

FREMONT COUNTY COMMISSIONERS MEETING MINUTES
August 1, 2011

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

Also attended by: Clerk Abbie Mace, Assessor Kathy Thompson, Coroner Bonnie Burlage, and Sheriff Len Humphries

Commissioner Miller called the meeting to order and welcomed those in attendance. Commissioner Hurt was excused and joined the meeting later.

Sheriff Len Humphries gave the prayer.
Clerk Abbie Mace led the pledge.

Elected Officials & Department Heads

Coroner Bonnie Burlage reported on a busy month with an autopsy. She is looking at cameras. She has been to St. Louis for training which was paid for by Idaho Association of Coroners. She will be taking both her deputies to training in Las Vegas this month. The sheriff will have Officer Garner cover coroner duties while they are gone.

Sheriff Len Humphries reported that there are 16 inmates in county custody. They had a statutory rape arrest this weekend and one injury at the Sandhills this weekend. Traffic incidents are slowing down for the summer. Deputies are doing marine patrol in Island Park he feels that tourism is down some this year. We are having problems with underage kids riding ATV's unsafely in the whole county. There was discussion on the new keyless entry into the courthouse and sheriff's office.

Assessor Kathy Thompson reported that the appraisers are busy. They are finishing up their 5 year plan this year and will start the next 5 year plan in December. It has been slow in their office. There was discussion on values in comparison to our adjoining counties.

Clerk Mace reported she has hired Jeanie Chavez as a deputy clerk and will be starting this Thursday. We will be having Election Meetings this week for the taxing districts in which we will be holding elections in November. The IRS will be here this week to audit the county. She has been working on the budget.

Commissioner Jordon Stoddard has been working on building and grounds and has received bids on concrete around the courthouse and annex. He has also been working on a fix for the DMV water leaks. He has Scott from Northfork Nursery to trim and maintain the hedge around the courthouse. He is meeting with Briggs Roofing to deal with the courthouse roof this week.

Commissioner Lee Miller met with the Eastern Idaho Solid Waste District last week. There have been some concerns with Bonneville County. They discussed tipping fees, they have lowered them down to \$9.50 per ton. They have rewritten the Addendum for Fremont County on a transfer station. There has been discussion on fees for tires going to the new incinerator. He had the Development Company Board meeting last week also. They discussed unemployment and Idaho ranks 2nd in change in the nation, with a 221% changes from 2007 to 2010 of approximately 6%

increase; Fremont County's unemployment is also up. There have only been 2 loans given from the Development Company over the last quarter.

Public Hearing for Road Vacation in Wilford

Present were: Commissioner Skip Hurt, Commissioner Jordon Stoddard, and Commissioner Lee Miller.

Also in attendance were: Clerk Abbie Mace and Planning and Building Administrator Stephen Loosli.

Commissioner Hurt welcomed those in attendance and made introductions.

Commissioner Hurt asked if proper notice had been given. Clerk Mace indicated it has.

Planning & Building Administrator Stephen Loosli reviewed the previous hearing that was held on this matter which was denied. He suggested that the county vacate approximately 50 feet to Mr. Meservy and that the county retain the remaining roadway. The current width of the road is 99 ½ feet, he indicates that 52 feet be vacated on the northern portion of the road to the Meservy's. There are trees on the south side of the road right of way. He proposes that if the road is ever built it be on the north side of the trees.

Joseph Meservy, 243 N 2400 E, St. Anthony

Mr. Meservy agrees with what Mr. Loosli presented. His concerns are with establishing the exact location of the right of way. Mr. Meservy referenced the property line across the street when it was vacated in 1982.

Linda Meservy 243 N 2400 E, St. Anthony

Mrs. Meservy spoke in support of the road vacation. She presented photo of the existing roadway. She referenced bids from DePatco for a gravel, chip seal and pavement road; along with an estimate for a bridge. Presented exhibit #1 photo and estimated of road construction and bridge construction.

Fred Behring, P.O. Box 668, Ashton

Mr. Behring has property in Wilford. He is concerned with a reference point. It concerns all the locations in Wilford. He suggested we need a licensed survey before you make any decisions. He compares this to a pie that everyone wants to divide up. He feels that this is a short section and that without a survey it cannot be done accurately.

Commissioner Hurt asked Rod and Sharon Staeb's with not wanting to testify if they agree with the proposal. They indicated yes.

Commissioner Miller asked Mr. Loosli how to establish reference points. He indicated that his office is working on section line references now but indicated a survey would be a good idea.

