

FREMONT COUNTY COMMISSIONERS MEETING MINUTES
June 27, 2011

Present for the meeting was: Commissioners Skip Hurt, Lee Miller and Jordon Stoddard.

Also attended by: Clerk Abbie Mace, Deputy Clerk Cathy Jasinsky, and Prosecuting Attorney Joette Lookabaugh

Commissioner Hurt called the meeting to order and welcomed those in attendance.

University of Idaho Extension Agent Lance Ellis RE: Budget Review

The budget for the extension office was reviewed by the commissioners. Mr. Ellis updated the commissioners on the Master Gardeners program and the grain tour.

Commissioner Skip Hurt made the motion to amend the agenda to include resolutions from the prosecuting attorney to destroy records in her office and the closure of the Fun Farm Bridge and Findings of Facts and Conclusion of Law for the road vacation in Wilford. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all voting in favor.

Ms. Lookabaugh presented Resolution 2011-17 to destroy files, Resolution 2011-18 for the necessity to close Fun Farm Bridge and the Findings of Facts and Conclusions of Law for the road vacation in Wilford.

Commissioner Jordon Stoddard made the motion to accept Resolutions 2011-17, 2011-18 & the Findings of Facts & Conclusions of Law denying the vacation of road in the Wilford Townsite. Commissioner Lee Miller seconded the motion. A full voice vote was heard with all voting in favor.

Laura Munson RE: Rivers Edge Subdivision Road Logistics

Ms. Munson presented information to the commissioners on the River's Edge Subdivision. They are trying to finalize a plat for phase one. They would like to post a performance bond for the moving of the road. Under the development code that was executed they need to make sure that they complete public amenities. The road will be moved first. The park will be phase two. There were two test core drills done on the road. Their engineer Jeff Fryberg called on Friday and MTI was on site. This was not coordinated with Marla Vik or the Munson's. The stretch of road that they are dealing with is very small. Ms. Vik will talk to Blair Jones and determine if it is representative or not. The testing was done on four foot sections. There is an existing potato cellar on the property. They would like to see if there is a way to keep that building for storage. The commissioners are fine with this; however, the size (amount of acreage) of the park should not be affected. Discussion was held on the parking area. Discussion was held on how the Munson's driveway goes to the existing road. They would like to use this portion of the existing road as a private drive to tie back into the new road. This would be fine as long as they maintain requirements.

Planning and Building Administrator Stephen Loosli RE: Department Report

Mr. Loosli received a phone call from an HOA about a rental cabin that was approved on a preliminary basis upon the inspection of the sewer system. The tanks at one time were connected however the pipe busted and has leaked sewage into the ground. The other tank was plugged and leaking into the ground. DEQ is at the site now. The operation has been suspended from all use.

Thursday evening Mr. Sumner testified at the public hearing and returned to meet with Mr. Loosli on Friday. He has offered his services to help continue maintenance review for the comprehensive plan and development code. Mr. Loosli would like him to develop a proposal on his costs for assisting the county. The estimated cost is \$2000. The commissioners would like him to make an appointment to be on the agenda.

They have some non-compliance issues that they are dealing with. They have lots of cabin rentals coming forward. Nifty Nick is still non-compliant. They will have to pursue this with his son/nephew. Mr. Loosli will attempt to get permission from him to have the DJC kids move the items to storage.

Public Works Director Marla Vik RE: Department Report

Landfill: Discussion was held on the letters from DEQ and her response to them. Discussion was held on the topographical survey from Butler Engineering. Ms. Vik would like Butler Engineering to do some additional things that are not included in his original proposal. She can bring a new proposal next week. They will start to investigate cover plans.

Commissioner Jordon Stoddard made the motion to accept the agreement with Butler Engineering for the topographical survey and other items discussed in the agreement for \$3700. Commissioner Lee Miller seconded the motion. A full voice vote was heard with all voting in favor.

Road & Bridge: She is still waiting on the revised plans for the Fun Farm Bridge. The bridge on 400 North is pretty rough. Discussion was held on various roads throughout the county.

