

FREMONT COUNTY COMMISSIONERS MEETING MINUTES
September 26, 2011

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

Also attended by: Clerk Abbie Mace, Deputy Clerk Jeanie Chavez, Deputy Prosecuting Attorney Blake Hall

Drake Munson, Marla Vik and Blair Jones RE: Road in Rivers Edge Subdivision

There was a discussion held with Public Works Director Marla Vik, Deputy Prosecuting Attorney Blake Hall, Ashton Road Foreman Blair Jones, Laura Munson, the Munson's Attorney Lary Larsen, the Munson's Contractor Gregg Stoddard, the Munson's Engineer Jeff Freiburg, and Fremont County Commissioners.

They discussed the relocation and construction for a new road (Fisherman's Drive) at Rivers Edge Subdivision. Ms. Munson stated she would like to move forward with this project. She wants to come up with an agreement today with the county. Ms. Munson is proposing to use asphalt millings instead of chip seal as a top coat for the road. The road now has a chip seal on the top. Blair Jones stated a chip seal must be used on this road. The road will not hold up without it. Mr. Hall and Mr. Larsen discussed the requirements of the road explained in Appendix B of the county Development Code. Mr. Hall stated this future road will be a main road and needs to be built at least as good as the current one. Ms. Munson does not want to comply with Fremont County Code. She doesn't want to pay for a new road that meets specs and code. She has hired DePatco to build the road. Ms. Vik stated the road has to be at least 9 inches of pit run, 3 inches of crushed gravel, 3 inches milling, and a chip seal on top to even compare to the current road. A discussion was held with Contractor Gregg Stoddard and the Commissioners regarding the new construction. Ms. Munson will discuss this with her Attorney and Contractor. She will make a decision and report back to Commissioners.

Bid Opening of St. Anthony Ambulance Building Addition

Clerk Mace stated that we received two bids of which neither was received in a timely manner. All bids should have been turned in to the Clerk's Office no later than 9:00 A.M. Attorney Blake Hall stated both bids were out of compliance. Commissioner agreed to open the bids for the addition at the EMS building. Commissioner Miller made a motion to accept the 2 bids that are both non compliant and there be no prejudices. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor. Commissioner's opened the sealed bids:
Bloom Construction Bid for \$104,477.99
DL Beck Bid for \$80,464.00

Commissioner Stoddard made a motion to accept the bid from DL Beck upon review of compliance of bidding requirements. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Planning and Building Administrator Stephen Loosli RE: Executive Session IC67-2345(f)

Commissioner Hurt made a motion to go into executive session pursuant to 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 bringing litigated but imminently likely to

litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement at 10:12 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 11:16 a.m.

Public Works Director Marla Vik RE: Department Report

Ms. Vik presented Commissioners with document from the bank regarding a purchase of road graders. She has a document from the Forest Service regarding a bridge that the Forest Service was working on. Commissioner Hurt made a motion to sign a De-Obligation and Closeout Request Form FSM 1580 Grants and Agreements. Commissioner Stoddard seconded the motion. A full voice vote was heard with all Commissioners voting in favor.

Commissioner Miller made a motion to sign a Supplemental Agreement with Ora Bridge Design regarding Ora Bridge over the Henry's Fork. Commissioner Stoddard seconded the motion. A full voice vote was heard with all Commissioners voting in favor.

Commissioner Miller made a motion to accept the contract for \$236,300 from H & D Engineering for the design to concept for the Ora Bridge. Commissioner Stoddard seconded the motion. A full voice was heard with all Commissioners voting in favor.

There was a discussion held regarding bridges and repairs.

Ms. Vik discussed the requirement from DEQ on putting an additional well in at the St. Anthony Landfill. She would like a couple years of data before making a final decision on the location of the well. A discussion was held with Ms. Vik regarding recycling at the landfill, possibly a shelter over bins for easy drop off. She would like for people to be able to drop off recycling stuff before they go over the scales.

A discussion was held regarding a public hearing to be held October 13, 2011 at 6:30 p.m. to propose increasing the landfill fee's to construct a transfer station.

Commissioner Miller made a motion to amend the agenda and go into Executive session IC 67-2345 (f). 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 at 11:50 a.m. by 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. 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 12:43 p.m.

Five County Detention Administrator Nicky Chavez RE: Federal Bureau of Prisons Federal Contract

Mr. Chavez stated he has been working on the contract with BOP and U.S. Marshals Service. He revised the 3 year contract to \$213.12 per day per inmate. This Contract is allowed to be

renegotiated in 1 year. The estimated number of Federal Juveniles is 12 per day but not limited to that. This average is based on last year's numbers.