Commissioner Hurt feels it would be fairly simple to have a survey done with the previous work that has been done in the area. He indicated that the Mesevry's could have a survey done to establish this roadway.

Commissioner Miller agreed along with Commissioner Stoddard.

The Meservy's are not in a hurry. They would like to wait for the counties work to be done in this area and use the counties survey points.

They discussed that the county has 60 days to make a decision.

Mr. Behring stated that the survey across the road may not be enough. There are two section corners there. So there are problems in this section.

Commissioner Hurt made a motion that the county grant the vacation of 52 feet of the existing right of way on the north side, with the county retaining 47 ½ feet along the south side of the right of way in perpetuity. Also that a GPS survey by the county be done for access points to the property behind the Mesevry's, and that the county accepts into perpetuity this as substandard right of way. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

The Findings of Fact and Conclusion of Law will be written by Planning & Building Administrator Stephen Loosli and Joette Lookabaugh.

Jeff Williams RE: RP0001750010190 Property Tax 2010

Mr. Williams appeared by phone. He indicated that his property was reassessed. He misunderstood this process and thought there would be a new notice sent. He is asking for forgiveness of the late charge and interest of \$80.31. Commissioner Hurt explained that taxes are not adjusted part way through the year they are only reviewed annually through the assessment process. Commissioners will take this under advisement and notify Mr. Williams by letter within 10 days. Commissioner Miller made a motion to not forgive the penalty and interest to set it at \$80.31 if received within 21 days from today. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Executive Session IC67-1345(c) Land Acquisition

Commissioner Hurt made a motion to go into executive session pursuant to Idaho Code 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 10:56 a.m. Commissioner Stoddard seconded the motion. A roll call vote was taken with Commissioner Miller voting "aye", Commissioner Stoddard voting "aye" and Commissioner Hurt voting "aye". Commissioner Hurt declared the meeting open at 11:30 a.m.

Amy Taylor RE: Update on Senator Risch and any concerns of the county for him

Commissioner discussed concerns we have with EPA on drain water plan requirements and the fines that have come to northern Idaho because of paperwork, not with entities doing anything wrong. Ms. Taylor indicated that Senator Risch is not a fan of EPA. Senator Risch's staff will be having a meeting on August 10th with the cattlemen about the grizzly bear depredation. She invited the commissioners to attend that meeting. The commissioners voiced concerns with High Country RC&D program cuts affecting our weed programs. They discussed the landfill in Island Park. They discussed the expansion of the sewer system in Island Park. The commissioners would like to see the Federal Government set time lines with the NEPA process.

Social Services – Debbie Adams Re: Indigent Claims

Commissioners signed two new liens and one lien release.

Public Works Director Marla Vik RE: Department Reports

Dale Swensen with Fremont Madison Irrigation District met with the commissioners to update them on negotiation on irrigation wells being called out to senior water rights in the magic valley. There have been rules set up to mitigate this. They are working on identifying all these wells in Fremont County. He is inviting the county to join in the mitigation plan with the wells we have at the old stud mill property. He would also like to know the amount of water that these wells are pumping. The commissioners would like to be included in the mitigation plan. They will have Ms. Vik work with Mr. Swensen on this.

Landfill: They have been reviewing the equipment needs for the landfill. They need a new pickup that travels daily to Island Park. They have found a ¾ ton pickup for \$22,429.87 at St. Anthony Motors. This is a fleet price. Commissioner Stoddard made a motion to accept the bid of \$22,429.87 from St. Anthony Motors. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

There was a daily cover violation at the Island Park landfill. They suggest we close dumping earlier in the day to get the cover on daily. They will try and divert household dumping to dumpsters at the end of the day.

Fleet Manager Justin Wickham asked what the commissioners want to do with his pickup. They discussed which pickups with Road & Bridge get the most mileage. They are the forman's vehicles. The commissioners will look at this after the budget process is done.

Road & Bridge: WHPacific sent 4 copies of a Supplemental Agreement for additional Environmental work that FHWA (Federal highway Administration) is requiring for Stone Bridge project. FHWA didn't agree with the "No Effect" ruling on grizzly bear habitat and is requiring supplemental request will cost approximately \$9,890.55. The Counties 7.34% share is \$725.97. The commissioners want Ms. Vik to let Senator Risch's office be aware of this and see what we can do.

