max Long and Sue Vahlberg from Walter Knox Memorial Hospital presented information regarding hospital conversion. The Commissioners stated they are gathering information and public input for the decision of privatizing the hospital. Other topics discussed included the upcoming Health Fair which will include a prescription drop off program, Youth Appreciation Day review, Senior Appreciation Day, the ribbon cutting for the new sawmill, Payette Forest Coalition, road patching, West Main Street reconstruction, a grant obtained for upgrades to the Senior Center, wolves, elections, census and the Crown Point repeater. The citizens in attendance had concerns about an increase in litter in the area.

**April 27, 2010**

**Commissioner Smith was absent from the meeting due to attendance at a PRIMA Risk Management Training and a Southwest District Health Department meeting.**

**TAX DEED PUBLIC HEARING:** Treasurer Connie Goins met with Commissioners Sherrer and Pratt for a tax deed hearing on Assessor's parcel number RP00094499. Connie stated that property taxes totaling \$809.79 are unpaid on the parcel for the past three years. Property owner Steven Shriner was sent an affidavit of compliance, a tax deed will be recorded to Gem County. Connie reviewed the tax deed process. She stated the property was vacated, she has been unable to locate the property owner. Commissioner Sherrer clarified the physical address is 520 N. Wardwell.

A motion was made by Commissioner Pratt, being satisfied that the county Tax Collector has fulfilled the requirements of section 63-1005 of Idaho Code and direct the county Tax Treasurer to issue & record a tax deed in favor of Gem County immediately. Verifying the Assessor's parcel number RP00094499 the motion was seconded by Commissioner Sherrer and carried unanimously.

Commissioners Sherrer and Pratt worked on the Emerald Forest Products ribbon cutting open house.

**The Board recessed at 5:00 p.m. to 8:00 a.m. on May 3, 2010.**

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

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