

August 12, 2019

The Board of County Commissioners met in regular session pursuant to recess of July 22, 2019 with Richard Snyder Chairman, Ken Miner and Brett Barsalou present. The minutes of the meeting of July 22, 2019 were approved.

The following claims were approved for payment.

Current Expense	\$ 55,426.35
Road and Bridge	\$128,056.68
Airport	\$ 3,664.70
Ambulance	\$ 8,206.06
District Court	\$ 14,755.02
Fair	\$ 58,750.00
Health District	\$ 11,243.50
Indigent and Charity	\$ 14,091.37
Revaluation	\$ 3,803.15
Solid Waste	\$ 8,622.12
Weeds	\$ 569.34
Drug Court	\$ 4,222.50
Auditors Trust	\$ 12,014.33
911 Trust	\$ 7,519.82
Court Trust	\$ 1,666.66
Economic Development	\$ 14,000.00
Craig Wyden Trust	\$ 840.00
Range Improvement District	\$ 56.19
Catastrophic Repayment Trust	\$ 869.27
Revolving Weed Trust	\$ 30,018.20

IN THE MATTER OF ELK BEND COMMUNITY CHURCH

The Elk Bend Community Church ask for the building permit to be waived. Brett Barsalou moved to waive the permit and Ken Miner seconded. All were in favor.

RESOLUTION 2019-13

A RESOLUTION OF THE BOARD OF LEMHI COUNTY COMMISSIONERS, STATE OF IDAHO, AUTHORIZING TRANSFER OF EXCESS SALE PROCEEDS TO THE STATE TREASURER PURSUANT TO IDAHO CODE §31-808

The following resolution and order was considered and adopted by the Lemhi County, Idaho Board of Commissioners ("Board") on the 12th of August 2019.

WHEREAS, Idaho Code § 31-808 grants the general powers and duties, subject to the restrictions of law, to the boards of county commissioners in their respective counties; and

WHEREAS, Idaho Code § 31-828 grants the Board authority "to do and perform all other acts ...which may be necessary to the full discharge of the duties of the chief executive authority of the county government"; and

WHEREAS, Idaho Code § 31-807 authorizes the Board to manage county property subject to restrictions including, but not limited to, those described in Idaho Code §31-808; and

WHEREAS, Idaho Code § 31-808 authorizes the Board to sell surplus properties acquired by tax deed; and

WHEREAS, Idaho Code §31-808 provides that proceeds from the sale of property acquired by tax deed, after payment of all delinquent taxes, late charges, interest and costs, (excess proceeds) be apportioned by the Board of parties in interest that make claims, and then to the owner(s) of record at the time the tax deed was issued on the property; and

WHEREAS, Idaho Code § 31-808 was amended by 2016 Senate Bill 1347a to permit the County, after payment of party in interest claims, to transfer excess proceeds resulting from the sale of tax deeded properties to the State Treasurer to be claimed and distributed as unclaimed property; and

WHEREAS, the State Treasurer has indicated that he will accept transfer of unpaid excess proceeds in the possession of the County provided certain conditions are met as set forth in Exhibit A; and

WHEREAS, the County has certain unpaid excess proceeds on account as set forth in Exhibit B, and finds that transferring said proceeds to the State Treasurer will result in more efficient processing of such claims; and

WHEREAS, the board has determined that the County met the requirements for transferring said excess proceeds to the State Treasurer.

NOW THEREFORE, THE BOARD OF COMMISSIONERS OF LEMHI COUNTY, IDAHO HEREBY RESOLVES, that the excess proceeds, as described in Exhibit B, be transferred to the State Treasurer, pursuant to Idaho Code § 31-808, together with a completed unclaimed property report as directed by the State Treasurer and such other information that the State Treasurer might reasonably request.

IT IS FURTHER RESOLVED BY THE BOARD, that notice of said transfer be sent as required by Idaho Code § 31-808.

DATED this 12th day of August, 2019.

/s/ Richard W. Snyder, Chairman

/s/ Brett Barsalou

/s/ Ken Miner

ATTEST: /s/ Brenda Armstrong, Clerk

RESOLUTION 2019-14

BE IT RESOLVED BY THE LEMHI COUNTY COMMISSIONERS:

WHEREAS, the County of Lemhi presently maintains a contingency fund as provided by the laws of the State of Idaho, and

WHEREAS, said law requires passage of a resolution as a basis for appropriation of monies therefrom, and

WHEREAS, there is a need for an appropriation in the amount of Fourteen Thousand, two hundred and thirty-eight dollars and no cents to State Insurance Fund for Workers Compensation Policy increase.

NOW THEREFORE, THE BOARD OF LEMHI COUNTY COMMISSIONERS HEREBY RESOLVE:

That the sum of \$14,238.00 to State Insurance Fund from said contingency fund for the above-mentioned purposes.

Dated this 12th day of August, 2019.

/s/ Richard W. Snyder, Chairman

/s/ Ken Miner

/s/ Brett Barsalou

ATTEST: /s/ Brenda Armstrong, Clerk

IN THE MATTER OF DEPARTMENT HEADS

Lemhi County Agent Shannon Williams gave her monthly report. With the county fair being next week her office would be closed but would check for messages. Shannon presented a letter of agreement from the University of Idaho and told the board they thought the MOU should be ready in September. They are still working on the pop booth in the new barn at the fairground. They will have the plans available at the fair and on the 18th of September there will be a contractor walk through. Shannon updated that the scale corrals were finished and they were looking forward to the fair. Lemhi County Landfill Supervisor, Scott Duncan reported the lock at the Pahsimeroi transfer site had been destroyed. The new route truck should be finished from the factory on the 5th we should have it in about 2 weeks. He is planning on a fall Haz Mat day the 19th of September. He is getting new signs to install at the transfer sites. The board ask him to also run the verbiage from the signs in the newspaper to inform the public of the rules and regulations. They also ask him to start keeping a log of the extra hours it takes at the transfer site to clean up the illegal dumping.

