

August 5, 2019

The Board of County Commissioners of Washington County, Idaho, does hereby meet this 5th day of August, 2019.

IN THE MATTER OF ROLL CALL)

Donna Atwood, Clerk, called roll call: Lisa Collini, present; Kirk Chandler, present and Nate Marvin, present.

Kirk Chandler opened the meeting and Nate Marvin led the Pledge of Allegiance. Kirk Chandler gave the invocation.

IN THE MATTER OF CORRESPONDENCE/MEETINGS AND REPORTS)

Correspondence received by the Board was reviewed and disseminated as required.

Lisa Collini reported on the progress of the remodel of the Extension Office.

Kirk Chandler reported on a meeting he had with Governor Little regarding prescribed burns on Forest Service and BLM (Bureau of Land Management) land.

IN THE MATTER OF MINUTES)

The minutes of the Board not heretofore approved of July 29, 2019 were approved as amended.

IN THE MATTER OF CATERING PERMIT)

Lisa Collini moved, seconded by Nate Marvin to approve an Alcohol Beverage Catering Application for G & B Enterprises doing business as Slims Tavern to be used August 10, 2019, at 1498 Highway 95, Weiser, Idaho. Motion carried.

IN THE MATTER OF CERTIFICATE OF RESIDENCY)

Kirk Chandler moved to approve a Certificate of Residency for Isabel Sanchez. The motion was seconded by Lisa Collini. Motion carried.

IN THE MATTER OF DRUG-FREE WORKPLACE RESOLUTION)

The Board will wait for approval from ICRMP before approving the resolution.

IN THE MATTER OF DEMAND WARRANT)

The Board approved a demand warrant to be issued to Robert Huff Construction for work completed on the County Extension Office.

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IN THE MATTER OF WEED AND RODENT DEPARTMENTS)

Bonnie Davis, Noxious Weed Superintendent met with the Board.

Davis reported the current rodent tail count is 14,486 with a budget balance of \$12,892.50.

Davis informed the Board the 2020 Noxious Weed Spray Packets had been mailed out.

Davis discussed Right-of-Way Spray Agreements and Road Side Spraying with the Board.

Davis informed the Board the Weed Department will be purchasing a new computer to replace the one that was purchased in 2014.

Davis discussed a meeting with Jonathan Foster, Forest Range Manager regarding a possible spray agreement with the Forest Service.

Davis stated the Weed Board will meet Tuesday, August 13, 2019 at 7:00 p.m.

Davis reviewed the areas that had been covered by aerial spraying with the Board.

IN THE MATTER OF ELECTED OFFICIALS)

Meeting with the Board were Debbie Moxley-Potter, Assessor; and Donna Atwood, Clerk. County matters were discussed.

IN THE MATTER OF ASSESSOR)

Debbie Moxley-Potter, Assessor, met with the Board.

Moxley-Potter discussed Solid Waste Fees with the Board.

Moxley-Potter discussed the progress at the AFC Finishing site.

IN THE MATTER OF CLERK)

Donna Atwood, Clerk, met with the Board.

Atwood informed the Board she would be attending the Idaho Association of Counties Records and Clerks' Conference next week in Fort Hall.

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IN THE MATTER OF RECYCLING)

James Cannon met with the Board. Also present was Jeff Gordon.

Cannon discussed purchasing a mobile crusher in order to crush concrete. Cannon would like to take the concrete from the Solid Waste site.

The Board informed Cannon the County could not give the concrete materials at the Solid Waste site to him. The materials to be crushed would need to be put out to bid.

Cannon stated he would like to be able to accept cardboard and other recyclable materials in the near future.

The Board requested Cannon present a proposal for the services he intends to provide.

IN THE MATTER OF AMBULANCE)

Kirk Chandler moved, seconded by Nate Marvin to recess as the Board of Washington County Commissioners and convene as the Board of the Weiser Ambulance District. Motion carried unanimous.

Donna Atwood, Clerk, called roll call. Lisa Collini, present; Kirk Chandler, present; and Nate Marvin, present.

Bowe von Brethorst, acting Ambulance Supervisor, met with the Board. Also present was Corey Patocka.

