

FREMONT COUNTY COMMISSIONERS MEETING MINUTES

August 31, 2009

Present for the meeting were Commissioners Paul Romrell, Skip Hurt, and Lee Miller.

Also attended by: Clerk Abbie Mace, Deputy Clerk Jody Flores, Prosecuting Attorney Joette Lookabaugh,

Commissioner Romrell opened the meeting and welcomed those in attendance.

Commissioner Miller offered the opening prayer.
Commissioner Romrell led the Pledge of Allegiance.

Commissioner Romrell led a brief discussion on the Smart Growth lawsuit.

Clerk Abbie Mace informed the Board that she received a phone call from a Carla Ashton on Big Springs Avenue in Island Park regarding an agreement to grade the road. Ms. Ashton stated that nothing has been done and was very upset. Clerk Mace directed her to contact Public Works Director Marla Vik.

Social Services Debbie Adams RE: Executive Session IC67-2345(d)

Commissioner Romrell made a motion to go into executive session pursuant to IC 67-2345 (d) to consider records that are exempt from disclosure as provided in chapter 3, title 9, Idaho code at 9:45 am. Commissioner Hurt seconded the motion. A roll call vote was taken with Commissioner Romrell voting "Aye", Commissioner Hurt voting "Aye", and Commissioner Miller voting "Aye". Commissioner Romrell declared the meeting at 9:51 a.m.

Commissioners signed five new liens. Commissioner Miller made a motion to deny case #M2009-37 and #M2009-39. Commissioner Hurt seconded the motion. A full voice vote was heard with all Commissioners voting in favor.

Bid Opening for Bridges

Commissioner Romrell welcomed those who are bidding and thanked them for doing so. He questioned if Commissioners Miller and Hurt had any conflict of interest – Commissioner Miller stated that he did and would therefore abstain from voting. The following bids were read and reviewed.

1. Bridge #1 (125 North 1900 East Over Consolidated Farmers)
 - Cannon / \$74,095.60
 - Bloom Construction / \$129,284.73
 - Ralph Thornton / \$114,526.18
 - Depatco / Not totaled
 - M Squared / \$117,799.96
 - Chapple / \$95,366

2. Bridge #2 (2205 East 400 North Over Salem Union Canal)
 - Cannon / \$72,210.40
 - Bloom Construction / \$137,409.92
 - Ralph Thornton / \$96,000.57
 - Depatco / \$93,337.91
 - M Squared / \$102,000
 - Chapple / \$82,891.70

3. Bridge #3 (2449 East 400 North Over Farmers Friend Canal)
 - Cannon / \$70,995.60
 - Bloom Construction / \$103,803.19
 - Ralph Thornton / \$89,332.77
 - Depatco / Not Totaled
 - M Squared / No Bid
 - Chapple / \$71,141.10

4. Bridge #4 (505 North 2100 East Over Egin Canal)
 - Cannon / \$67,012.40
 - Bloom Construction / \$102,388.72
 - Ralph Thornton / \$89,905.12
 - Depatco / Not Totaled
 - M Squared / \$91,731.99
 - Chapple / \$73,254.60

5. Bridge #5 (650 North 2400 East Over St. Anthony Canal)
 - Cannon / \$99,014.80
 - Bloom Construction / No Bid
 - Ralph Thornton / \$123,504.12
 - Depatco / \$142,308.00
 - M Squared / \$155,00.00
 - Chapple / \$107,629.50

6. Bridge #6 (1740 East 500 North Over St. Anthony Canal)
 - Cannon / \$75,629.70
 - Bloom Construction / \$109,631.77
 - Ralph Thornton / \$95,777.31
 - Depatco / \$92,793.04
 - M Squared / \$98,736.00
 - Chapple / \$80,595.20

7. Bridge #7 (Two Bridges 400 North 2600 East Over Fall River Canal)
 - Cannon / \$87,930.40
 - Bloom Construction / \$147,502.61
 - Ralph Thornton / \$123,358.22
 - Depatco / No Bid
 - M Squared / \$120,430.00
 - Chapple / \$87,865.00

Commissioner Hurt made a motion to approve and award the bid for bridges 1, 2, 4, 5, and 6 to Cannon. Commissioner Romrell seconded the motion. A full voice vote was heard with Commissioners Hurt and Romrell voting in favor. Commissioner Miller abstained from voting.

Bridges 3 & 7 will be awarded at a later date (approximately two to three weeks).

**Public Works Director Marla Vik & Road & Bridge Foremen Russ Ader & Blair Jones RE:
Equipment Needs for FY2010**

Marla Vik presented a printout of the Road & Bridge inventory by vehicle type. Discussion was held regarding the possibility of purchasing a new truck, zipper, and chip spreader. If a chip spreader is purchased, we have a firm piggyback estimate. There are problems with the current spreader - a new roller etc. is needed.

