

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS

CLARK COUNTY, IDAHO

April 12, 1993

The Board met this day in regular session. Present were Commissioners Charles R. Vadnais, Steven R. Gilger, Charles E. Wilson, Prosecuting Attorney Craig Simpson, and Clerk Jo Ann S. Tavenner.

APPROVAL OF MINUTES

Motion by Commissioner Gilger, seconded by Commissioner Wilson, unanimous that the minutes of the last regular meeting of the Board on March 8, 1993, be approved as written.

FOREST SERVICE & LAW ENFORCEMENT AGREEMENT

Craig King, County Sheriff, met with the Commission and requested they renew the agreement with the Forest Service again this year on patrolling and dispatching. King said this agreement says that the sheriff's department will do a little patrolling and dispatching for the Forest Service. He said they raised the fee from \$24 to \$32 per unit this year, and the dispatch hours from \$4 to \$5.35 per hour up to a maximum of \$2000 per year. King said the only problem he has with the agreement is that it states that in restricted areas, he will have to obtain permission before he can go into that area. King said if he has an emergency, he can not wait for permission to go into those area's and he has told the Forest Service about this before.

King informed the Commission that last fall people were bungee jumping off from the Pleasant Valley bridge, and the group discussed the County's liability. King then requested that the Board adopt an ordinance making it a misdemeanor and punishable by a fine for this act. After some discussion, a motion by Commissioner Wilson, seconded by Commissioner Gilger, unanimous, that the Commissioners hereby adopt the following Ordinance:

ORDINANCE NO. 15

Be it ordained by the Board of County Commissioners of Clark County, Idaho,

AN ORDINANCE OF CLARK COUNTY, IDAHO, ENTITLED, "BRIDGE SAFETY ORDINANCE", REGARDING SAFETY ON COUNTY BRIDGES

I. NAME OF ORDINANCE

"Bridge Safety Ordinance" of Clark County, Ordinance No. 15, dated the 12th day of April, 1993.

II. GENERAL STATEMENT

1. Declaration of Policy

a. The purpose of this ordinance is to insure safety of individuals while on or using the bridges within Clark County.

2. Definitions

a. Bridge - means a structure spanning and permitting passage over a river, stream, canal or other waterway.

III. ADMINISTRATION

1. Responsible Agency

Clark County Commissioners

2. Enforcement Agency

a. Clark County Commissioners, Clark County Sheriff's Office, or any other police officer, law enforcement official or other County officer in connection with his duties imposed by law.

IV. SCOPE OF LEGISLATION

1. Prohibited activities

a. It shall be unlawful for any person to dive, jump or otherwise remove himself from the top or side of any bridge in Clark County.

b. It shall be unlawful for any person to stand, fish, linger or remain on any bridge in Clark County, unless otherwise designated.

c. It shall be unlawful for any person, corporation, partnership, or other entity to solicit or advertise, or charge or encourage any person to violate subsections (a) or (b) described herein.

V. PENALTY

1. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and punishable by a fine of not more than \$300.00 or by imprisonment for a period not exceeding six months, or both.

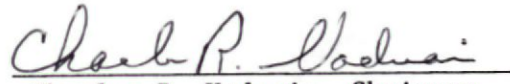
VI. EFFECTIVE DATE

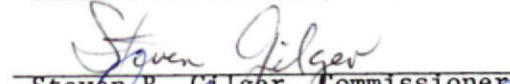
This ordinance shall be in full force and effect the 19th day of April, 1993.

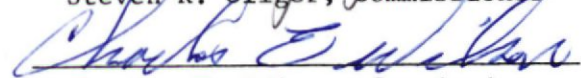
Passed by the Clark County Board of Commissioners on the 12th day of April, 1993.

APPROVED by the Board of County Commissioners of Clark County, Idaho this 12th day of April, 1993.


APPROVED:


Charles R. Vadnais, Chairman


Steven R. Gilger, Commissioner


Charles E. Wilson, Commissioner

ATTEST:


Jo Ann S. Tavenner, Clerk

King also requested that Pleasant Valley Bridge be posted with signs referring to the Ordinance as soon as possible.

AFLAC

Lynda L. Aird, AFLAC representative met with the Commission and requested permission to contact the employees and be able to present them with her company's cancer and intensive care benefits. After some discussion, it was unanimous that Aird could leave pamphlets and information with the Clerk to be passed out to employees. Aird will check back with the Clerk on how many are interested in her policy.

BID OPENING

The Commission at this time opened the following bids which have been advertised earlier to be opened at this time:

ASPHALT

One bid was received from:

Idaho Asphalt
Idaho Falls, ID

250 MC cut back 2000 Ton	\$138.00 per ton
Emulsion 25 Ton	133.00 per ton
Distributor service	13.00 per ton, or 85.00 per hr - whichever is greater

Motion by Commissioner Gilger, seconded by Commissioner Wilson, unanimous, that the County hereby award Idaho Asphalt the bid to furnish Clark County with asphalt for the 1993 asphalt season.

RETAINER WALLS

The Board, having advertised for retaining walls for 2 sites previously, one bid was received from:

Edelmeyer Construction
3162 W. 1000 N.
Rexburg, ID 83440

2 Sites \$9,600.00

After some discussion, a motion was made by Commissioner Gilger, seconded by Commissioner Wilson, unanimous, that the bid is hereby awarded to Edelmeyer Construction.

