

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

APRIL 14, 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 March 10, 1997 are approved as written.

HELP FOR ARA

Wylie Snarr met with the Commission concerning a donation to help of ARA again this year. Snarr filled the group in on the different programs ARA has. After some discussion it was moved by Commissioner Wilson, seconded by Commissioner Shenton, unanimous that Clark County will donate the same as last year.

APPROVAL OF CLAIMS

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

General	\$ 17,052.74
Road & Bridge	53,458.80
Ambulance	498.27
District Court	183.18
Health District	1,770.75
Indigent/ Charity	20,099.56
Solid Waste	1,143.42
Tort	4,438.00
Weeds	31.67
Juvenile Justice	5,433.96
Land Use Plan	62.56
Emergency	10,028.00
Watermaster	2,620.00
Indigent Trust	<u>151.46</u>
Total	116,972.37

NAME FOR CITY/COUNTY BUSINESS

John Kidd and Steve Stroud met with the Commissioners concerning the name to be used for business purposes for the city/county equipment or the name to use on mutual aid agreements, emblems on equipment etc. They said the fire truck would respond county wide to anything within one mile of any structure. The name was left up to Steve Stroud and he will get back to the Board. The group also discussed a link between the INEEL and the fire department during an emergency. After some discussion it was unanimous that the Commissioners will write a letter authorizing the INEEL to take necessary steps to close the link on emergency communications with Clark County.

RANGELAND FEES ON TAX ROLL

Bonnie Burns, Treasurer, met with the Commission concerning a new law, which imposes upon the county treasurers the duty of collecting a 2-cent fee on dry grazing lands. The fee is to be shown on the real property rolls. Burns said that the Tax Commission has already created a program to put this change in the computer for this year. She said some counties are not going to collect this fee for the state as they believe it's an over assessment. A lengthy discussion as held after which the attorney advised the group that the property owners can apply for a refund so he suggested that the county acknowledge the law and go ahead with the roll charge.

PLANNING & ZONING FEES

Darrell Williams, Planning & Zoning Administrator, met with the Commission, City Council members, and members of the planning & zoning committee concerning setting fees for building permits. The group went over a schedule of fees that Williams had drafted to charge for building permits. Conni Owens, new Planning & Zoning member, stated that she feels it should have a flat fee, she also ask Williams to estimate what it would cost to operate per year and how much revenue was brought in last year. Williams estimated that it would cost around \$15,000 per year for salary and operating expense. The group was informed that last year \$2400.00 was generated from the sale of building permits. After some discussion Williams was sent back to the Planning & Zoning Commission to get their approval on the fees and them come back to the City and County for final approval.

PROTECTION FOR ELK ON WINTER RANGE

Jeff Gardetto, Ted Chu and Dennis Aslett, Fish & Game Representatives, met with the Commission concerning Fish & Games request to close all roads to the public, south of A-2 and east of Dubois in Clark and Fremont counties, after December 1, for the protection of elk on winter range. Gardetto said that he would like to get with the Commissioner's from all counties involved and discussion what they are planning and then set up scoping meetings and let the public know what is going on. The group discussed boundaries and what would work the best. The Commissioners went on record as verbally protesting closure North of Camas Creek. After a lengthy discussion it was decided that they have two choices either closed it or forget it.

LETTER SUPPORTING SMALL BUSINESS

Butch Small met with the Commission concerning their support for a special use permit with the Forest Service for winter recreational snow machining on forest property. Small said that he wants to have guided tours on Forest and BLM Lands on weekends only. He said he is the only one that has filed for a snow machine permit through the Guide Service, but the Forest Service said they have a moratorium through area where he wants to have these tours. Small said he would appreciate a letter from the Commission supporting his business. It was unanimous that the Commission will send a letter of support for Small.