Commissioner Hurt made a motion to sign the agreement between FBOP and Five County Detention for \$213.12 per inmate per day upon review of Five County Detention Attorney Troy Evans. Commissioner Stoddard seconded. A full voice vote was taken with all commissioners voting in favor.

A discussion was held with Mr. Chavez regarding state inmates. He stated he does not have any State Juveniles at this time.

Planning and Building Administrator Stephen Loosli RE: Department Report

Mr. Loosli discussed the situation of the appointed Planning and Zoning Committee members.

Commissioner Stoddard made a motion to eliminate the position that was held by Steve Trafton from the Planning & Zoning Board position that he resigned from earlier this year. Commissioner Miller seconded the motion. A full voice was heard with all commissioners voting in favor.

Commissioner Stoddard made a motion to eliminate the position that was held by John Harrington which is expiring. Commissioner Miller seconded the motion. A full voice vote was heard with all Commissioners voting in favor.

Commissioner Stoddard made a motion to officially reduce the total number of Planning and Zoning Commission members from 11 to 9, and this be done by Resolution 2011-26

Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Stoddard made a motion to re-appoint Jim Gerber, whose term expired September 22nd, to a second full term of 3 years, effective immediately. Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Stoddard made a motion to re-appoint Sam Davis, whose term is set to expire October 6th, to a second full term of 3 years, effective on the date of his first term expiration.

Commissioner Miller seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Mr. Loosli stated he has started to receive payment for fuel used in Harriman Park last winter. He received a letter from HUD that if they have houses go unsold for 6 months we can buy them for \$1.00. There is one in our county right now that he will watch. If it becomes available he would recommend we purchase it. The county can then sell the home and use the proceeds from the sell for economic development and creating low income housing opportunities in the county. He met with Madison County Commissioner's today regarding the HUD Grant. There are many counties that have applied for these grants. He stated the Forest Service will open some acres for harvesting the timber.

He presented the grant application for grant funds to restore the original roof on the Courthouse. This is from the Idaho Heritage Trust Grant. Commissioner Miller made a motion to apply for a grant from Idaho Heritage to repair the courthouse roof. Commissioner Hurt seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Mr. Loosli has some agreements from The Forest Service.

Commissioner Hurt made a motion to accept \$10,000 from Master Challenge Cost Share Agreement between Fremont County and The USDA, Forest Service Caribou-Targhee National Forest Service. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Hurt made a motion to agree to have Fish and Game maintain the boat docks in Island Park. Commissioner Stoddard seconded the motion a full voice was heard with all commissioners voting in favor.

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

Commissioner Hurt made a motion to go into executive session pursuant to IC67-2345(d) to consider records that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code; at 2:07 p.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 2:25 p.m.

Commissioner Miller made a motion to approve Case # G2011L109, Case #G2011-111, Case #G2011-113, Case #G2011-114, Case #G2011-115, and Case #M2011-33. Commissioner Stoddard seconded the motion. A full voice was heard will all the commissioners voting in favor.

Miscellaneous

Commissioner Miller made a motion to accept the run out agreement with Pacific Source for our medical insurance. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Stoddard made a motion to decline the coverage for terrorism from ICRMP. Commissioner Hurt seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Miller made a motion to sign release one lien on Macks Inn Sewer LID and one lien on the Last Chance Sewer LID. Commissioner Stoddard seconded the motion. A full voice was heard with all commissioners voting in favor.

Commissioner Miller made a motion to approve Junior College applications for three individuals. Commissioner Hurt seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioners reviewed the following liquor licenses:

- License # 3 Jackson's Food Store Stores Inc. as Jacksons #72 (Duplicate original lost in the mail)
- License #25 Rocky Mountain Lodge, Inc as Henry' Fork Lodge
- License #27 Woodies Hungry Bear Market as Henry's Lake Station
- License #28 Kimberly Woodie as Woodies Hungry Bear Market Resort LLC
- License #29 Island Park Pond's Lodge LLC as Pond's Lodge
- License #30 Sergio A. Garcia & Shanelle Garcia as Dales Silver Horseshoe
- License #31 Barking Bass Equities LLC as Phillips Lodge/Lodgepole Grill
- License #32 David M. Eby as Anglers Lodge
- License #33 Henry's Fork Anglers LLC as Henry's Fork Anglers
- License #34 Deborah A Frei as Stagestop
- License #35 Carl Hansen as Lakeside Lodge

Commissioner Hurt made a motion to approve the above listed liquor licenses. Commissioner Stoddard seconded the motion. A full voice vote was heard with all commissioners voting in favor.

Commissioner Miller made the motion to approve the claims as submitted. Commissioner Hurt seconded the motion. A full voice vote was heard with all commissioners 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