

October 22, 2007

Salmon, Idaho

The Board of County Commissioners met in regular session pursuant to recess of October 9, 2007 with Richard W. Snyder, Chairman, R.E. Cope and Brett S. Barsalou present. The minutes of the meeting of October 9, 2007 were approved.

IN THE MATTER OF WILLIAMS LAKE ROAD

Commissioner Cope reported on a meeting held with property owners and Forest Service concerning repair of the lake road. The forest service has committed equipment and if the property owners will provide the gravel, the county will grade the road.

IN THE MATTER OF DEPARTMENT HEADS

Building Inspector and the Board discussed the Brooklyn Annex remodeling project and the purchase of a vehicle for the building department. They then discussed developing the proper protocol between the City and the County as far as when a building permit can be issued.

County Agricultural Agent Shannon Williams presented the Board with her October activities and informed them that interviews for the Family Consumer Science Position will be held on the 6th of November. She also informed the Board that the Rocky Mountain CWMA has requested startup assistance from her and Weed Supervisor Daniel Bertram. Daniel then reported to the Board on end of the year spraying and of the fall showcase meeting for CWMA to be held on the 7th of November at 9:00 a.m. in the Episcopal Hall. The CWMA is purchasing a joint weed vehicle and requested that the county carry the truck on their insurance. The clerk will check with ICRMP to make sure drivers other than county employees are covered.

The Board introduced newly hired building and grounds maintenance supervisor Russ Dalley. His official starting day will be the 24th of October. The Board instructed him to review the supplies that we have and make a list of items needed. They also approved \$25.00 per month reimbursement for a cell phone.

Road and Bridge Chief Mechanic Kim Thomas and Office Supervisor Jay Davis reported on the Black Rock Road, Agency Creek Road and the Williams Lake Road. They told the Board that supervisor Kerrie Cheney will be attending the IACERS meeting on the 13th and 14th of November. Kim then reported that the tractor should be delivered today and the grader has been repaired. They are also looking for a trailer to haul heavy equipment to replace the low boy. He also informed the board that the part time employee who plowed the roads in the Pahsimeroi resigned.

Landfill Manager Jack Miller updated the Board on landfill issues and recycling efforts at the landfill. He also discussed the pump for the well recently drilled at the landfill.

County Treasurer Mary Ann Heiser presented the board with the monthly and yearly joint Auditor Treasurer report.

IN THE MATTER OF REQUESTS FOR ADJUSTMENT TO TAX ROLL

Request No. 1175	RP15N21E225401A	Reduce Value \$26,138 & Tax amount \$117.48
Request No. 1176	RP15N21E210000A	Reduce Value \$252,829 & Tax amount \$1136.30

IN THE MATTER OF PUBLIC HEARING ON COMPREHENSIVE PLAN

A public hearing will be held on the 26th of November, 2007 at 3:00 p.m. to hear comments on the proposed comprehensive plan. Teri Ottens from Associated Management Solutions will be in attendance to answer any questions the public or the board might have.

IN THE MATTER OF PUBLIC HEARING ON DEVELOPMENT CODE CHANGES

Chairman Snyder called to order a public hearing to address proposed changes in the development code. Planning and Zoning Administrator Gary Goodman was sworn and reviewed the recommended changes from the Planning and Zoning Committee with the Board. The Board decided not to act on the recommended change in Chapter 3, Section C, amending 2f. Thereafter, Brett Barsalou moved to adopt Ordinance No. 2007-3. The following ordinance was unanimously adopted.