Kirk Chandler moved, seconded by Lisa Collini to go into emergency executive session at 9:49 a.m. in accordance with I.C. 74-206(1) (a & b) to consider hiring a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office, (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.

Kirk Chandler stated they were out of executive session at 10:09 a.m.

The Board discussed the wage to be paid to von Brethorst as the interim supervisor. It was decided to pay von Brethorst the same hourly rate as Collela was receiving at \$34.61 per hour.

Corey Patoka presented claims for general expenses in the amount of \$6,218.22.

Lisa Collini moved to approve Order No. 19-40 for general expenses in the amount of \$6,218.22. The motion was seconded by Nate Marvin with all in favor.

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Patocka reported the Ambulance District had twenty-five calls for service, nine transfer and two rendezvous last week.

The Board requested Patoka provide contact information and job duties for the Ambulance District.

Kirk Chandler stated Corey Patoka will be the acting supervisor for the Ambulance District as of August 5, 2019.

Kirk Chandler moved, seconded by Lisa Collini to recess as the Board of the Weiser Ambulance District and reconvene as Board of Washington County Commissioners. Motion carried unanimous.

Donna Atwood, Clerk, called roll call: Lisa Collini, present; Kirk Chandler, present; and Nate Marvin, present.

IN THE MATTER OF PROSECUTING ATTORNEY)

Delton Walker, Prosecuting Attorney, met with the Board.

Walker presented Public Defender Contracts with LTM Law Group, PLLC and Krista Howard Law, PLLC to the Board.

Kirk Chandler moved to enter into a Public Defender Contract with LTM Law Group. The motion was seconded by Nate Marvin with all in favor.

Kirk Chandler moved to enter into a Public Defender Contract with Krista Howard Law, PLLC. The motion was seconded by Nate Marvin with all in favor.

Walker discussed the public hearing regarding possible road abandonment with the Board. Walker suggested the Board address one road at a time.

Marvin asked if abandoning a road would also cause the County to lose the right-of-way as well.

Walker reminded the Board of the need to disclose any conversations with landowners that have taken place outside of the hearing.

IN THE MATTER OF JAIL INSPECTION & LUNCH)

Kirk Chandler moved, seconded by Lisa Collini to recess at 11:11 a.m. to conduct the Jail Inspection and recess for lunch. Motion carried unanimous.

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IN THE MATTER OF BUDGET DISCUSSION)

Donna Atwood, Clerk presented the proposed 2020 fiscal year Washington County Budget to the Board for publication approval.

Kirk Chandler moved to approve the 2020 proposed Washington County Budget for publication. The motion was second by Lisa Collini with all in favor.

IN THE MATTER OF AMBULANCE, CONTINUED)

Kirk Chandler moved, seconded by Lisa Collini to recess as the Board of Washington County Commissioners and re-convene as the Board of the Weiser Ambulance District. Motion carried unanimous.

Donna Atwood, Clerk, called roll call: Lisa Collini, present; Kirk Chandler, present; and Nate Marvin, present.

Corey Patocka presented the proposed 2020 Ambulance District Budget to the Board.

Kirk Chandler moved to approve the publication of the 2020 fiscal year budget for the Ambulance District. The motion was seconded by Nate Marvin with all in favor.

Kirk Chandler moved, seconded by Lisa Collini to recess as the Board of the Weiser Ambulance District and reconvene as Board of Washington County Commissioners. Motion carried unanimous.

Donna Atwood, Clerk, called roll call: Lisa Collini, present; Kirk Chandler, present; and Nate Marvin, present.

IN THE MATTER OF ROAD ABANDONMENT PUBLIC HEARING)

The Purpose of the hearing is to discuss and accept public input on the roads the County is considering for abandonment.

County personnel present were Commissioner Kirk Chandler, Commissioner Lisa Collini and Commissioner Nate Marvin. Also present was Washington County Prosecuting Attorney Delton Walker, Road and Bridge Supervisor Arlen Wilkins, and Clerk Donna Atwood.