ADOPTION OF PLANNING & ZONING ORDINANCE

The Commissioners read the summary of Ordinance as required by law and adopted the following:

ADOPTION OF COMPREHENSIVE PLAN

Whereas, Clark County is not only authorized, but required to adopt a comprehensive plan by Idaho's Local Planning Act, IC 67-6508, and

Whereas, revisions in the Clark County Comprehensive Land Use Plan adopted in 1992 are necessary for compliance with the Local Planning Act, including changes in the Act made since 1992; and

Whereas, revisions in the Clark County Comprehensive Land Use Plan adopted in 1992 are needed to reflect changing circumstances, including the beginning of development activity in rural Clark County; and

Whereas, the Clark County Planning and Zoning Commission has conducted an extensive program of public involvement in which all citizens of the county has an opportunity to comment on land use trends and issues, and on various drafts of a revised comprehensive plan; and

Whereas, the Clark County Planning and Zoning Commission has provided proper notice of and conducted a public hearing on the proposed revised comprehensive plan, as required by IC 67-6509; and

Whereas, the Clark County Planning and Zoning Commission, after conducting the public involvement process, several work sessions, and the required public hearing, recommends adoption of a revised comprehensive plan;

It is hereby resolved that the 1997 Comprehensive Land Use Plan for Clark County, as recommended to us by the Clark County Planning and Zoning Commission, is adopted.

This resolution was adopted by the Board of County Commissioners of Clark County, Idaho upon a majority vote recorded in the minutes of the Board on April 14, 1997.

Charles R. Vadnais Clark County, Idaho Board of Commissioners

Charles E. Wilson Clark County, Idaho Board of Commissioners

Gregory A. Shenton Clark County, Idaho Board of Commissioners

ATTEST: Jo Ann S. Tavenner Clark County, Clerk

**ADOPTION OF SUMMARY OF ORDINANCE NO. 97- 01
CLARK COUNTY DEVELOPMENT CODE
CLARK COUNTY, IDAHO**

Whereas, Clark County can pursuant to IC 31-716, read and publish a summary of the Clark County Development Code,

Whereas, said summary has been reviewed by the Board of County Commissioners;

Now therefore, be it resolved that the Summary of Ordinance No. **97-01** Clark County Development Code, as recommended, a copy of which is attached hereto, is adopted by the Board of County Commissioners.

Said Summary having been adopted this 14th day of April, 1997, by unanimous vote recorded in the minutes of the Board on said date.

Charles R. Vadnais
Charles R. Vadnais, Commissioner

Charles E. Wilson
Charles E. Wilson, Commissioner

Gregory A. Shenton
Gregory A. Shenton, Commissioner

Attest: Jo Ann S. Tavenner
Jo Ann S. Tavenner, Clerk & Secretary
Board of County Commissioners

ROAD /BRIDGE UP-DATE

Rod Belcher met with the Commissioners to up-date them on his departments. The group discussed the need for an interchange on I-15 south of Dubois to the processing plant. They discussed the increase of truck traffic, which is taking a tremendous toll on our county roads in that area and decided that the Commission would send a letter in support of interchange. Belcher said he has requested that the Jefferson County issue a letter in support of this interchange. Belcher said that he is going to put on a part-time truck driver, Larry Richie, and that will get him through the season. A discussion was held on CDL and new employees. He said he doesn't want to hire a full time person where he's this close to retiring. He informed the Commission that they had to raise the plow hitch on the new Kenworth truck

for the safety of the driver.

Discussion was held on the closing dump west of Dubois - Belcher said that everything was done except for a notice to the public before the final closure. It was unanimous that this board adopt the following resolution :


Resolution No 97-01

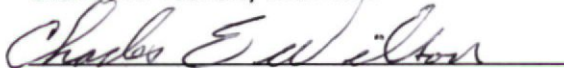
The matter of the closure of the dump site West of Dubois, having come before the commissioners on the 14th day of April 1997. The commissioners having considered the advantages to closing said dumpsite:

And based on the state of law at this time;

NOW THEREFORE, be it resolved that the county dumpsite West of Dubois be closed and that all necessary steps to close said dumpsite be taken pursuant to law and that said dumpsite be closed as soon as allowed by law.

Dated this 14th day of April, 1997.


Charles R. Vadnais, Chairman


Charles E. Wilson, Commissioner


Greg Shenton, Commissioner

CANCELLATION OF OLD AMBULANCE BILLS

It was brought to the attention of the Commission that there is about \$5, 995.47 in ambulance bills, which are at least two years old, which the county and the collection agency have tried to collect and failed for the following reasons: we were unable to locate, hopeless, no assets or deceased. After a short discussion motion by Commissioner Shenton, seconded by Commissioner Wilson, unanimous that the clerk is authorized to cancel these bills and taken them off the books.