ORDINANCE NO 2007-3

AN ORDINANCE OF THE COUNTY OF LEMHI, IDAHO, AMENDING THE LEMHI COUNTY DEVELOPMENT CODE AS SET FORTH BELOW.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEMHI COUNTY, IDAHO:

THAT A PUBLIC HEARING ON THE AMENDMENTS HEREIN MADE WAS HELD ON October 22, 2007 AT 1:00 P.M., NOTICE OF SAID HEARING HAVING BEEN PUBLISHED IN THE RECORDER HERALD, THE OFFICIAL COUNTY NEWSPAPER ON OCTOBER 4th and OCTOBER 11th ;

THAT THE LEMHI COUNTY COMMISSION, HAVING REVIEWED THE AMENDMENTS HEREIN AND CONSIDERED THE RECOMMENDATIONS OF THE LEMHI COUNTY PLANNING AND ZONING COMMISSION AND THE COMMENTS OF MEMBERS OF THE PUBLIC WHO PROVIDED INPUT ON THE AMENDMENTS HEREIN, HEREBY ADOPTS THE FOLLOWING AMENDMENTS TO THE LEMHI COUNTY DEVELOPMENT CODE, WHICH AMENDMENTS SHALL BE EFFECTIVE UPON FORMAL ADOPTION AND PUBLICATION AS PROVIDED BY LAW.

1. Chapter 12 Definition: Adding EEE. Lot Line Adjustments outside a subdivision:

a. Lot Line Adjustments outside a subdivision must keep at least one original lot line in place.

2. Chapter 12 Definitions: Adding FFF. Minor Lot Line Adjustments within a subdivision-

a. A Minor Lot Line Adjustment within a subdivision may only occur internally, it must not affect more than four lots within the subdivision. A Minor Lot Line Adjustment within a subdivision shall not change the size of the parcel by more than 10%. A Minor Lot Line Adjustment shall occur only once per parcel. Minor Lot Line Adjustments occurring more then once shall be considered a Major Lot Line Adjustment.

3. Chapter 12 Definitions: Adding GGG. Major Lot Line Adjustment within a subdivision-

a. A Major Lot Line Adjustment within a subdivision may occur internally, and/or may affect more than four lots within the subdivision. A Major Lot Line Adjustment may change the size of the parcel more than 10%. All Major Lot Line Adjustments shall go through the subdivision procedure. (See Chapter III for procedures)

4. Chapter 3 Section C amending 2a

2. No permit shall be required for the following land division activities

f. Minor lot line adjustment inside an existing subdivision and lot line adjustments outside an existing subdivision in which property lines are adjusted, but no new lot is created and no lot is reduced in area or dimension that it is not, or does not or cannot accommodate a use that is in full compliance with this ordinance; Lot lines adjustments shall not occur over section lines unless approved by the Planning and Zoning Commission. (See Chapter 12 Definitions)

5. Chapter 3, Section C amending 2f (proposed change taken under advisement by the Board)

6. Chapter 12, Definitions adding DDD. Record of Survey

DDD. A "Record of Survey" is a map based on the legal description of an entire parcel. "Record of Survey" ~~may~~ shall not be used to alter, change or rearrange the original parcel or definition of the original parcel. Any amendments or changes to the original parcel must be filed as a plat, and will be accepted only where the legal description of an entire parcel is reflected. All plats must show disclaimers for all easements (See III-1-8) Exceptions

7. Chapter 3, Section F. Adding Exception

F. Lot Split Permits. The lot split permit procedure is designed to assure that the creation of new parcels of land does not result in violation of this ordinance or unnecessary applications for variances. Lot Splits within a subdivision are limited to the lot split requirements found in Chapter III.F. and Chapter V. Within a subdivision, lot splits shall be filed as an amended subdivision, and shall follow the requirements for a subdivision. All plats may use a meets and bounds description. County review of proposed lot splits also helps protect utility easements and street rights-of-way from encroachment and consumers from purchasing inaccurately described property. Applications for lot split permits shall follow the procedure described here.

1. The developer shall file a properly completed application form, the required supporting materials, and the required application fee with the administrator. All newly created lots shall be platted, as defined in I.C. 50-1301, and recorded only after obtaining all the proper signatures. An "Agency Approval" sheet shall also be recorded after obtaining all the proper signatures. The "Agency Approval" sheet shall include a signature and comment line for the Administrator, Assessor, County Road and Bridge Department, District Seven Health, and any other agencies that may be deemed necessary at the time of application, and their signatures are required before recording. The plat shall have a Deed Instrument Number line and the agency approval instrument number line. One deed shall be created for each parcel. The Agency Approval sheet and all deeds must be recorded before or with the approved plat. If restrictive covenants exist, the deed must refer to the restrictive covenant's Instrument Number. Legal descriptions of each parcel created and the remainder must be filed on the plat. When a split or a lot line adjustment occurs, all of the parcels involved shall be surveyed and new descriptions with deeds filed. Lots with remaining splits shall be shown on the plat such as R1 for one split remaining on that lot or R2 for two splits remaining on that lot.