Members of the public in attendance were Gerald McLay, Danny J. Lewman, Glenn Johnson, Harmon Horton, Terry Horton, Barbara McLay, Pauli Lewman, Jerod Odoms, Monte Spiering, Frand Schwartz, Duane Fairchild, Carl McElhinney, Galen Lewis, Ronda Wilson, Rusty Landreth, Wayne Cada, Zella Yergen, Richard Barnes, Steve

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Nakamura, Lawrence Denney, Keith Hood, Helen Ford, Kami Robinett, Kortnie Mills, John W. Sutton, Harry Soulen, Dan Rositti, Sandy Farnam, Clarence Stark, Anna Stark, Bob Eisenbarth, Jason LaFollette, Royce Schwenkfelder, Denise Wolf, Jackie Edwards, Donna Denney, Ann McCaughan, Ray Turnbull, Ron Pound, Don Dopf, Jim Wolfe, Kiley Stuchlik, Steven B. Sutton, Butch Jones, Taylor Mink, Jerry Lunsford, Eban Masingill, Rachael Collins, Kelly Erikson, Doug Hansen, Charles Edwards, Jerry Hopkins, Keith Hood, Karen Hood, Vickie Ford Turnbull, Ellen Potter, Kali Thompson, Thel Pearson, Matt Jones, Charles Green, Allis Chandler, Amie Wolfe, Mardean Chandler, and Steve Lyons with the Weiser Signal American.

Correspondence from Charles and Jackie Edwards, Helen Ford, Ron Ford, Nick Partin, Roy Mink, and Ken Williams were received prior to the hearing and reviewed by the Board.

Kirk Chandler opened the hearing and welcomed those in attendance. Chandler explained due to landowners locking gates on private roads, the Board had requested Road & Bridge Supervisor Arlen Wilkins compile a list of roads to be considered for abandonment.

Chandler asked the group to consider these five points when addressing the issue of abandonment:

- 1) Will the abandonment of the road leave someone's property without access to a public road?
- 2) Is there a public interest in the road?
- 3) Are you okay with the general public using the road for any purpose?
- 4) Does the road provide access to the US Forest Service, BLM or State land?
- 5) Tell us how the road is a public right-of-way.

Chandler stated each person will be limited to five minutes to address the Board and written comment will be accepted if a person wishes to submit additional information. Chandler informed the group that no decision will be made at this time regarding the abandonment of any road. A separate meeting will be scheduled at a later date to make any decisions.

Harmon Horton presented a letter from Nick Partin to the Board as he was asked to read the letter on the record.

Chandler stated the Board had previously received the letter from Partin.

The Board was asked how the consideration of roads to be abandoned had been determined.

Chandler explained that the listed roads are dead end roads leading to a private residence.

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Marvin added there is not a turnaround for school buses or road equipment.

The Board was asked to explain what it would mean if a road were abandoned.

Chandler informed the group if a road was abandoned, the County would no longer maintain the road. The right-of ways and easements would remain in place.

Royce Schwenkfelder inquired who would be responsible for the cost of repairs if a culvert or bridge were in need of repair on an abandoned road. Schwenkfelder also asked if an abandoned road were to be placed back on the County maintenance schedule would the road have to be brought up to county standards.

With regard to repairs and maintenance on culverts and bridges, Chandler stated the landowner would be responsible for that cost. Chandler further stated, if a road were to be reinstated on the County maintenance schedule, it would have to be brought up to county standards.

Charles Green asked for clarification that if the county abandoned a road it would only be for maintenance purposes such as plowing and grading, not vacating the road.

Delton Walker informed the group that those easements established by entities such as Idaho Power, are of record and will stay in place. Walker explained the right-of-ways are public, not deeded right-of-ways. He reminded the group the County does not own the land or the roadway. Walker further stated if it is an easement allowing access to property, it will need to be researched to determine if an abandonment of a road could cause property to be landlocked.

Royce Schwenkfelder requested Walker explain what it would mean if the County were to abandon the subject roads.

Walker explained County roads are owned in different ways throughout the County. Sometimes there is a deeded right-of-way where the County owns the property. Everything else, including most of the roads, is a public right-of-way because it has been used by the public. Walker informed the group that means someone is using the road to access BLM land, National Forest ground, etc. When used for these purposes and maintained by the county, the road can become a public right-of-way. Walker stated it needs to be determined if a road is a public right-of-way and if it should be maintained as a right-of-way.