Sewer System: Discussion was held on the Island Park sewer system. Commissioner Miller received comments of appreciation for the grading of the road and for the Island Park landfill.

Social Services – Debbie Adams Re: Indigent Claims

Commissioner Skip Hurt 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 11:09 a.m. Commissioner Jordon Stoddard seconded the motion. A roll call vote was taken with Commissioner Jordon Stoddard voting "Aye", Commissioner Lee Miller voting "Aye", and Commissioner Hurt voting "Aye". Commissioner Skip Hurt declared the meeting open at 11:11 a.m.

Commissioners signed two releases of liens.

Commissioner Lee Miller made a motion to deny case #M2011-26. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Lee Miller made the motion for Commissioner Hurt to sign the contract for Dr. Dammrose for medical reviews. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all voting in favor.

Review of Development Code Public Hearing

Commissioner Hurt found it interesting that in the one letter presented from the Henry's Fork Foundation they had asked their attorney about the rights as commissioners. Their attorney responded that the board's procedure probably complies because they are holding a public hearing after changes have been made.

Commissioner Hurt does not agree that the decision for the development code was a snap decision. He does not agree that they short cut Planning and Zoning.

Density – Mr. Loosli reviewed how the Planning and Zoning came to the density that was decided on. The density that the commissioners are proposing is a 50% cut. Commissioner Hurt is concerned that land owners of small property can't do what they need to with their property. The Planning and Zoning discussed the dilemma with small property owners. They believe that this is better than the lot split; however, does not entirely fix the problem. Most of the rural based land is not LESA land. Discussion was held on the difference between Teton County's Development Code and Fremont County's Development Code.

Setbacks – Commissioner Miller expressed concerned with the logistics of this. The existing code is 50 feet and the proposal is 75 feet. Commissioner Miller believes that District Seven Health will make the final determination on this. Discussion was held on the requirements for setbacks. Commissioner Miller feels that this will regulate itself with DEQ & District Seven Health.

Boathouse – Commissioner Miller feels that the Planning and Zoning spent a great deal of time dealing with this. It is not reasonable to pass an ordinance that would mandate current boathouse owners to tear down their buildings.

Discussion was held on permit fees. Discussion was held on Appendix J.

Commissioner Miller expressed that this has been an ongoing process and it is a living document that can be changed as needed. Commissioner Hurt explained that when he started 6 years ago they were working on the development code.

Mr. Loosli read into the record Ordinance 2011-04.

Commissioner Lee Miller made the motion to accept the 2011 Edition of the Development Code as written by the Planning and Zoning Administrator as Ordinance 2011-04 effective upon publication. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all voting in favor.

Commissioner Jordon Stoddard made the motion to accept the corresponding Resolution 2011-16 Fee Determination for Planning & Building. Commissioner Lee Miller seconded the motion. A full voice vote was heard with all voting in favor.

Public Works Director Marla Vik RE: Executive Session 67-2345 (C)

Commissioner Skip Hurt made a motion to go into executive session pursuant to IC 67-2345 (c) to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency at 2:30 p.m. Commissioner Jordon Stoddard seconded the motion. A roll call vote was taken with Commissioner Jordon Stoddard voting "Aye", Commissioner Lee Miller voting "Aye", and Commissioner Hurt voting "Aye". Commissioner Skip Hurt declared the meeting open at 3:39 p.m.

Miscellaneous

Commissioner Lee Miller made the motion to approve the minutes from June 13th, June 21st, June 22nd, & June 23rd. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all voting in favor.

Discussion was held on the quitclaim deed for Mr. Kauer. He will be refunded his costs. The piece of property in question is owned by Grandview Estates.

Discussion was held on the July 5th meeting. Commissioner Hurt will not be at the meeting.

Commissioner Skip Hurt made the motion to approve the claims for June 27, 2011 as submitted. Commissioner Jordon Stoddard seconded the motion. A full voice vote was heard with all voting in favor.

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

Skip Hurt, Chairman
Fremont County Commission

Attest: _____
Abbie Mace, Clerk