RESIDENTIAL FEE CHANGES TO OPTION

Discussion was held on the Class III waste pit fees and people cleaning up their yards. Commissioner Shenton said that he has had residents request a flat seasonal fee instead of \$5.00 per pickup load. After some discussion it was moved by Commissioner Shenton, seconded by Commissioner Wilson, unanimous that the Commission would, for one year, give the **residences only** an option of \$15.00 per year or \$5.00 per pickup load on Class III Waste (a clarification of class III waste - Other than what is specified on memorandum). Residence should pay LuRee Walstrom at the landfill as usual.

VALANTINE TO HEAD CIVIL DEFENSE

The Board at this time reviewed three applications for Civil Defense Director. Motion by Commissioner Shenton, seconded by Commissioner Wilson unanimous that due to experience and training Virgil Valentine is hereby picked to fill the position left vacant by the retirement of Don Shenton. The Board also designated Don Shenton to help train Valentine for the next few months.

CANCELLATION OF TAXES

Bonnie Burns, Tax Collector, requested cancellation on two 1996 Tax notices for the following reasons:

Receipt No. 42 - Curt Mortensen - \$ 1.54 - trailer was torn apart by wind.
Receipt No. 11 - Hermelinda Apodaca - \$21.41 - Duplication on rolls.

Motion by Commissioner Wilson, seconded by Commissioner Shenton, unanimous that the above cancellation of taxes is approved.

INDIGENT CASES

The Board at this time reviewed, denied or set the following for a hearing with the hospital on the following cases:

Case 97-04 - Set for Hearing
Case 97-05 - Denied - this person has income tax refund to cover bill.
Case 97-06 - Set for Hearing
Case 97-07 - Denied - this person has not proved that he is indigent.

ORDERED THAT THIS MEETING BE CONTINUED UNTIL April 22 1997 at 10:00 A. M.

April 22, 1997

The Board met this day to continuation of the April 14 meeting - Present were Commissioners Charles R. Vadnais, Charles E. Wilson and Greg A. Shenton, Clerk Jo Ann S. Tavenner.

ROAD & BRIDGE UP-DATE CONTINUED

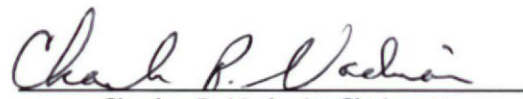
Rod Belcher, Road & Bridge Supervisor, met with the Commission concerning storage of the roto milled materials. Belcher said that he has made an agreement with Gerald Messerli to stockpile materials in the right-of-way between the Sheep Station road and the fence line. In exchange he said that Messerli wants the county to build a new four strand wire stock fence, with 2 twelve foot metal gates, from the bridge which crosses the Sheep Station road back to Messerli property line East of Old 91. He also wants County to cleanup, restore, and re-seed ground upon removal of all materials. It was unanimous that Belcher should get a contract drawn up to be signed with Gerald Messerli. He also stated that he has traded around 3 1/2 miles, from county line to Camas, of roto mill material to Jefferson County in exchange for use of 2 or 3 trucks. A discussion was held on where to put roto mill materials first. Belcher also informed the board that they need a cross board on the grader. He said it would cost around \$1200 to purchase and have installed. He also informed the Board that he has made a deal with Randy Grover for fencing at the Sheep Station and seeding at the old dumpsite west of Dubois in exchange for motor grader time.

DAMAGE TO COMMUNITY BUILDING

The Commission was informed that some damage had been done to the Community Building from the blasting for the Migrant Housing. Upon a tour of the building the board found in the south room there is a crack in the ceiling the length of the room, also cracks over doors and windows and around the casings. In the north room or carpeted room it was noted that the floor feels like it has sunk or shifted almost the width of the room. There is a crack in the SW corner of this room and other minor cracks. On the outside of the building they noticed cracks to the foundation. It was unanimous that a letter should be sent to Larry Chapple, contractor of the migrant housing project concerning the damage found by the board.

ORDERED THAT THIS BOARD DO NOW ADJOURN.


Jo Ann S. Tavenner, Clerk


Charles R. Vadnais, Chairman