Denise Wolfe asked if the County would be open to a lawsuit if a property were to become landlocked due to not having an easement.

Walker stated per Statute, abandonment is not appropriate if it would leave a portion of property not accessible to a public right-of-way.

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No testimony was received regarding Hoover Extension.

Duane Fairchild testified regarding Dymoke Road. Fairchild stated Dymoke Road provides access to three farms owned by Brian Boyle, John Bonner and Dean Fairchild. Fairchild told the Board the property is likely to be sold in the near future and it is likely to be used as part of the school bus route. The road provides access for Idaho Power. Fairchild stated abandoning Dymoke Road would land lock John Bonner. Fairchild added that on a personal note, taxpayers pay property taxes to support the services provided.

There was no testimony regarding South Weiser Road.

Jason Lafollette addressed the Board regarding Morgan Road. Lafollette stated he would be landlocked if Morgan Road were to be abandoned.

Walker asked Lafollette to identify his property on the map.

Steve Sutton addressed the group. Sutton stated he owns property on the west side of Morgan Road. Sutton informed the Board there are two culverts on Morgan Road that would need to be maintained.

Nate Marvin asked if there was access to BLM or State land from Morgan Road. Sutton stated there is no access to BLM or State land.

Walker asked if the road is located on Sutton's property or the landowner to the east. Sutton indicated it may be shared by both owners. Sutton asked if the county abandoned a road if the adjacent landowners inherit a right-of-way.

Walker stated a landowner would not inherit anything they didn't already have. If it were abandoned as a public right-of-way, the public could no longer use the right-of-way. The County has no obligation to maintain a road on a public right-of-way. Maintenance by the County is one factor to consider it to be a public right-of-way. When it is a public right-of-way that the County does not own, the County has no obligation to maintain the road. Walker stated that none of the proposed roads to be abandoned are deeded roads.

John Sutton addressed the Board indicating he had understood Morgan Road to be a public road. Sutton indicated it serves two residents and provides farm access to the property on the west side of the road. The road is also used by UPS and other delivery companies. Sutton said he had believed Morgan Road was a County Road and did not feel the need to grant an easement to Lafollette or the previous owners of that property.

Lawrence Denney addressed the group regarding Denney Lane. Denney stated there are three homes located on Denney Lane, two are occupied, one of which has school age children. The road is also used by the ditch company for maintenance. Denney expressed concern of decreased property value if the road were abandoned. Denney informed the

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Group he does not own the property on either side of Denney Road. That property is owned by an absentee landowner.

Chandler read a portion of a letter submitted by Ken Williams, the absentee landowner, stating he didn't "see any problem with this action on my part, if this is the full nature of the initiative."

Denney requested Denney Lane remain a public road.

Nate Marvin asked who owns the bridge that crosses Beaver Creek. Denney stated he owns the bridge.

Steve Sutton stated he owns property at the end of Denney Lane and requested Denney Lane remain a County road.

No comments were received regarding West Valley Road.

Harmon Horton addressed the Board regarding Horton Road. Horton stated he does not own property on either side of Horton Road. His property is located at the end of the road. There are two addresses, both of which receive mail at the end of the road. There is also a RV Park and a commercial irrigation business that operates on Horton Road. Horton told the group Horton Road provides access for six individuals to diversion points on Middle Valley Ditch for irrigation purposes. Horton stated if the road were abandoned, it would leave one neighbor land locked. Horton said it would diminish his property value if the road were abandoned.

Jerry Lunsford testified regarding Hester Road. Lunsford informed the Board he owns property on the north side of Hester Road. Lunsford said that through the Planning and Zoning process, there is a possibility of a ten or more home subdivision off Hester Road. Abandoning Hester Road would deny access from the subdivision to Keithly Creek Road. Lunsford requested Hester Road not be abandoned and that maintenance remain as it has been in the past.

Sandy Farnam shared comment regarding Farnam Road. Farnam stated her home is the only residence on Farnam Road. Farnam expressed concern of delivery persons being able to access her residence.