Butler Engineering submitted a proposal for inspection of the Fun Farm Bridge. It is higher than usual because he is concerned that this contractor hasn't done this kind of work before and thinks full time supervision may be required. The commissioners would like the contractor to be in better communication with the Engineer. Commissioner Hurt made a motion to allow up to \$4000 in inspection fees for Butler Engineering. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Until we get the issues resolved, the gate is going to be locked at the meadow Creek gravel pit, because the public is hauling in garbage that should not be there.

Planning and Building Administrator Stephen Loosli RE: Department Report

Mr. Loosli met with Tamra Cikaitoga on Park & Recreation the county owns three vault toilets the forest service has been cleaning them, but will no longer maintain them after this season. She will get bids for maintenance in the future. He has been reviewing the daily use fee's that can be imposed on recreational sites along the waterways in the county. The BLM is collecting fees on the South Fork and the money is used to waterways. They have an agreement with Madison Jefferson and Bonneville Counties to share this revenue for maintenance and improvements along the waterways. This would be an option for the county to look at. The downside is that we can't designate where the fees will be used. There is an advisory committee that chooses the projects

that will be funded. They charge \$3.00 for a daily fee, \$30 up to \$60 for an annual fee. This MOU is made up of BLM, Forest Service, Fish & Game and one commissioner from each county involved. He will do some more research into this and report back to the commissioners. This would be a 3 year agreement. There will be one to two open grooming positions for this season. The Park & Rec truck is due for rotation. No hurry on it. He has done some research on the fuel bill owed to us from Harriman State Park. He will be getting paperwork on this.

Kathy & Marshall Gardner RE: A Hardship for Verlynn Walker

Mr. Loosli updated the commissioners that these individuals were granted a hardship exemption for a manufactured home. Commissioner Miller is recusing himself from this matter. The Gardner's updated the commissioners on their situation. They would like to extend their Hardship for their mother in-law to place a mobile home on their property. Mr. Loosli will look at the changes to the Development Code on this to see if the new code will allow a permanent second home. They are requesting a hardship variance for the time being on an annual basis. This will require a full skirting on the mobile home. Commissioner Hurt made a motion to allow the extension of the variance for one year. Commissioner Stoddard seconded the motion. A full voice vote was heard with Commissioner Stoddard and Commissioner Hurt voting in favor. Commissioner Miller recued himself from this matter for a conflict of interest.

Carlos Aponte RE: Insurance Renewals

Commissioner Miller made a motion to amend the agenda for and executive session IC 67-2345 (b). Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Hurt made a motion to go into executive session pursuant to IC 67-2345 (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student; at 2:45 p.m. Commissioner Stoddard seconded the motion. A roll call vote was heard with Commissioner Miller voting "aye", Commissioner Stoddard voting "aye", and Commissioner Hurt voting "aye". Commissioner Hurt declared the meeting open at 2:49 p.m.

Mr. Aponte presented options of medical insurance coverage for employees.

IT Administrator Lisa Turner RE: Copy Machine/Locks

Ms. Turner stated we have no interest in our surplus copy machines. The commissioners are okay with donating them to a nonprofit. They will find someone who needs them.

Josh Warnke reviewed the schedule for key cards for employees.

Commissioner Miller made a motion to amend the agenda for and executive session IC67-2345 (b). Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Hurt made a motion to go into executive session pursuant to IC 67-2345 (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student; at 4:14 p.m. Commissioner Stoddard seconded the motion. A roll call vote was heard with Commissioner Miller voting "aye", Commissioner Stoddard voting "aye", and Commissioner Hurt voting "aye". Commissioner Hurt declared the meeting open at 5:04 p.m.

Miscellaneous

Commissioner Stoddard made a motion to approve the five Junior College Applications. Commissioner Miller seconded the motion. A full voice vote was heard with both commissioners voting in favor. Commissioner Hurt was not in attendance for the vote.

Commissioner Miller made a motion to approve Resolution 2011-20 the Destruction of Election Records. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Stoddard made a motion to apply for the Juvenile Justice Grant for video arraignments in the amount of \$10,000. Commissioner Hurt seconded the motion. A full voice vote was taken with all commissioners voting in favor.

Commissioner Miller made a motion to approve the minutes from July 18, and July 25, 2011. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Stoddard made a motion that we award the concrete replacement at the annex and courthouse to Doug James Construction Inc. in the amount of \$6096. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Miller will attend the regional redistricting meeting tomorrow representing the county.

Commissioner Hurt made the motion to approve the claims as submitted. Commissioner Miller 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