County Treasurer Kammy Maughan presented the Auditor/Treasurer joint report. She told the board on the 31st of August the next Hospital Bond payment is due. She just returned from the Treasurers Conference, which they had some very informative seminars. Lemhi County Probation Officer, Tom Fitte reported they had received the funding for misdemeanor probation. He has been asked by the school coalition to help with testing within the school. Lemhi County Assessor, Jenny Rosin gave the board an update on the remodel that is taking place in the Motor Vehicle Department. ITD was asking for a timeframe so they would know when to plan on being here to install the new terminal. The board suggested a temporary desk for that terminal until a counter could be built.

IN THE MATTER OF THE ELK BEND FIRE COMMISSIONER APPOINTMENT

There was four resumes submitted to the County Clerk. Two from Unit 1 and two from Unit 2. After reviewing the resumes Brett Barsalou made motion to appoint Christopher Horton to the board and Ken Miner seconded. All were in favor.

IN THE MATTER OF T-O ENGINEERING

Nathan Cuvala gave an update on the Airport rehabilitation Phase 1. Nathan presented three work orders to the board for their approval. He also asked for a letter from the board requesting a Grant Amendment for Phase 2 Reconstruct Apron project increasing the grant by \$44,999.00. Brett Barsalou made motion and Ken Miner seconded subjected to approval of our legal counsel. All were in favor.

IN THE MATTER OF GEM AIR FLOWAGE FEES

David Schroeder from Gem Air presented the board with some history since 2015 of the Lemhi County Airport Fuel Fees so it would be better understood and why it is causing problems for Gem Air. There were comparisons with Challis and McCall Airports. David was asking for a reduction in the fuel flowage fees. He explained the highest in the state is \$.11 and we are charging \$.50. He went on to explain that the airports net income for 2018 was \$69,000. Fuel fees account for \$21,000 without the fuel fees the airport would still of had a net income of \$48,000 which he said is more than three times what the airport needs in order to remain fully funded. Commissioner Barsalou commented to David that it looked to him like Gem Air had decided what they were going to pay for flowage fees and ignored the airport policy. David said that was correct. They are paying \$.25 per gallon and holding the remainder. Gem Air is asking for the county to forgive the fees and accept that they have been paying four or five times the average fee. He indicated the decision to hold back the money over the \$.25 per gallon was based on a FAA ruling that said what is being charged is not a reasonable fee. Brett Barsalou stated that the airport board is working on an updated fee schedule as a result of the FAA response but at this time it will be up to the counties attorney to clarify whether the FAA specifically said the flow fee should be adjusted.

IN THE MATTER OF THE PUBLIC DEFENSE COMMISSION

Jared Ricks from the Public Defense Commission gave the board an update on the first round of legislature rule making. They will be drafting rules and submitting them in October. They have been and will be working with the Trial Court Administrator on the Public Defender first appearance.

IN THE MATTER OF COLABRATUVE FOREST LANDSCAPE RESTORATION PROJECTS

Ken Gebhardt presented a 10-year proposal under the reauthorized program. Pre-Proposals need to be submitted by the end of the month and then they will go to national. They will be outlining timber and fuels projects for the next 10 years. He was asking for a letter of endorsement from the Lemhi County Board of Commissioners. The board gave there support and ask for them to prepare the letter for signing and submit it to the County Clerk.

IN THE MATTER OF THE GRAVEL BID

There were two bids received. Dahle Ready-E-Mix, Salmon, Id estimated total \$266,900.00. Western Construction, Boise, Id estimated total \$299,660.00. Brett Barsalou made motion to except the lowest

bid pending review by Curt Rosin, Lemhi County Road and Bridge Supervisor and Ken Miner seconded. All were in favor. Award will be made after Curt reviews the bids.

Brett Barsalou moved and Ken Miner seconded to go into executive session pursuant to Idaho Code 74-206(b) to discuss personnel issues and pursuant to Idaho Code 74-206(d) to hear indigent matters. Roll call vote was held. Miner -AYE: Snyder – AYE: Barsalou – AYE: Social Service Director Clint Morse presented the following cases for consideration.

After convening in regular sessions, The Board then entered the following decisions in indigent matters.

Case No. 2019-039	Denial
Case No. 2019-042	Denial
Case No. 2019-044	Approved
Case No. 2019-047	Suspended
Case No. 2019-049	Denied

The board recessed for lunch

IN THE MATTER OF DEDMON/MATHRE WORKSHOP AND DECISION

The Board of County Commissions reconvened at 1:00 p.m. Those present were Rick Snyder, Brett Barsalou, Ken Miner, Attorney Bruce Withers and Clerk Brenda Armstrong. Rick ask if all the board members had gone over all of the documents submitted for the appeal. All commissioners stated they had gone over the material on their own. They were all ask if any of the board had a conflict of interest or financial gain or obligations on this property. No one had any interest or financial gain. The board was then asked if they were ready to make a decision on the appeal. Brett Barsalou, Ken Miner and Rick Snyder did not feel they needed any more time to review and were ready to make their decision. Brett Barsalou made motion to deny the appeal and up hold the Lemhi County Planning and Zonings decision. Ken Miner seconded. All were in favor

There was no further business, the board adjourn until Monday August 26, 2019 @ 8:30 a.m.

ATTEST: Brenda Armstrong, Clerk

Rick Snyder Chairman