

**RESOLUTION NO. 07-06**

**RESOLUTION DECLARING A PUBLIC HEALTH AND WELFARE DISASTER OR EMERGENCY AND CREATING A COUNTY-WIDE INTERIM ABATEMENT DISTRICT, EXCLUSIVE OF THE EXISTING MOSQUITO ABATEMENT DISTRICT, AND RESERVING THE RIGHT TO DIRECT APPROPRIATIONS FROM COUNTY FUNDS FOR THE PURPOSE OF CONTROLLING MOSQUITOES CARRYING WEST NILE VIRUS**

Upon motion of Commissioner Radford and second via telephone by Commissioner Staker, the Board of County Commissioners (hereafter "Board") resolves as follows:

**WHEREAS**, Idaho Code 31-801 grants 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 of county commissioners the 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 46-1011 allows the chairman of the county commissioners to declare a local disaster emergency and that the declaration shall be filed with the local county recorder and "given prompt and general publicity...."; and

**WHEREAS**, Idaho Code 46-1011 allows the extension of a declaration of a local disaster emergency beyond seven days with the consent of the governing board; and

**WHEREAS**, Idaho Code 46-1002(3) provides, in part, that a "disaster" includes "the imminent threat of widespread or severe damage or loss of property resulting from any natural or man-made cause"; and

**WHEREAS**, according to Idaho Code 46-1002(3), the "imminent threat of widespread...(illness) or loss of life in Bonneville County as a result of a West Nile Virus infestation constitutes a disaster"; and

**WHEREAS**, Idaho Code 46-1002(4) provides that an "emergency" includes the "imminent threat of a disaster or condition threatening life or property...."; and

**WHEREAS**, Idaho Code 39-2812(1) provides that "...the board of county commissioners of each county of this state, in collaboration with duly recognized local and state officials, and after a public hearing is called for such purpose...is hereby granted full power and authority to declare such pests as public health and welfare pests, and to initiate activities to hinder in the potential spread of disease, or adverse economic impact, caused by these pests by taking appropriate steps to intervene in the natural biological cycle of the pests or disease"; and

**WHEREAS**, Idaho Code 39-2812(3) provides that “(t)he disaster or emergency declaration of a pest of public health and welfare significance within a county and subsequent pest management activity shall, except as provided herein, place the whole county into an interim abatement district for administrative purposes for no more than two (2) years....”; and

**WHEREAS**, Bonneville County’s confirmed 2006 West Nile cases exceeded acceptable limits establishing an emergency in Bonneville County; and

**WHEREAS**, on June 20, 2007, the Board conducted a meeting on the risk to public health and welfare of an anticipated population of mosquitoes carrying West Nile virus in Bonneville County in the County Commissioners’ meeting room attended telephonically and in person by duly recognized governmental officials from federal, state, municipal and local agencies; and

**WHEREAS**, at the aforesaid June 20, 2007 meeting, it was the unanimous consensus of attending governmental officials that a pro-active approach was necessary to control mosquitoes carrying the West Nile Virus because of the deleterious effects of West Nile Virus disease may be life long and integrated pest management is mandated, including the controlling of mosquitoes carrying West Nile Virus; and

**WHEREAS**, at the aforesaid June 20, 2007 meeting, the achieved unanimous consensus constituted collaboration with duly recognized local and state officials concluding that the anticipated mosquito population carrying West Nile Virus is a risk to the public health and welfare of the citizens of Bonneville County; and

**WHEREAS**, on June 20, 2007, the Board conducted a public hearing on whether to create a county-wide Interim Abatement District, exclusive of the existing Jefferson Mosquito Abatement District; and

**WHEREAS**, the comments and information received at the herein public hearing convincingly demonstrated that under current conditions, anticipated mosquito populations demonstrate disaster is imminent and threaten widespread illness and potential loss of life of persons in Bonneville County; and

**NOW, THEREFORE, THE BOARD HEREBY RESOLVES**, the Board finds good cause and deems it appropriate to order and declare that a local West Nile Virus disaster emergency exists in Bonneville County and hereby consents to said declaration and orders and ratifies the same; and

**IT IS FURTHER RESOLVED BY THE BOARD** that in accordance with Idaho Code 39-2812(3) and said declaration of emergency, the Board establishes a county-wide Interim Abatement District, exclusive of the existing Jefferson Mosquito Abatement District, for a period of not more than two (2) years; and


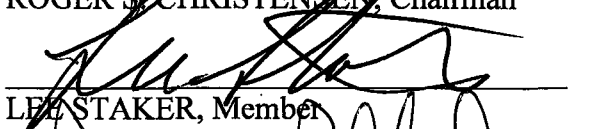
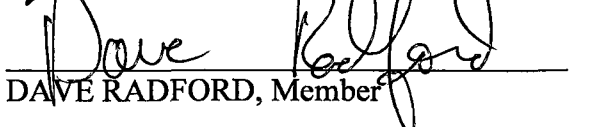
**IT IS FURTHER RESOLVED BY THE BOARD** that the Bonneville County Board of Commissioners will act as the Board of Trustees of the afore-mentioned county-wide Interim Abatement District.

**IT IS FURTHER RESOLVED BY THE BOARD** that the Interim Abatement District sell tax anticipation notes to fund pest abatement activities and expenses for 2007 and 2008 and accept contributions for abatement activities.