Executive Session IC67-2345(d)

Commissioner Romrell made a motion to go into executive session per IC 67-2345 (d) to consider records that are exempt from disclosure as provided in chapter 13, title 9, Idaho Code at 1:04 p.m. Commissioner Hurt seconded the motion. A roll call vote was taken with Commissioner Romrell voting "Aye", Commissioner Hurt voting "Aye", and Commissioner Miller voting "Aye". Commissioner Romrell declared the meeting at 1:13 p.m.

Executive Sessions IC67-2345(f)

Commissioner Romrell made a motion to go into executive session per IC 67-2345 (f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement at 1:13 p.m. Commissioner Hurt seconded the motion. A roll call vote was taken with Commissioner Romrell voting "Aye", Commissioner Hurt voting "Aye", and Commissioner Miller voting "Aye". Commissioner Romrell declared the meeting at 1:52 p.m.

Amended Agenda Items:

Items To Discuss:

The following liquor licenses were read for the record for approval:

- El Jaliciense II / Jesus Ramon Nunez
- Anglers Lodge / David Eby
- Sportsman's / David Eby
- Hawg Golf / Brad Mockli
- Russell's Junction Service LLC / Larry, Marla, or Ronald Russell
- Star Bar / Gaylene Blair
- Truthhunter / Jonathan Stihl
- Lenz Electronics / Harold F. Lenz
- Grubstake Mountain Market & Deli / Bradly & Dione L. Smith
- Island Park Lodge / Constance Himes
- Valley Wide Travel Plaza / Valley Wide Co-op Inc
- Jared's Wild Rose Ranch Resort / Wild Rose Ranch Inc.
- Dave's Jubilee Market / JJ&J Inc.
- *Woodies Hungry Bear Market & Resort LLC / Kimberly A. Woodie*
- *Henry's Fork Lodge / Rocky Mountain Lodges Inc*
- Otts Place / WBP LLC

Commissioner Hurt made a motion to approve the above read liquor licenses with the last three read pending approval after verification of state licenses. Commissioner Miller seconded the motion. A full voice vote was heard with all Commissioners voting in favor.

Commissioner Hurt reviewed the bids for the sprinkler system for the courthouse grounds. Housley's did not submit a bid. The bid for discussion was received from Darin Thompson in the amount of \$6150. It will take him approximately three days to complete. Commissioner Hurt made a motion to award the bid to Darin Thompson for the sprinkler system for the courthouse in the amount of \$6150. Commissioner Miller seconded the motion. A full voice vote was heard with all Commissioners voting in favor.

Commissioner Miller made a motion to approve Resolution 2009-13 for an increase of 3.3% landfill fees for FY2010. Commissioner Hurt seconded the motion. A full voice vote was heard with all Commissioners voting in favor.

Commissioner Hurt made a motion to approve Resolution 2009-14 for an increase in sewer fees in Island Park of 5% for FY2010. Commissioner Miller seconded the motion. A full voice vote was heard with all Commissioners voting in favor.

The request from the Upper Valley Board of Guardians for 2010 for \$125 was discussed. The Board approved this request.

Discussion was held regarding the Animal Damage Control District #5 request for the amount of \$4500. The Board approved this request.

Discussion was held regarding the Secure School Funding RAC Project selection letter. The Board approved signing the letter and sending out to Commissioners of the counties stated in the letter.

Commissioner Hurt reported on his meeting with the Railroad. Crossings north of the golf course will be replaced or repaired.

Clerk Abbie Mace presented a letter from the Fremont School District requesting a formal contract regarding the fuel stations (St. Anthony & Ashton). She will work with the Prosecuting Attorney to get that contract.

Prosecuting Attorney Joette Lookabaugh presented the Findings of Fact and Conclusion of Law for the Partial Vacation of the Cottonwood Subdivision. She has reviewed it and it is ready for signature. Copies will be made for the Board and it will be on the agenda for next week.

Prosecuting Attorney Joette Lookabaugh read the important points for the new open meeting laws. There was a handout. Clerk Abbie Mace in addition stated that Jim McNall from ICRMP recommended that it would also be nice for a calendar to be advertised.

Discussion was held regarding the awarding of the bridge bids.

Public Works Director discussed study with JUB Engineers regarding septage. She thinks that it would be beneficial to do this study.

There being no further business to come before the board, the meeting was adjourned.

Paul Romrell, Chairman
Fremont County Commission

Attest: _____
Abbie Mace, Clerk