



October 24 & 25, 2011, Emmett, Idaho

Pursuant to a recess taken on October 18, 2011, the Board of Commissioners of Gem County, Idaho, met in regular session this 11th day of October, 2011, at 8:00 a.m.

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| Present: | Sharon Pratt | Chairman |
| | Lan Smith | Commissioner |
| | Michele Sherrer | Commissioner |
| | Leandra Rountree | Deputy Clerk |

Whereupon the following proceedings were had, to-wit:

October 24, 2011

The Pledge of Allegiance was said.

PUBLIC NUISANCE ORDINANCE AMENDMENT: While being tape recorded an ordinance amendment for the Public Nuisance Ordinance was held. Commissioner Pratt read the public notice into the record. There was no public present.

Code Enforcement Officer Larry Robertson explained the proposed changes to the ordinance. The new chapter would be added to Title 4 and would address abandoned properties.

The Commissioners reviewed the Ordinance and discussed grammatical changes as well as changes that have been made. The definition of residential was discussed.

Commissioner Sherrer stated that she would like clarification of the definition of residential and to make sure that all spelling errors are double checked before a decision is made.

Commissioner Smith made a motion to have staff do the cleanup that was discussed and put on the consent agenda next week with input from the Commissioners and finalize the definition of residential. It was seconded by Commissioner Sherrer and carried unanimously.

BRYAN RICKER WITH SENATOR CRAPOS OFFICE: Bryan Ricker with Senator Crapo's office met with the Commissioners. Topics discussed included budget issues, Secure Rural Schools, the economy, Emerald Forest Products, and Veterans benefits.

INDIGENT HEARING 11-088: At 10:03 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 Sherrer, aye, Commissioner Smith, aye, and Commissioner Pratt, aye.

There was no applicant or hospital representative present. Deputy Clerk Diane Wright was sworn in. The case file was entered into the record as Exhibit A.

Regular session reconvened at 10:12 a.m.

A motion was made by Commissioner Sherrer to continue case 11-088 at the request of the hospital to December 5th at 10:00 a.m. It was seconded by Commissioner Smith and carried unanimously.

INDIGENT APPLICATIONS: At 11:14 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 Smith, aye, and Commissioner Pratt, aye.

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| 11-100 | Notice of Hearing |
| 11-106 | Medical Application |

After reconvening in regular session at 11:28 a.m. a motion was made by Commissioner Sherrer to sign notice of hearing on 11-100 and on 11-106 hold decision pending medical review. It was seconded by Commissioner Pratt and carried unanimously.

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

CONSENT AGENDA: Items on the consent agenda included A. 2011 Emergency Management Program Grant Award Document, B. Sweet Fire Station Request for Funds #3, C. Cooperative Law Enforcement Agreement between Gem County Sheriff Department and USDA, Forest Service Boise National Forest, D. Idaho Transportation Department Local Professional Services Agreement, and E. Certificate of Residency for Bailey Fraker, Jennifer Fraker, Brett Wall, Jason Huneycutt, Jamie Heterington, Branda Waters, Erik Anderson, Dillion Paynter, Garrett Oleson, Cynthia Esquerra, Sarah Escobar, Angela Bentley, Yuridia Ayala, and Rosadelia Ayala for Junior College Tuition.

A motion was made by Commissioner Sherrer to approve items A. - E. on the consent agenda removing the duplicate

Certificate of Residency for Yuridia Ayala. It was seconded by Commissioner Smith and carried unanimously.

MINUTES: No minutes were reviewed.

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 Smith and carried unanimously.

INDIGENT HEARING 11-040: At 3:03 p.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 Smith, aye, and Commissioner Pratt, aye.

There was no applicant or hospital representative present. Deputy Clerk Diane Wright was sworn in. The hospital withdrawal request was added to the record as exhibit E.

Regular session reconvened at 3:06 p.m.

A motion was made by Commissioner Smith to accept the withdrawal request from the hospital and uphold the previous decision and deny the application. It was seconded by Commissioner Sherrer and carried unanimously.

At 3:08 p.m. a motion was made by Commissioner Smith, 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 Sherrer, aye, Commissioner Smith, aye, and Commissioner Pratt, aye.

Regular session reconvened at 3:13 p.m.

SWEET OPEN FORUM: An open forum was held in Sweet. Those in attendance included Commissioners Smith and Pratt, Deputy Clerk Leandra Rountree, members of the All Hazard Mitigation Plan Steering Committee, and several members of the public. Topics discussed included the Sweet Ola Highway overlay, speed limit on Darnell Road, and the rail road crossing in Letha.

Rob Flaner with Tetra Tech presented an overview of the All Hazard Mitigation Plan.

The Board recessed at 5:00 p.m. to 8:00 a.m. on October 25, 2011.

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Commissioner Smith was absent from the meeting due to attendance at a Southwest District Health Meeting.

ROAD DEPARTMENT UPDATE: Road Supervisor Neal Capps met with the Commissioners to provide an update for his department. Topics discussed included the railroad crossing in Letha, the speed limit on Darnell Road, the LHTAC Grant, and the Third Fork FEMA project.

DEVELOPMENT SERVICES UPDATE: Planning Director Brad Clark met with the Commissioners to provide an update for his department. Topics discussed included a minor subdivision application, the Planning Commission, and a private lane application.

PUBLIC WALK-IN: There were no members of the public to meet with the Commissioners.

PROSECUTING ATTORNEY MATTERS: At 11:24 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 and (b) personnel matters with a roll call vote as follows:
Commissioner Sherrer, aye, and Commissioner Pratt, aye.

Regular session reconvened at 11:36 a.m.

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

Commissioner Smith returned to the meeting.

PERSONNEL POLICY REVISION: The Commissioners discussed the current personnel policy. Topics discussed included bereavement pay, sick leave payout clarification, and addition of the Drugfree Idaho Policy. The revisions will be made to the policy and added to the consent agenda next week for approval.

At 2:19 p.m. a motion was made by Commissioner Smith, seconded by Commissioner Sherrer and carried unanimously to go into executive session under Idaho Code 67-2345(1)(b) personnel matters with a roll call vote as follows:
Commissioner Sherrer, aye, Commissioner Smith, aye, and

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Commissioner Pratt, aye.

Regular session reconvened at 2:27 p.m.

ADMINISTRATIVE TIME: The Commissioners worked on administrative issues.

Approved: _____
Chairman

Attest: _____
Clerk