

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS

CLARK COUNTY, IDAHO

JANUARY 11, 1993

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

APPROVAL OF MINUTES

Motion by Commissioner Gilger, unanimous that the minutes of the last regular meeting of the Board held on December 15, 1992, be approved as written.

ELECTED OFFICIALS SWORN IN AND BOARD REORGANIZED

The following elected officials were sworn in by Commissioner Vadnais:

Steven R. Gilger, County Commissioner - District Two  
Charles E. Wilson, County Commissioner - District Three  
Craig King, County Sheriff

Motion by Commissioner Gilger, seconded by Commissioner Wilson, that Charles R. Vadnais is hereby elected as Chairman of the Board.

Motion by Commissioner Wilson, seconded by Commissioner Vadnais, that Commissioner Gilger is hereby elected as Vice-Chairman of the Board. A discussion was held on who should serve on various committees. Commissioner Gilger said he is serving on the Public Land Committee and the Sales Tax Review Committees. Commissioner Vadnais, as Chairman, will automatically be serving on the Seventh District Health Board, and the Seventh Judicial District Court Board. Commissioner Wilson was selected to be on the EIPDA Board.

SCD FUNDING BY COUNTY

Dan Lucas met with the Commission to discuss the funding of the SCD. Lucas requested that the Board set up a separate fund or another budget item where the SCD could get their \$2,500 each year without having to take it out of Weed Revolving, so they could have full discretion on spending the \$2,500. Lucas said that as long as he has been with the County as Weed Supervisor, Clark County has given SCD \$2,500, and the State matches these funds up to \$5,000. He said the agreement was that they would support the Weed Program up to \$2,500 by funneling this back to the County through the purchase of chemicals. Lucas said that without these funds, the SCD can not operate and without a local board it is against the law for SCD to operate in the County. The Board was unanimous that a separate fund should be set up on the 1994 budget for SCD if possible.

Lucas informed the Commission of a meeting on Wetlands 404 being held in Salt Lake City on April 30, 1993. He said this could be a very worth while meeting for this County. He said the fee was \$395 per person. After some discussion, it was unanimous that this expense could be paid out of Land Use Plan Fund. Lucas also informed the Commission on who letters were mailed out to on the adoption of the Land Use Plan. Commissioner Wilson reported that the Planning & Zoning Commission still has \$1,800 left from donations.

Lucas also reported to the Commission that there are a couple of issues coming up that they should be aware of. One is Beaver Management at the direction of Fish & Game. Lucas suggested that they might have to write new legislature outlining what an obstruction is to the flow of water. Shenton reported he was going to Boise this week to meet with the Department of Water Resource and Fish & Game on this matter to see if they can iron this out. He said that Fish & Game wants the authority to control, but you to do the dirt work for them. The group also discussed possible grazing cuts statewide and a possible land swap of two school sections in the SE corner of the County which effects Mitch Jacobs and Laird & Sons, Inc., and depredation of big game on hay.

#### EASTERN IDAHO PRIVATE INDUSTRIAL COUNCIL

Don Shenton met with the Commission. Shenton said if they would like to replace him on the Idaho Private Industrial Council, his feelings wouldn't be hurt. He said this Board doesn't cost the County anything, but they need to have someone that will go to bat for the County because of out size. Shenton said that this Council has to do with the Summer Youth Program - they use to have formulas where Clark County could have one person on the Summer Youth Program. Now we can have all he can find that are eligible.

Shenton said we have been given four Cloud Seeding generators. He said one would be placed on Birch Creek, one at the Sullivan's Ranch, one at the Sheep Station, and one on Radar Hill or the vicinity, however the generator in the vicinity of Radar Hill is not close enough to any residence for feasible operation. He said someone has to operate it and the County has to be interested enough to fund a person to turn this generator on and off. Shenton suggested that if the County could come up with funding that the County pay Tim Thomas or Greg Shenton to turn the generator on and off. The group discussed qualifications and pay. Commissioner Vadnais said that he had talked to the Road & Bridge Supervisor, and he said the Board could tap his budget to pay costs to operate the generator. It was unanimous that the County would pay \$5.00 plus \$20.00 expense for each trip to the generator. After some discussion on equipment needed where this generator is kind of isolated, the Commission picked Greg Shenton to operate the generator on Radar Hill or vicinity.

## ROAD & BRIDGE UPDATE

Rod Belcher, Road & Bridge Supervisor, met with the Commission to update them on his departments. Belcher said we are living in a rural community and things and times are changing and he needs some direction or guide lines. City people are moving to the country, and they expect a snow plow to make sure they can get to work in the morning and home at night - another person lives in Indian Creek, works in Pocatello, and he needs his 1/4 mile East-West road kept open. Also, one person North of town needs their driveway open and the list goes on. He said it's nice to help them out, but maybe their neighbors can plow them out - but they don't want to pay. Belcher asked the Board where they have a policy not to rent the equipment out if they wanted to change the policy and charge a minimum of \$50 per hour? He said he had talked to Richard Larsen and he wanted the road sanded everyday into the plant. Belcher said Larsen had designated Bob Clinger as the spokesperson on Larsen's road into the plant and Beaver Creek West. Belcher said he told Larsen he didn't have equipment or personnel to sand this road.

