

**MINUTES OF THE REGULAR MEETING OF THE BOARD
OF COUNTY COMMISSIONERS
CLARK COUNTY, IDAHO**

MAY 12, 1997

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

APPROVAL OF MINUTES

Motion by Commissioner Shenton, seconded by Commissioner Wilson , unanimous that the minutes dated April 14 and April 22 be approved as written.

BUILDING PERMIT FEES

Darrell Williams, Planning & Zoning Administrator, met with the Commission, Virgil Valentine and Keith Tweedie from the City of Dubois and Ken Myers, City of Spencer. Williams presented to the group the fees schedule that the Planning & Zoning Commission adopted at their last meeting. The group discussed the difference in the fee on a home that cost one million dollar, and the fee for a home that costs \$100,000. It was pointed out that Williams will not do any more for the person that built a home that costs million dollar home, than the home that cost a \$100,000. They decided that if there is a reserve that the fees could be reformulated at a later date. But with an office to maintain, people who are already here should not have to help pay for new homes. It was brought to the attention of the group that at some point in time That Planning & Zoning is going to need your support to continue program. He also presented the group with a stop work order which will be put on buildings that have not applied for a building permit. Motion by Commissioner Wilson, seconded by Commissioner Shenton unanimous that the fees presented by Darrell Williams be adopted this day.

POLYSI STUDY NEEDS FUNDS

Darrell Williams said that he has a letter from Polysi Incorporated concerning a grant to conduct a water investigation of the streams and seasonally shallow aquifers in Clark County. He said that the trustees of the trust fund have not yet determined the ground rules and it is very important that this work get started before the spring runoff is complete. William said they will need the county to come up with \$5000 to \$10,000 in unallocated funds to initiate the project immediately. He said he has also requesting similar amounts from Jefferson County. After a short discussion Motion by Commissioner Shenton, seconded by Commissioner Wilson unanimous that at this time all funding is allocated and the county is unable to come up with the needed funds at this time.

EIGHT MILE CANYON ROAD

Betty Wagoner met with the Commission and Darrel Williams requesting that Eight Mile road be included with other roads on RS 2477 system. Wagoner said that they learned at the annual water meeting that Sorensen and BLM do not want people driving across the creek in eight mile canyon and would like to re-route the Eight Mile crossing on Birch Creek to below the hydra diversion and eliminate the need for a crossing. The Board was in support of Wagoner's request.

WEED DEPARTMENT UP-DATE

Keith Bramwell met with the Board concerning what is going on in the Weed Department He said that the Clark County Weed Advisory Board has been awarded a grant in the amount \$12,350 by the National Fish & Game Wildlife Foundation. He said the grant is earmarked for chemical, biological controls and wages. He said that he also is to receive a second grant in the amount of \$6,350 for a school to work program which is sponsored by the Global Positioning Systems, which unites and trains teachers and students in scouting and mapping county weed infestations. Bramwell said that Orvin Jorgensen will oversee the students involved in this program. Bramwell said that Jim Thomas, Dubois director of the cemetery, is concerned about the chemical shed being moved out by the cemetery and that the board has concerns of damage to the trees in the cemetery. The group talked about mixing chemicals and they suggested that they add the chemical when they reach the site - it was also decided that they should have guide lines and that the spray operators follow the guide lines. It was suggested that they need a twelve volt pump. The Board discussed if there were problems with the Cemetery & talked about spray planes flying over it.

APPROVAL OF CLAIMS

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

General	10,235.30
Road & Bridge	16,086.49
Ambulance	1,128.37
District Court	985.07
Indigent	633.72
Solid Waste	45.10
Tort	500.00
Weeds	56.06
Juvenile Justice	79.95
Land Use	892.61
Watermaster	1075.43
Indigent Trust	30.00
Total	\$32,871.93

BRIDGE BIDS OPENED

The Commission having called for bids on Railroad bridge and Pleasant Valley bridge to be opened at this time - two bids were received - which read as follows:

Burnside Construction	Pleasant Valley Bridge	\$19,188	
352 North 4300 East	Railroad Bridge	10,600	
Rigby Idaho 83442	Total	\$29,788	Bid Bond Included

Larry Chapple Co.	Pleasant Valley Bridge	\$24,600	
174 N. Yellowstone	Railroad Bridge	3,000	
P. O. Box 465	Total	\$27,600	Bid Bond Included
Rigby Idaho 83442			

After a short discussion motion by Commissioner Wilson seconded by Commissioner Shenton unanimous that the bridge bids be awarded to Larry Chapple with a low bid of \$27,600.

