

FRANKLIN COUNTY COMMISSIONERS

Sept 26, 2016 9:00 a.m.

Present: Chairman Dirk Bowles, Commissioner Boyd Burbank, Attorney Vic Pearson and Clerk Shauna Geddes

1. PLEDGE OF ALLEGIANCE

- 2. ROAD SIGNS & BRIDGE/SAM SMITH** – On Riverdale Road all of the Yield Signs were changed to STOP signs at the time of Commissioner Richard Westerberg. Now some of the STOP signs are changing back to yield. Since drivers do not stop anyway, Sam feels it would be safer to have YIELD signs instead. Dirk explained that the decision to change is not made by the Commissioners, but by the Road Supervisor. Commissioner Bowles said that he will talk with Troy who needs to discuss this with the Sheriff. Sam also is asking that the road on Sam's side of the bridge be abandoned. He said that its only use is people parking to get to the boat ramp and throwing out their garbage. There was a cement block at one end, but it has been pivoted. Vic told Sam that he needed go through the process to have the road abandoned. Sam is asking that it be abandoned. There would need to be an agreement between Dallan Phillips and Sam as to access to Dallan's property.

Sam also commented that the Road Crew has done an excellent job. But now there is a problem with Station Creek Rd. It used to be sloped for runoff. Jed (past Road Supervisor) used to keep a drainage ditch open to funnel the runoff, but now it has filled in and the runoff goes across Sam's field.

- 3. POLLING PLACES** – Commissioners authorized the same polling places be used for the November 8th election with the exception of precinct Preston #3. They usually vote at the Health Department, but will now vote at the Senior Center. Boyd made a motion to approve the polling places as presented. The motion was carried after a second by Dirk.
- 4. PATHOLOGY SERVICES CONTRACT** – Ada County has the only forensic pathologist currently working in the State. Ada County sent a contract to be signed to use their services. Vic has looked it over and approves. Boyd made the motion to authorize Dirk to sign the contract with Ada County for Pathology Services. Dirk second the motion. All voted in favor.
- 5. HEALTH DEPARTMENT BUILDING –SIDING-** Randy originally bid the Health Dept. building with tin siding on 3 sides. The Commissioners feel that since it is a professional building that it should look more professional. Randy got a bid for Stucco at \$15,000; Vinyl at \$4,000; and hardy board at \$10,500. The hardy must be painted every 10 years. Boyd said that two paint jobs would be the difference of stucco vs hardy. He would like the Stucco. Vic suggests to approve with District Health Head Maggie Mann. Randy said that he has nearly

saved that much money already in the work he has done by himself. He will check with Maggie.

6. **AMBULANCE BUILDING FURNACE BIDS**—Awards need to be given to the bids for the furnaces in the Ambulance Building. There were two bids: JRansom for 29k with a 10year warranty and Waansgaards for 23k with a 2 year warranty. There will be 2 furnace units and 3 big shop units. Randy would like to go with the better quality furnaces of JRansom with the 10 year warranty. The commissioners recommended that is what he do.
7. **AIRPORT BOARD** – Boyd made the motion to appoint Lynn Garner to the Airport Board. Dirk seconded the motion and all voted in favor. The road department has placed asphalt around the hangars for the airport. The hangar owners will reimburse the road department.

ROAD HEARING

The hearings for the abandonment of three Roads began at 10:00. Testimony from the public was heard.

1. **LAZY RIVER & 2400 WEST INTERSECTION** – The intersection of 3600 South and 2400 West was changed to improve the sight lines. This left a portion of land which needs to go back to the land owner. The county must abandon in order to transfer the property. Commissioner Bowles asked for comments. None were given.
2. **CUB RIVER/ 3200 EAST INTERSECTION**- The intersection of Cub River Road and 3200 East is a “Y”. It is difficult to see oncoming traffic when entering onto Cub River Road from 3200 East. The road department would like to straighten out the corner to improve the sight line. The County would like to abandon the unused corner. Commissioner Bowles asked for comments. Patty Archibald, 3323 E Cub River Rd, Franklin stated that she has lived there for 55 years and has watched a lot of problems on that corner. She does not want the road changed. If the road is changed then the wreckers will stop traffic while pulling slide-offs back on. They will have less room. If it is changed, then the east shoulder needs to be built up. She says to leave the intersection as it is so there is room to manage slide-offs. There were no more comments.
3. **MAPLE CREEK ROAD** – Maple Creek Ranches Developer is having a problem with people turning around in his orchard when accessing the forest service property. He would like to build a turnaround at the beginning of the trail head. He is asking that the county road which will run about ¼ mile past the turnaround be abandoned. Commissioner Bowles asked for comments.
Steve Chatterton- 5203 Maple Creek Road. Steve stated that some have worked hard to keep roads open to the public lands. He has a spring up there and uses a 4-wheeler to access and maintain the spring. He moves cattle with his 4-wheeler and uses the road to access his irrigation system. He feels that he would

have to build a new road to the spring. When Alan Carter was commissioner the county got a primitive right-of-way to the forest property. Steve has had an easement to the springs since 1870's. Crooked Creek Road was abandoned and now there is a big iron gate on it.

