

October 13, 2009

Salmon, Idaho

The Board of County Commissioners met in regular session pursuant to recess of September 28, 2009 with Brett S. Barsalou, Chairman, Richard W. Snyder and R.E. Cope present. The minutes of the meeting of September 28, 2009 were approved as written. The following claims were approved for payment.

Current Expense	\$157,452.32
Road and Bridge	\$ 20,222.41
Ambulance	\$ 6,842.19
District Court	\$ 5,804.70
Fair	\$ 27.16
Historical Society	\$ 10,000.00
Indigent and Charity	\$ 5,215.19
Revaluation	\$ 836.85
Solid Waste	\$ 15,872.45
Weeds	\$ 999.88
Drug Court	\$ 460.52
Auditors Trust	\$ 3,494.98
WUI	\$ 56.55
911	\$ 2,468.15
Court Trust	\$ 3,278.69
LCCI Trust	\$ 4,148.84
Economic Development Trust	\$ 2,563.39
Drug Enforcement Fund	\$ 1,293.85
KLT Foundation Trust	\$ 250.00
Junior College Trust	\$ 500.00
Industrial Park Trust	\$ 1,327.87
Probation Officer Trust	\$ 123.94
Catastrophic Repayment Trust	\$ 1,832.72
Waterways	\$ 299.76
Waste Tire Trust	\$ 2,841.00
Revolving Weed Trust	\$ 68,126.11

The following resolutions were adopted:

#### RESOLUTION 2009-20

WHEREAS, Lemhi County had budgeted \$200,000.00 in the Building and Grounds Fund during FY 2009 to be used for the capital improvements to the courthouse and adjoining offices and other expenses:

AND WHEREAS, said funds are needed for capital improvements and funds need to accumulate for various projects, including but not limited to the vestibule project at the courthouse.

NOW THEREFORE BE IT RESOLVED that the Auditor be instructed to transfer the monies remaining after September bills have been paid in the above mentioned fund to the Court Facilities Trust to be used for courthouse projects.

Dated as of the 30<sup>th</sup> day of September, 2009.

/s/ Brett S. Barsalou, Chairman

/s/ Richard W. Snyder

/s/ R.E. Cope

ATTEST: /s/ Terri J. Morton, Clerk

RESOLUTION 2009-21

WHEREAS, Lemhi County had budgeted for Health Insurance Deductible Buy Down during FY 2009;

AND WHEREAS, the county has elected to remove the Deductible Buy Down Benefit for FY 2010;

AND WHEREAS, the county is liable for the Buy Down Benefit for the calendar year 2009 and will need funds to pay for that liability;

AND WHEREAS, there are funds remaining in the FY 2009 budget to cover the liability in the Current Expense, Road and Bridge, Court, Indigent and Charity, Revaluation and Solid Waste Medical Buy-down line item;

NOW THEREFORE BE IT RESOLVED that the Auditor be instructed to transfer the remainder in the above mentioned funds to the auditors trust to be used for buy-down deductible benefit through the end of December;

IT IS FURTHER RESOLVED that any remaining funds after calendar year 2009 liabilities have been paid be returned to the correct fund.

Dated as of the 30<sup>th</sup> day of September, 2009.

/s/ Brett S. Barsalou, Chairman

/s/ Richard W. Snyder

/s/ R.E. Cope

ATTEST: /S/ Terri J. Morton, Clerk

IN THE MATTER OF DEPARTMENT HEADS

Building Inspector Gary Goodman discussed several issues of concern with the board including an invitation to join a Regional Transportation Planning Committee. County Agricultural Agent Shannon William's discussed a 4-H expansion meeting to be held on the 20<sup>th</sup> at 6:00 p.m. Also on the 4<sup>th</sup> of November they will be reviewing the accomplishments or programs and getting input on programming. They will be holding an office retreat for planning on the 5<sup>th</sup> of November. She also updated the Board on the Horizons Program administered by Family Science Consumer Agent Katie Hoffman.

EMS Director Janet Nelson informed the board of equipment replacements needed in ambulance 3 and updated them on the H1N1 vaccine for first responders. Weed Supervisor Daniel Bertram will be conducting the Fall CWMA Showcase on the 19<sup>th</sup> of November at City Hall. He announced that State Funding has been reduced for the next fiscal year.

Probation Supervisor Jill Holliday presented the BARJ Grant for review and signatures from the Board. Building and Grounds Supervisor Russ Dalley and the board discussed the upcoming elevator inspection and future projects as well as the ongoing vestibule project at the courthouse.

Road and Bridge Office Manager Jay Davis and Chief Mechanic Kim Thomas informed the board that the Peterson Bridge has been completed and they will be working on the Lake Creek Road next week. Jay

informed the Board that he had received a thank you from the BLM for participating in the working group for the BLM Travel Plan. County Treasurer Mary Ann Heiser presented an interim financial joint report for fiscal year ending September 30, 2009. The Final year end report will be presented at the next meeting.

WUI Director Karin Drnjevic reported on the Lemhi County Forest Restoration Group and the Forest Service Upper North Fork Project field trip to Anderson Mountain. She also told the Board that Steve Smart of High Country RC & D has agreed to join the restoration group. The Japanese Pine Sawyer Beetle has been found in our area and she is acquiring information on its function in timber and a treatment for it. She will be attending the Idaho State Fire Plan Working group meeting in Pocatello the rest of this week.

Landfill Manager Jack Miller informed the board that he had reviewed the bids that were opened at the last meeting and his recommendation is to accept the bid of Solid Waste Systems in the amount of \$204,520. After discussion, the board concurred and accepted the bid. Jack also informed the board that the containers for the dump sites have been delivered.