ROAD & BRIDGE UP-DATE

Rod Belcher, Road & Bridge supervisor, met with the Commission to up-date them on his departments. He said they are still finding soft spots on the paving job on Old 91 North /West of Dubois. he said that they made a one and a quarter miles in two days. Belcher said that the temperature was too cold causing the base to come up. He said that they spent close to \$4000 to lay down one and a quarter miles the roto milled materials. Belcher has had lots of offer's from the City, Larsen and the Sheep Station in exchange for the roto milled materials, but he could not crush rock for less that \$5 per yard and he has access to equipment from Jefferson County to lay down the asphalt. Belcher figures the county will get around 60,000 tons from the two projects. He requested a surveyor to survey the right of way on the Red Road. He indicated that Mike Holden requested an approach in Spencer where the county road widens, above the rock house and where Holden's have fenced ground. Belcher said Mike Holden wants to build a house or cabin up there. Belcher was concerned that he can't get a flat enough spot enough to put in an approach. He said that he advised Holden to get a consultant. The Board advised Belcher to have Holden submit plans. Commissioner Vadnais informed Belcher that Julie Hugo from the sheep station had contacted him and requested that the county lay some asphalt out to the Station where the kids play. Larsen wants to trade the county, materials or whatever, for some course roto mill tailings for the roadway going into the migrant housing. Road & Bridge has just about finished the Jacoby road project.

SENIOR CITIZENS BUS

May Hodges, Ken Myers, Bennie Harmon and Sandy McClure met with the Commission concerning cutback by the state on the funding for the Senior Citizens Bus. The contract they signed with the state is for 6 months and they were only allowed \$322 for transportation during that period. Hodges said that with the cut back they are using up their surplus which they were saving towards a new bus. She said they have \$2000 left in savings plus a \$1000 in transportation. She said if they have 5 people board the bus it will not pay for the gas to go to the Falls let alone repairs. Hodges said they have cut down using the bus to every other week; and figure that it still costs about \$.70 per mile. Myers sits on the state regional transportation board, he said that CART goes to Salmon and there is a potential to transport Medicaid people. If the Seniors want to do it here, they could get help from CART by talking to Eastern Idaho Special Services. McClure said they have from 5 to 10 people who would ride it from here, but Clark County seems to always get hurt do to the population count. The group talked about the possibility of pickup people in Hamer and Terreton and other ways of solving the problem. The group will keep the commissioners informed on what the state does on the second half. The bus has 60,000+ miles on it now.

SOAR

Ted Ranson, Representative from SOAR, Save Our Access and Right-of-Ways, met with the Commission and explained their program. SOAR created a new type of road they called public right-of-way, and explained the new law #1108 where you are not liable, or you don't have any maintenance or construction. Ranson said that this year there was legislature to create a time frame for their program, which didn't make it through the house because they were afraid it would put a hardship on the counties. Ranson advised to pay attention to what they are signing off on. SOAR has a court case that is being tried in Bonneville county and he stressed how important it is for the commission to get mapping done. He said the legislature wrote into the law that you have to be a county resident in order to ask for an abandonment or formal closure on a road. Ranson said in the event of an appeal, the judge reviews the previous trial to cut down on the legal hassle. He said every road existing is still here and the fact that the roads are not on a deed does not mean that they don't exist. He said if its a public right-of-way you should claim it and abandon it latter. Ranson said the Unlawful Enclosure Act takes away grazing permits and if a trail exists before it became private property that is what is important. He encouraged the board to benefit the county by taking the mapping act and holding a public hearing on these roads and trails. The Board invited Ranson to return at a later date.

COMPLAINT ON SNOWMOBILER'S

Veva Horne, met with the Commission regarding a problem with the snowmobilers. She said that the snowmobiler's do not use the garbage cans, & have run over her trees, boats, fences and everything else. She has put up signs and the snow covers them. She thinks all non-residents should register at the Sheriff's Office. She said it's very obvious what is private and what is public but they don't care. The board had no solutions for her problems.

CIRCUIT BREAKERS APPROVED

Betty Kirkpartick Assessor presented 14 applications to the Commission on circuit breaker. The Commission reviewed and signed all the applications.

REQUEST FOR EASEMENT UP IRVING CREEK

Brion Egan and Gary Egan met with the Commission concerning getting a utility easement for a 15 kilowatt primary power line buried in roadway up Irving Creek. Egan said that they would put the line underground in the middle of the roadway and that it would commence at the intersection of Irving Creek road and Medicine Lodge road and run for about two miles. He said they would be responsible for the cost of installation and maintenance of the power line. It was unanimous that the Board would approve and sign an easement for Egan.

INDIGENT CASES

Case # 97-04 and 97-06 were set for a hearing with the hospital on this date, but both hearings were canceled at the request of the hospital. No action taken at this time.

ORDERED THAT THIS BOARD DO NOW ADJOURN.