The group discussed that the railroad crossing in Dubois to the Hay Shed needing sanding, and whose responsibility this is. It was ruled this is inside the City limits, so the City is responsible. Belcher reported that "He has offered to help Hunter sand that crossing if he needs help." They discussed the possibility of doing a joint effort with Larsen or changing crossing to the Hay Shed by moving it to the end of main street so the trucks could go straight through.

Bob Clinger of Larsen's met with the Commission and reported that over the last three years that Larsen had paid \$159,516.86 on the dehydration plant and \$314,078.21 on the farms in taxes for a total over the three years of \$473,595.07. He said the plant is a vital part of their operation as it is a 24 hr, 7 day a week unit, and that it has only been shut down about 6 days this year. He said in 1992, 164 people from Clark County earned a total of \$1,289,809, most of these people were seasonal work. He said the processing plant has three shifts, seven days a week with 35 people to each shift except for the day shift which has 51. He said the shifts begin at 7 am, 3pm, and 11 pm. He said their big concern is getting these people to work. He said he feels the road should be open and sanded as often as possible. Clinger was informed that the County doesn't levy any taxes for Road & Bridge - it is strictly funded by Highway Users and Forest Revenues. Clinger said he was concerned about the liability aspects if he took a plow on County roads. He said he has a crew out there 7 days a week also. The group talked about snow breaks in fields along the roadway, but then the County has a liability of being on Larsen's ground. Clinger said he would furnish the County with a release on the liability from property damage if the County is willing to help with snow breaks. They also agreed to have someone call in around 9 or 10 in the evening if the road to the dehydration plant is blowing in.

Belcher informed the Commission that if his crew was going to work or be on call seven days a week, the Board would have to establish a

time for the work week to begin. After careful consideration of all personnel in all departments, Commissioner Wilson made a motion, seconded by Commissioner Gilger, unanimous that the work week will begin Saturday morning at 12:01 am and whereas Craig Simpson, the County Attorney is not present, the County Clerk is directed to contact Simpson and request a resolution on this decision.

#### FEBRUARY MEETING RESCHEDULED

It was brought to the Commissions attention that some of the meetings for the Mid-Winter Conference starts early on February 9th, which creates a conflict for the regular meeting. After a short discussion, it was unanimous the meeting would be set for Friday, February 5th at 1:00 pm.

#### CANCELLATION OF WARRANTS

The following warrants were presented to the Commission with a request for cancellation:

Warrant #	Amount	Reason
93-245	695.03	Erroneously issued
93-310	27.22	Previously paid on 9/16/92
93-403	258.71	Erroneously issued

Motion by Commissioner Gilger, seconded by Commissioner Wilson, unanimous that the above listed warrants are hereby ordered cancelled.

#### TELEPHONE CO-OP REQUEST FOR USE OF RIGHT-OF-WAY

The Commission having received a request for permission from the County for the Telephone Co-Op to use the County right-of-ways across BLM properties. After a short discussion, it was unanimous that a letter be drafted stating the County hereby grants their permission to the Mud Lake Telephone Co-Op as long as Mud Lake Telephone Co-Op agrees to hold Clark County harmless and agrees to indemnify Clark County for any loss Clark County might sustain. Also, it is the Boards understanding that Mud Lake Telephone Co-Op will not hold Clark County responsible for any cut or damaged telephone lines which are placed in the right-of-ways and repair or replacements should be the sole responsibility of Mud Lake Telephone Co-Op. Attorney Simpson will draw up a Release of Liability on the above for Mud Lake Telephone Co-Op manager to sign.

## APPROVAL OF CLAIMS

The following claims were reviewed and approved for payment by the Board.

CURRENT EXPENSE 93-438 thru 464, 502,503	\$30,574.38
ROAD & BRIDGE 93-465 thru 476	4,597.74
AMBULANCE 93-477 thry 479	175.17
DISTRICT COURT 93-480 thru 485	646.98
FAIR, COUNTY 93-501	3,588.99
HEALTH DISTRICT 93-486	1,657.00
HISTORICAL SOCIETY 93-500	1,336.39
INDIGENT & CHARITY 93-487 thru 488	42.61
TORT 93-489	19,353.00
WEEDS 93-490 thru 493	543.49
JUVENILE JUSTICE 93-494	20.00
LAND USE PLAN 93-495	10.88
WEED REVOLVING TRUST 93-436, 93-498	4,423.85
RANGE IMPROVEMENT DISTRICT 93-435	2,000.00
TAX TRUST 93-437	50.00
WATERMASTER 93-497, 499	3,538.87

COMMUNITY BUILDING  
93-496


754.95

TOTAL

\$73,354.30

IT IS HEREBY ORDERED THAT THIS BOARD DO NOW ADJOURN.

  
Jo Ann S. Tavenner, Clerk

  
Charles R. Vadnais, Chairman