Ron Pound addressed the group. He stated the property had been split years ago. Pound said there is room for a turnaround for the graders. Pound said there is a lot of traffic on Farnam Road in the spring.

Walker asked if Farnam Road provides access to public ground. Pound said there is 40 acres of fenced BLM land behind the Farnam property.

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No comments were received regarding Macomb Road.

Chuck Green commented on Hill Road. Green stated he owns property at the end of Hill Road. Green stated he accesses his property through a neighbor's property. Green said he would be land locked if the neighbor were to install a gate.

Eban Masingill addressed the Board. Masingill stated he represents the Eisenbarths who own property at the intersection of Hill and Glascock Roads. Masingill stated his clients would be willing to grant an easement to Green for access to his property. Masingill said Hill Road is a private Road that provides access to private property. There is not sufficient room for a turnaround. Masingill stated neither party would like maintenance to continue at the County's expense. Masingill reported he had reviewed the deeds of the subject property and believed if the road were abandoned, each landowner would own up to the center of the roadway. Masingill stated he had not found record of a deed to an underlying landowner.

Mardean Chandler addressed the Board. Chandler stated she would be fine if Chandler Lane were abandoned. Chandler stated they owned both sides of Chandler Lane.

Don Dopf addressed the Board regarding Cutler Lane. Dopf stated he operates a business on Cutler Lane which depends on public access for deliveries and shipments made by FedEx and UPS as well as customer access. Cutler Lane is also currently used to access two hay fields. Dopf stated there are four senior citizens who may require emergency services. Dopf stated there is ample room for a three point turnaround for graders and road equipment.

Doug Hansen discussed Hansen Lane. Hansen informed the Board 90% of Hansen Road is on BLM land and provides access for hunters from Highway 71.

Marvin asked if Hansen is okay with the general public using Hansen Road for hunting access. Hansen stated he could not deny public access as it is a public road.

Kiley Stuchlik addressed the Board regarding Edwards Road and Dotson Lane. Stuchlik stated she was representing Charles and Jackie Edwards. Stuchlik presented a packet to the Board and Prosecutor Walker that include a signed petition, maps and letter from Charles and Jackie Edwards. Stuchlik stated the Edwards are opposed to the abandonment of Edwards Lane and Dotson Road as they are used for emergency access, general access, and agricultural access. Stuchlik informed the Board the roads have always been public roads and the Edwards do not have the equipment needed to maintain them nor do they have it in their budget to purchase the equipment.

Walker reviewed the location of the homes on the map. The location of the mailbox was discussed which is located on Rush Creek Road.

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In regard to Dotson Lane, Edwards' use Dotson Lane to access to the north end of their property. If Dotson Lane were abandoned the current owners do not intend to continue to use the lane for access. During certain times in the year, the only access to the north end of their property would be by Dotson Lane. Stuchlik stated there is no easement of record.

Vicki Ford Turnbull addressed the Board regarding Ford Road. Turnbull stated she would like the County to continue to maintain Ford Road as there are a lot of people who use it for hunting purposes. The hunters asked permission to continue through the Ford property to access National Forest Service lands. The road is also used by persons who have allotments on Forest Service and BLM land to transport cattle.

Chandler inquired as to the distance from the end of Ford Road to Forest Service land.

Turnbull stated it is approximately 2.25 miles.

Ray Turnbull addressed the group. Turnbull requested the Board to consider agriculture as a business. Persons who deliver supplies and provide other services to the Ford Ranch continually use the roadway. Turnbull informed the group that members of the public use the road to view the elk that feed at the hay barns in the winter months.

Taylor Mink addressed the Board regarding Edwards Road, Dotson Lane and Ford Road. Mink stated property owners are not prepared to take on the expense of maintaining the roads.

No comments were received regarding Sawmill Road or Maddox Driveway.

Jim Wolfe addressed the group regarding Upper Soulen Spur. Wolfe told the Board he was not for or against closing the road. Wolfe stated he has placed a gate in order to close the pasture. He stated he would not consider purchasing a property that did not have access to a county road. Wolfe stated he feels abandoning the roads would diminish property values.