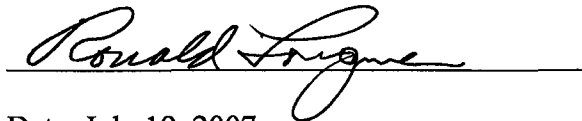
**IT IS FURTHER RESOLVED BY THE BOARD** that the tax anticipation notes issued will be paid back by a levy in 2008, sufficient to retire such notes.

**IT IS FURTHER RESOLVED BY THE BOARD** that this resolution shall be effective this 19th day of July, 2007.

- Motion Carried Unanimously
- Motion Carried/Split Vote Below
- Motion Defeated/Split Vote Below

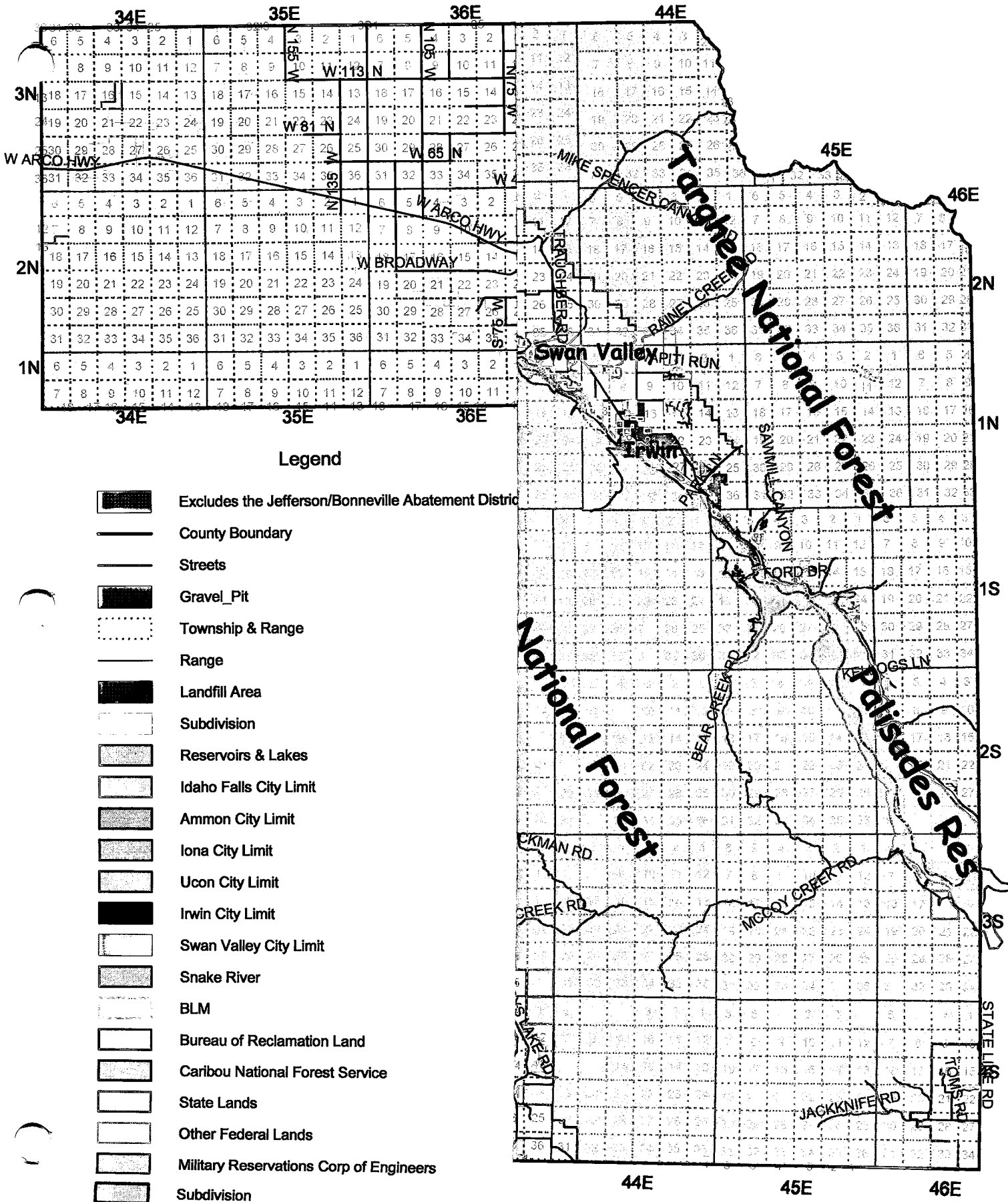
	Yes	No	Did Not Vote
 _____ ROGER S. CHRISTENSEN, Chairman	X	_____	_____
 _____ LEE STAKER, Member	X	_____	_____
 _____ DAVE RADFORD, Member	X	_____	_____

ATTEST: RONALD LONGMORE, CLERK

























  
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Date: July 19, 2007

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Legend

-  Excludes the Jefferson/Bonneville Abatement District
-  County Boundary
-  Streets
-  Gravel Pit
-  Township & Range
-  Range
-  Landfill Area
-  Subdivision
-  Reservoirs & Lakes
-  Idaho Falls City Limit
-  Ammon City Limit
-  Iona City Limit
-  Ucon City Limit
-  Irwin City Limit
-  Swan Valley City Limit
-  Snake River
-  BLM
-  Bureau of Reclamation Land
-  Caribou National Forest Service
-  State Lands
-  Other Federal Lands
-  Military Reservations Corp of Engineers
-  Subdivision
-  Targhee National Forest Service