CONTAINERS

One bid was received from:

S/T Developing
Pocatello, ID 83201

3 Containers \$5,400.00 each - delivered

Motion by Commissioner Gilger, seconded by Commissioner Wilson, unanimous, that this bid is hereby accepted and awarded to S/T Developing.

Belcher said that he is trying to get permission from the City of Dubois to do dirt work at the Airport gravel pit until he can get a surveyor up to survey waste disposal site at the Airport. He said he planned to use the St. Anthony work crew for clean-up, and Marcia Speas in the outlying areas to do clean-up around the dumpsters and here at the city pit. Jo Ann Tavenner reported that she had also hired Marcia Speas to replace Sheri Mortensen, and that she would like permission to have Speas haul the garbage from the Courthouse. She said Speas will haul it twice a week for \$20.00 a month. The

Board unanimously approved this expenditure for hauling the garbage and it should be given to Marcia Speas.

FOREST SERVICE UP-DATE

Mac Murdock, District Ranger, met with the Commission and reported that on the WCC program, they will have about eight youths - 6 under WCC, and 2 under the JTPA program. Murdock said they have tried to balance it out between boys and girls, and one girl comes from Rigby. He said the Forest has planned a Citizen's Involvement Day which will be held April 21, at St. Anthony. Murdock also said that on bear bait, in the past, the Forest Service has issued these under special use permits for \$45.00. He said now Idaho Fish & Game will be issuing this permit.

The group discussed purchasing a Forest Service surplus tank, pump, and motor to use throughout the County for fire protection. Murdock said that the County would have to have the State purchase it for them.

Murdock said that the appeal on the sagebrush burn was withdrawn and a decision should be reached this week on the timber sale on Miner's Creek.

REPORT ON CLOUD SEEDING

Don Shenton met with the Commission, and reported that they had used a little over 33% of the funding set up for Cloud Seeding. He said in January, they ran the three generators for 52.2 hours, and in February all generators for a total number of 251.75 hours. He said that they still have March to report. Shenton said all water sheds are 131% of normal. He said he was impressed with the program.

ROAD & BRIDGE UPDATE

Rod Belcher met with the Commission to up-date them on his department. Belcher said he still needs to pick up panels for the Fair Building from the State Surplus Store. Commissioner Wilson said their truck could pick them up if Belcher could get an address for him.

Belcher said that a group of ranchers have put money in to control some of the beavers and beaver dams in the Kilgore area. He feels that this will save some of his roads & bridges, and that maybe the County could help on the costs. After some discussion, motion by Commissioner Gilger, seconded by Commissioner Wilson, unanimous, that Don Shenton is authorized to use \$500.00 from the culvert fund toward expenses on flood control. Clerk directed to make warrant of same.

Belcher said Lyle Anderson, Jefferson County Road and Bridge Supervisor, has offered Clark County their surplus Flaherty Chipper, which is identical to the one the County now has, for \$2,000. Belcher said the County could use it for spare parts. This expense

could be paid out of the parts/repair fund. No decision was made at this time.

Belcher said Tom Christensen had requested the road be opened to Middle Creek, but there is still 10 to 12 foot drifts on the dugway. He said Valentine tried to get in with the 140 and dozer and couldn't get through, and until he can run through with the V-Plow, he feels he's defeating their purpose. Board was in agreeance.

LAND USE PLAN

The Commission and Attorney had a discussion on grazing rights. No decisions were made.

INDIGENT CASES

The Board at this time reviewed two indigent cases with the following findings:

Case #226 - denied due to the fact that this indigent person did not supply the County with proper papers and receipts to establish that person was indigent. On the second request for such papers, the person stated that they had no receipts as they paid cash. Interviewer requested that they get signed statements from employer and creditors. None were provided.

Case #227 - denied due to the fact that this was not a emergency, and that the persons had nine months to prepare for this expense.

RODEO GROUNDS

John Kidd met with the Commission and the group discussed problems of local youth playing or using rodeo grounds; roping steers or other livestock being held there, and the possibility of someone's child getting hurt. Attorney Simpson advised the group if there is any known dangers, it should be taken care of. Kidd also asked what the specifications or standards were for safe bleachers. The Board advised that Rod will get the standards from ICRMP. The group discussed housing horses or animals for people traveling through. Attorney advised this would be risky with local youth playing there. Kidd also informed the Board that they intend to bury the electrical lines under the ground to the announcers stand and around the arena; put in trees and water, and a new fence. After some discussion, it was decided they need to have a Community meeting and discuss projects with the Community.

APPROVAL OF CLAIMS

The following claims for the current month were examined and unanimously approved by the Commission:

CURRENT EXPENSE 93-833, 93-911 thru 944	\$ 9,135.40
ROAD & BRIDGE 93-843, 93-945 thru 966	11,872.06
AMBULANCE 93-967 thru 971	325.02
BOND REDEMPTION 93-910	10,560.00
DISTRICT COURT 93-972 thru 977	1,088.29
INDIGENT & CHARITY 93-978 thru 93-979	33.17
SENIOR CITIZENS 93-832	500.00
SOLID WASTE 93-836 thru 93-842, 93-901 thru 982	2,992.52
TORT 93-983 thru 93-984	5,291.68
WEEDS 93-985 thru 93-987	98.94
WEED REVOLVING 93-993	599.80
WATERMASTER 93-988 thru 93-993, 93-994	2,797.00

TOTAL \$45,294.08

IT IS HEREBY ORDERED THAT THIS BOARD DO NOW ADJOURN.


 JO ANN S. TAVENNER, CLERK


 CHARLES R. VADNAÏ, CHAIRMAN