Wayne Cada addressed the Board regarding Cada Road. Cada informed the Board the property has been put in a trust for the Cada family and several family members for access. There is a large turnaround and he has allowed the county to park graders and trucks on his property. Cada stated there is no access to Government or State land, but there is a lot of traffic on the road, including camp trailers and persons who are allowed to fish in ponds located on the Cada property.

Walker asked if there is a public right-of-way. Walker asked Cada if he wanted the road to be open to the public. Cada confirmed that he did want the road open to the public.

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Cada informed the group an absentee landowner owns a portion of the property along Cada Road.

Barbara McLay addressed the Board regarding Loney Road. McLay asked if there would be an address change if Loney Road were abandoned.

Walker stated there could be an address change.

McLay stated historically, Loney Road has been a public road. McLay requested the County to consider a reduced maintenance plan instead of abandoning Loney Road. McLay stated they have found that they are dependent on the County Road & Bridge Department for snow plowing to clear snow drifts. McLay expressed concern of access for emergency services if the road were no longer maintained by the County. McLay reported a wide turn around was put in place in 1994 and is still there. Mclay submitted a letter for the Commissioners review.

Walker asked if the County or the Fire Department required the turn around.

Gerald McLay stated when the McLays moved back to the area, Milford Potter requested McLay to put in a turnaround for County equipment and fire protection.

Harry Soulen addressed the Board concerning Lower Soulen Ranch Road. Soulen requested Lower Soulen Ranch Road remain open. Soulen stated he has worked with the Road & Bridge Department for the past few years and agreed to do minimal maintenance to Lower Soulen Ranch Road. Soulen stated there is a lot of public traffic in the spring by people going to and from Crane Creek Reservoir which causes the roadway to be torn up and damaged. Soulen said it is an asset to anyone using the road to have it graded. Soulen informed the Board Lower Soulen Ranch Road provides access to Idaho Power to two large transmission lines that run from Brownlee to the Boise Valley as well as access to State and BLM land that lies to the west of the Soulen property.

Walker asked if Idaho Power has an easement.

Soulen stated he believed Idaho Power had an easement, but they contact Soulen in advance when access through the ranch is needed.

Carl McElhinney, member of the Crane Creek Reservoir Board, addressed the Board regarding Lower Soulen Ranch Road. McElhinney stated in the event of heavy snow fall or flooding, access would be needed to release water from the reservoir.

Walker questioned the route to be used in order to access the reservoir.

Bob Howard addressed the Board. Howard stated he leases property from Soulen. Howard said it would cause a hardship for anyone living at the ranch or if there were a

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need for emergency services in the winter. Howard told the group he did not feel the County should take away the right of a County Road from those who already have one.

Denise Wolfe addressed the Board regarding Jacks Road. Wolfe stated they purchased the property two years ago with the intention of building a few homes on the property. At the time of purchase, Wolfe said they knew they would need an easement from the County road to their property for access. Wolfe informed the Board there is no guarantee she could get a second easement on what is currently a County road. If she were unable to obtain the second easement, the property would be landlocked. Wolfe said limited maintenance would be acceptable as they do not live on the property at this time.

Walker questioned the use of the road.

Wolfe stated if the neighboring landowner were to put a gate in place, she would not have access to the property.

Levi Wolfe read a letter from Ivan Wolfe on to the record. The seven points stated in the letter were:

- 1) Jacks Road has always been a County Road and was one of the original roads from Crane Creek to Midvale.
- 2) When purchasing the property, Jacks Road was one of the purchasing factors.
- 3) It will add .8 miles to their driveway.
- 4) Wolfe intends to build three homes on the property.
- 5) Depending on a matter of opinion, the value of the property could be decreased.
- 6) If the County should abandon the road, Wolfe would require the County obtain an easement access for them.
- 7) Because Wolfe does not own the .8 miles of the road, this could cause problems with future landowners.

