

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

JANUARY 12, 1998

The Board met this day in regular session. Present were: Commissioners' Charles R. Vadnais, Charles E. Wilson and Gregory 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 December 8, 1997, be approved as written.

APPROVAL OF CLAIMS

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

General	\$12,284.31
Road & Bridge	27,480.04
Ambulance	699.96
District Court	491.78
Health District	1,774.75
Indigent	157.54
Senior Citizens	500.00
Solid Waste	1,810.71
Tort	5,145.00
Weeds	159.61
Juvenile Justice	3,000.00
Land Use Plan	194.64
Taylor Grazing Dist. #3	7,825.03
Watermaster	3,005.00
Indigent Trust	206.52
TOTAL	\$64,734.89

ROAD/BRIDGE UP-DATE

Rod Belcher, Road & Bridge Supervisor, met with the Commission to up-date them on his department. He said that he talked to Steve Summers from the Idaho Transportation Department (ITD) and Summers said the ITD is planning a pavement rehabilitation project on Hwy 22, from mile post 60.1 to mile post 68.6 which is scheduled for FY 2000. He said the Kilgore East road project has been scheduled for this summer and Brian Kramer will be the engineer over the project.

Belcher ask what policy the Board intended when they set the up the residence dump fee of \$15.00 per year. He was informed that the fee was good for one year from the date of purchased. Belcher said Walt Miles purchased a cattlegard and he would like to

have the county install it; in exchange for a right-of-way or easement through his property. No decision made at this time.

APPOINTMENT OF COUNTY ATTORNEY

The Board having received outside interest in the prosecuting attorney position and it was pointed out that according Idaho Code, chapter 59, title 907 which states that "where there is no resident attorney in the county who is willing or qualified to perform the function of prosecuting attorney, the board of county commissioners may contract or appoint an attorney from outside the county to perform the duties of prosecuting attorney." Dan Chadwick, from Idaho Association of Counties (IAC), advised the board that they should renew this appointment now and at least every two year or each year that the board is re-organizes. After some discussion and consideration a motion was made by Commissioner Wilson, seconded by Commissioner Shenton, unanimous that Craig Simpson be appointed as Clark County Prosecuting Attorney for the year 1998.

PLANNING & ZONING

Conni Owens' and Ellen Tarpley, Planning & Zoning Representatives, met with the Commission to up date them on their department. They said that Ken Myers was helping them write a job description for Darrel Williams or the P & Z Administrator; which they presented the Commission with a rough draft. Owens' said that at their last meeting they decided the P & Z Commission will be in charge of the day to day activity of the administrator and the Board of County Commissioners should be in charge of the hiring & firing; with the recommendation coming from of the P & Z Board. Tarpley reported that they do not want Williams to complete the course on Building Inspector and stated reasons why. Owens' reported that they have a conflict of interest with the Commission on resolution No. 97-03 and that they feel anything pertaining to fees should be amended. They said the comprehensive plan or book was put together to protect the property owner's property and it should cover all cost. Owens' and Tarpley ask for a motion by the Board of Commissioner to have resolution No. 97-03 amended. After a lengthy discussion the Commission recommended that they go back to the Planning & Zoning Board for further discussion of the resolution 97-03.

CLOUD SEEDING

Conni Owens' ask the Commission where they are on Cloud Seeding. Commissioner Wilson informed Owens' that the only thing holding this up no insurance coverage. He said if ICRMP will insure the county it will be settled. A discussion was held on who is in charge and it was decided that Owens' will be over the workers. She said she would provide the workers with written specs on filling & lighting the generators so that they will be informed. The group also decided where to place the generators throughout the county.

INDIGENT CASE NO. 97-09

Jo Ann S. Tavenner, Welfare Director informed the Board that, on Case No. 97-09, she talked to Michelle William's at CEIRMC and the hospital agreed they would settle of \$3700.00 or fifty percent, if the Commission is in agreement with this figure on this case.

After some discussion a motion was made by Commissioner Wilson, seconded by Commissioner Shenton unanimous that the county would be willing to settle with CEIRMC for \$3700.00.

CANCELLATION OF TAXES

Bonnie Burns, Tax Collector met with the Commission and requested a partial cancellation on Century Telephone Enterprise due to an error made by the Tax Commission. Burns said that the Tax Commission had over assessed Century Telephone Enterprise in the amount \$17,270. This would leave a total cancellation of taxes in the amount of \$118.68. Motion by Commissioner Shenton seconded by Commissioner Wilson unanimous that Tax Receipt #103 (Century Telephone Enterprise) be reduced by \$118.68.

Burns also informed the Commission that she had volunteered the courthouse to be a Gem Community center to hand out information, to the public, on interest places to see and visit through the county. She informed the board that the Gem Community Committee is as follows: Harold Wilson Chair, Ellen Tarpley, John Kidd, Ken & Joy Myers, Bev Gilger and Anna Dodson.

MCCLURE TO ATTEND SEMINAR

The Board received a letter from Burt Butler, Court Administrator, requesting commission to fund expenses for Judge McClure so she could attend a Juvenile Justice seminar to be held in Orlando, Florida in March of this year. Butler said that there are a number of issues and topics that would bring Judge McClure up-to-date as to the most effective ways of dealing with juvenile offenders. He said that the total cost of the school would be around \$1,486.00. After some discussion it was moved by Commissioner Shenton seconded by Commissioner Wilson unanimous that Clark County will pay for Judge McClure to go to the above seminar.

PART-TIME MAGISTRATE JUDGE

The Commission and the attorney reviewed a letter to Judge Herndon concerning a part time magistrate that was brought before the Commissioners at an earlier date by Gil Gardner. After a discussion with Judge Walker and Judge McClure earlier concerning a part-time magistrate in Clark County it was unanimous that the Commission will not have a full time resident magistrate upon retirement of Judge McClure, once the position is filled in Bonneville County. Simpson suggested that he will get with Judge Walker and they will re-write the letter.


OTHER BUSINESS BY BOARD

The group also held a discussion of the PERSI cut back and what Clark County is going to do. It was unanimous that the employees will get a small bonus but due to FICA tax not budgeted for; but it could be given later in the year.

Due to Mid-winter conference in Boise the Week of February 9, 1998 the February Commissioner meeting will be held on Friday, February 6, 1998 at 1:00 P.M.

THERE BEING NO FURTHER BUSINESS IT WAS ORDERED THAT THIS BOARD IS ADJOURNED.


Jo Ann S. Tavenner, Clerk


Charles R. Vadnais, Chairman