Shawn Atkinson – 30 South State, Franklin, Shawn states that the trails have been there for 100's of years. New property owners come and take over. Then no one can use the roads/trails except for the property owners. This has already been done with Crooked Creek, Ox Killer and Flat Creek. Now it is happening with Maple Creek. Right now they say they will allow access, but what about in the future. This is supposed to be public lands.

Glen Kirkbride –134 No 3rd East, Franklin. He would like to echo what Shawn said. And agrees that Steve needs access to the spring. We have lost other accesses. We need to keep access open to the Forest Service Property.

Commissioner Bowles - It is the responsibility of the Commissioners to protect access to Public lands.

Dave Rallison -5228 E Maple Creek Road Dave would like some clarification as to where the turn-around would be.

Boyd Burbank –At the gate next to the orchard. Boyd thinks that it would be restricted to foot traffic beyond that. And if it is open to 4-wheeler traffic then his opinion would change. There is no question that he is an advocate for access.

Dirk explained that it was proposed the trail head be extended to the parking lot. The abandonment would protect the apple orchard because the road would end at the orchard. Since the community irrigation system is further east, they would need to make sure that there would be access.

Steve commented that most people park at his house on the bus turnaround and then ride their horses up.

Tom Lucia – 4409 N Highway 34. Tom is there representing Sagebrush Steppe Conservation. They own 400 acres in Deep Creek drainage. Guy Arnell deeded a right-of-way to access their property. The apple orchard is private property. The right-of-way goes through the property to the forest property, but only allows horse and foot traffic. Their 400 acres border the forest property; so the public already has access to the forest.

Dave asked Steve how that would hamper him moving his cattle. Steve said he couldn't answer that.

Roger Wright - 3983 E Maple Creek Rd. Roger does not understand where the turnaround would be. During hunting season almost all of the trucks park in the orchard. He said that there have been signs posted – No 4- Wheelers, but the signs come up and down. He knows that there has been a longtime agreement between Chatterton and the Forest Service, but didn't know the details. He is worried that the canyon will be locked in the future. Developer has as much right to the canyon as we do. We just don't want to be locked out.

Attorney Vic Pearson explained the process is to now close the hearing, issue the findings and facts and then issue a written opinion.

Dirk closed the public hearing at 10:45 a.m.

The discussion continued. Shawn Atkinson wondered why the developer was not present. Dirk explained that along with keeping access to public lands they also have a responsibility to protect the rights of land owners. The developer has had trespassers and wanted to create a place to park and protect the apple orchard.

Steve stated that 99% of people who access usually ask before hunting. People have treated him good.

Dave stated that the land owner should put up a gate so that they don't park in the orchard.

Dirk There is nowhere else to park or even turn around.

Boyd stated that there could be more options and that the Commissioners would not give up the access.

Vic suggested that signage be placed stating there is no turnaround beyond this point.

Debbie Chatterton suggested that the turnaround could be built and the county could keep the road. She worries if the road is abandoned, that would keep them from moving their cattle through.

The discussion continued. Could the decision be turned around? Vic stated that the courts reversed the decision of the Commissioners on Ox Killer Road. Tom Lucia asked if there was a written proposal. Commissioner Bowles said that there was not, just a discussion between Guy Arnell and himself.

Steve asked about the status of the road from his barns up to the forest property. Maybe that could be improved. Dirk stated that this would not be a speedy process. They would continue their research.

3. **EXECUTIVE SESSION ¶IC 74-260 (1) (d)** At 11:15 a.m. Boyd made the motion to go into executive session. There was a second by Dirk and a roll call vote was taken. Each Commissioner voted "Aye". At 11:30 a.m. the executive session ended.

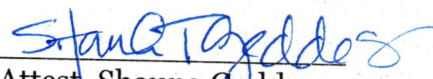
14. **INDIGENT CASES –**

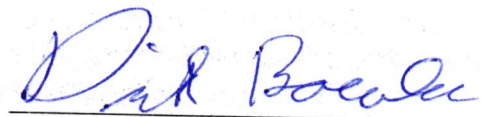
Case no IF2017-10005 - A motion to deny case #IF2017-10005 because the applicant has resources to pay was made by Boyd, seconded by Dirk and passed unanimously.

Case no IF2017-10002 – A motion to approve case #IF2017-10002 was made by Boyd, seconded by Dirk and passed unanimously.

Case no IF2017-10004 – A motion to approve case #IF2017-10004 was made by Boyd, seconded by Dirk and passed unanimously.

Meeting was adjourned at 11:45 a.m. Next meeting will be Monday, October 11, 2016.


Attest, Shauna Geddes


Dirk Bowles, Chair