Royce Schwenkfelder addressed the Board regarding Gravelle Road. Schwenkfelder stated the public does not pay taxes for the maintenance of the roads in question, it is paid by the landowners. Schwenkfelder stated his brother owns property that is accessed from Gravelle Road. Schwenkfelder further stated they do have an easement on the west side of the Landreth property for access to the back pasture. Schwenkfelder further stated Gravelle Road is used by three landowners and has school bus access with a turnaround. There is also a large culvert on Gravelle Road.

Schwenkfelder commented on Volle Road saying the road should be abandoned. If Volle Road were to be abandoned, Gravelle Road would be the only access for Schwenkfelder, Landreth, and Turnbull.

Ray Turnbull addressed the Board. Turnbull stated he owns property south of Gravelle Road. He stated abandoning Gravelle Road would land lock his property.

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Robin Landreth addressed the Board. Landreth stated she owns property at the end of Gravelle Road. Landreth said the property owners have a business that is operated through access to Gravelle Road. Landreth stated it would be a financial hardship for landowners to maintain the road on their own. She said the County had invested in making a turnaround for school buses and equipment. The road provides access for utility companies and there is natural run-off in the spring. Landreth said there are times when a four wheel drive is needed to get through. Landreth stated she is against the abandonment and feels the road is necessary.

Ray Turnbull re-addressed the Board. Turnbull stated Volle Road should be closed. Turnbull informed the Board Larry James is in favor of abandoning Volle Road and Turnbull could access his property from other points of entry.

Ann McCaughan addressed the Board regarding Forest Road 88. McCaughan stated she lives off of Seid Creek Road. Her property adjoins National Forest land. She informed the Board there are two homes on the property that require access. McCaughan expressed concern for access for emergency services and health care. McCaughan stated she has obtained permission for the National Forest Service to place a gate on the road.

Walker informed McCaughan if she were to have a gate blocking a public right-of-way she will need to request permission for the County as well as the National Forest Service.

Richard Barnes addressed the Board regarding Feltham Road. He informed the Board the Four Rivers Property is for sale. Barnes confirmed the location of his property on the map. Barnes stated when the road is plowed in the winter, the plow has to back out as there is not sufficient room for a turnaround.

Karen Hood addressed the Board regarding Dotson Lane. Hood stated their property is located at the end of Dotson Lane. Hood stated if Dotson Lane were abandoned their property could be landlocked. Hood stated they do not have an easement from Edwards. Hood expressed concern that future landowners could deny access to their property.

Walker stated that none of the subject roads are County Roads, but they may be public right-of-ways based on usage and maintenance.

Frank Schwartz addressed the Board. Schwartz discussed the process that lead to the hearing. Schwartz stated the public noticing was vague and non-informative. Schwartz stated the list of the subject roads should have been published as well as the criteria used to determine the listed roads. The multiple landowner aspect should have been considered. Schwartz stated the County should have determined whether or not there were easements in place before the hearing. Emergency access, sportsman access, and agricultural access should all be considered. Schwartz inquired how much would be saved if the county were to abandon the subject roads and how would those dollars be used.

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Robin Wilson asked if there are mail routes on any of the road that were proposed for abandonment and if the mail route would change.

Royce Schwenkfelder asked for a definition of “public” as it pertains to this hearing.

Walker stated the “public” is someone other than the landowner.

Kortnie Mills requested the Commissioners keep the Washington County residents’ best interest in mind when making a decision.

Lisa Collini stated this is not always about dollars and cents, but more about prioritizing. If the County knows resources are being used to maintain a road that no one cares about, those resources can be used to maintain a road that really needs to be maintained.

Denise Wolfe requested the County check with landowners to see if or when road maintenance is needed.

Chandler stated landowners can contact the County when maintenance is needed.

Chandler stated a decision will be made at a later date. The decision date will be posted on the Commissioner meeting agenda which is posted on the County website each week as well as at the Courthouse.

Written comments will be accepted at the Clerk’s Office for one week.

Hearing on the Road Abandonment closed at 5:36 p.m.

A complete recording of the hearing is available at the County Clerk’s Office upon request.

Motion by Kirk Chandler, seconded by Lisa Collini and unanimously carried to recess at 5:59 p.m. until August 12, 2019 at 8:45 a.m.

Chairman, Board of County Commissioners

ATTEST:

Clerk