#### IN THE MATTER OF FEE WAIVERS

HVAC Permit # MEC-09-043 in the amount of \$99.90 was waived for the Lemhi Co. Humane Society.

#### IN THE MATTER OF SEARCH AND RESCUE

Search and Rescue President Mickey Hendricks appeared before the Board to discuss funding for the heating system in the new building. The building was built with a \$75,000 grant and \$5,000 more is needed for the heating system. The Board suggested that they look into getting reimburse from Title III funds for searches performed on federal lands. The Board also noted that the annual appropriation is being processed today and they should have those funds within the week.

#### IN THE MATTER OF THE INDUSTRIAL PARK

Board reviewed and approved an estimate for work to be done on the bay doors at the Industrial Park.

Bob Cope moved and Rick Snyder seconded to go into executive session pursuant to Idaho Code 37-874 for an Indigent Appeal Hearing and to discuss indigent matters. Roll call vote was held: Barsalou – Aye; Snyder – Aye; Cope – Aye:

Thereafter, Chairman Barsalou called to order an Indigent Appeal Hearing in Case No. 2009-63. Social Services Director Sue Dickens, the appellant Steele Memorial Hospital and the applicant were duly sworn and testified during which time County Exhibits A and B were marked and admitted. During the applicant's testimony, exhibits 1 and 2 were marked and admitted. Bob Cope moved and Rick Snyder seconded to close the hearing. The Board then heard closing remarks from Counsel Karl Lewies. The matter was taken under advisement.

Sue Dickens then presented the following cases for consideration. After convening in regular session, the board entered the following decisions.

In the appeal hearing of Case No. 2009-63, Bob Cope moved and Rick Snyder seconded to affirm the prior decision of denial. Case No. 2009-085 was approved and Case No. 2010-1 was approved.

#### IN THE MATTER OF FOREST SERVICE TRAVEL PLAN

The Board met with Road and Bridge Office Manager Jay Davis to discuss possible appeal issues on the OHV Forest Service Travel Plan. The Board asked Mr. Davis to gather some more information and get it to the Board who will then file an appeal with the Forest Service.

#### IN THE MATTER OF SALMON RIVER COUNTRY ESTATES

Jerry Capps, a property owner in Salmon River Country Estates appeared before the Board to get permission to place a sign in the county road right-of-way on McKim Creek Road. He feels it might indicate to hunters that they are hunting on private property. He also requested that a speed limit sign be placed on the road. The Board asked Mr. Capps to meet with Road and Bridge Supervisor Kerrie Cheney on those issues. The Board approved the sign contingent upon approval of Mr. Cheney.

#### IN THE MATTER OF 2009 DEVELOPMENT CODE

The Board discussed concerns they have in Section 12.59 on page 69 concerning Salvage Yards and junk. The draft reads: "Salvage or Junk Yards. A parcel of land used for the outdoor storage, dismantling or wrecking of used and unlicensed motor vehicles (number dependent upon acreage size and found in Appendix J), or any mobile homes, manufactured homes or trailers; or the storage, sale or dumping or dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts or where junk, waste, discarded or salvaged materials are stored or handled and yards for used building materials and pieces and places or yards for storage of salvaged buildings and structural steel materials and equipment. Vehicles and/or equipment stored on agricultural land is exempt from this definition unless it is being dismantled, stored or wrecked for sale or profit."

After discussion, Bob Cope moved and Rick Snyder seconded to amend Section 12.59 on page 69 to read: Salvage Yards. A parcel of land used for commercial activities regarding the outdoor storage, dismantling or wrecking of used and unlicensed motor vehicles (number dependent upon acreage size and found in Appendix J), or any mobile homes, manufactured homes or trailers; or the storage, sale or dumping or dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts or where junk, waste, discarded or salvaged materials are stored or handled and yards for used building materials and pieces and places or yards for storage of salvaged buildings and structural steel materials and equipment. Vehicles and/or equipment stored on agricultural land is exempt from this definition unless it is being dismantled, stored or wrecked for sale or profit."

Thereafter, Bob Cope moved and Rick Snyder seconded to amend the agenda to adopt Ordinance 2009-3 to 2:15 p.m. Motion carried. Bob Cope moved and Rick Snyder seconded to adopt the Lemhi County Development Code as amended. Ordinance 2009-3 was adopted and will be official upon publication. The Ordinance will be prepared for signatures.

Thereafter, the Board adopted the following Resolution.

RESOLUTION NO. 2009-22

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS FOR LEMHI COUNTY IDAHO, APPROVING AND AUTHORIZING A DEVELOPMENT AGREEMENT FOR USE BY LEMHI COUNTY PLANNING AND ZONING.

WHEREAS, the Lemhi County Development Code authorized the use of a Development Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LEMHI, IDAHO, that the attached Development Agreement is hereby adopted by this resolution for use by Lemhi County Planning and Zoning.

This Resolution shall take effect and be in force immediately upon its passage and approval.

DATED this 13<sup>th</sup> day of October, 2009.

COUNTY OF LEMHI STATE OF IDAHO

/s/ Brett S. Barsalou, Chairman

/s/ Richard W. Snyder

/s/ R.E. Cope

ATTEST: /s/ Terri J. Morton, Clerk

There being no further business, the board did adjourn until Monday, October 26, 2009 at 8:30 a.m.

/s/ Brett S. Barsalou  
Chairman

ATTEST: /s/ Terri J. Morton, Clerk