Exemption: If a parcel has a road in it, the road shall be surveyed and an easement or deed filed. This will not be considered a lot split.

All Remainder parcels 160 acres in size or greater need not be surveyed, and/or legal descriptions with more than four "less than exceptions" shall be surveyed and platted.

PASSED AND APPROVED by the Board of County Commissioners of Lemhi County, this 22nd day of October, 2007.

/s/ Richard W. Snyder, Chairman

/s/ R.E. Cope

/s/ Brett S. Barsalou

ATTEST: /s/ Terri J. Morton, Clerk

IN THE MATTER OF PUBLIC HEARING CONCERNING POWER HOOK UP

Commissioner Snyder called to order a public hearing to address an Ordinance concerning permanent power to buildings. Planning and Zoning Administrator Gary Goodman was duly sworn and gave the board a background of Ordinance regulating the hook up of permanent power. Thereafter Marc Williams, Mike Enest and Fred McDonald were duly sworn and offered testimony concerning the proposed

ordinance. After consideration Bob Cope moved and Brett Barsalou seconded to adopt the following ordinance.

ORDINANCE NO 2007-4

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEMHI COUNTY, IDAHO:

THAT It shall be unlawful for any utility, private or public, furnishing power, electrical or otherwise to any person, to connect power or permit connection of said power to any person or other entity until such time as said person or entity has shown to said utility or other company a building permit issued by Lemhi County; provided, that said utility and/or power company may rely on what purports to be a duly and regularly issued building permit.

The requirement for presentation of a permit shall only apply to the connection or furnishing of power to commercial buildings, residential buildings, mobile homes and houses as well as any other construction or installation that requires a building permit under County or State ordinances or statutes.

It shall be a misdemeanor for any utility and/or power company to violate this ordinance and it shall be a misdemeanor for any person who misleads the utility and/or power company by showing a permit which is not duly and regularly issued or which does not cover the construction and/or installation for which the power is sought.

This ordinance shall be in full force and effective after and approval and publication as required by law and repeals Lemhi County Ordinance No. 2007-1.

DATED this day of 22nd day of October, 2007.

LEMHI COUNTY COMMISSIONERS
/s/ Richard W. Snyder, Chairman
/s/ R.E. Cope
/s/ Brett S. Barsalou

ATTEST: /s/ Terri J. Morton, Clerk

Bob Cope moved and Brett Barsalou seconded to go into executive session pursuant to Idaho Code 31-874. Social Services Director Sue Dickens presented the following cases for consideration.

2007-059	Deny	2007-075	Deny	2007-076	Deny
2007-077	Deny	2007-078	Deny		

Thereafter Chairman Snyder called to order an Indigent Appeal Hearing in Case No. 2007-055. The appellant did not appear. Commissioner Cope moved to dismiss the appeal and Brett Barsalou seconded. Appeal was dismissed by unanimous vote.

An Appeal in Case No. 2007-056 was called to order and Social Services Director Sue Dickens and the applicant were duly sworn and testified during which time County Exhibits A, B, C and D were offered and admitted. After consideration Bob Cope moved and Brett Barsalou seconded to deny the appeal. The appeal was denied by unanimous vote.

Thereafter, the board heard an appeal in Case No. 2007-062. The applicant and Social Services Director Sue Dickens were sworn and offered testimony during which time County Exhibits A, B and C were offered and admitted. Based on the testimony and agreement by the applicant, the matter was continued until November 26, 2007.

There being no further business, the board did adjourn until Tuesday, November 13, 2007.

/s/ Richard W. Snyder, Chairman

ATTEST: /s/ Terri J. Morton, Clerk