

RESOLUTION NO. 13-02

A Resolution by the Bonneville County Board of Commissioners  
Concerning Public Hearing Fees for Road Validation and Vacation

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WHEREAS, the Board of Commissioners of Bonneville County has jurisdiction of all county highways and public rights-of-way in the unincorporated areas of Bonneville County; and

WHEREAS, *Idaho Code §40-203* and *§40-203A* provide that a resident or property holder within Bonneville County may petition the Board of Commissioners to hold a public hearing for the vacation or validation of a public road or right-of-way under their jurisdiction; and

WHEREAS, *Idaho Code §40-203* and *§40-203A* indicate that each petition for vacation or validation is for a single public road or right-of-way; and

WHEREAS, *Idaho Code §40-203* and *§40-203A* allow the Board to charge the petitioner a reasonable fee to cover the cost of the proceedings; and

WHEREAS, the Board of Commissioners desires to cover as much of the costs of the public hearing as possible without placing an undue burden on the petitioner or the county;

NOW, THEREFORE, be it resolved by the Board of Commissioners of Bonneville County that fees to be paid by petitioners who initiate a public hearing for a public road or right-of-way validation or vacation as per *Idaho Code §40-203* and *§40-203A* SHALL be set as follows:

1. Administrative Cost: One Hundred and Twenty Five Dollars (\$125.00) non-refundable fee; and
2. Publication Cost of Three (3) Required Public Notices: Ten Dollars (\$10.00) per notice, PLUS current rate per column inch (determined by newspaper) per notice; and
3. Postage Cost of Required Mailings to Property Owners and Public Utilities: Six Dollars (\$6.00) per letter, PLUS current postal rate for first class or certified mailing per letter; and
4. Support Document Cost (maps, deeds, etc.): Fifty Dollars (\$50.00) per hour PLUS material costs of production.
5. Other Support Cost (travel, research, etc.): Fifty Dollars (\$50.00) per hour PLUS material costs.

BE IT FURTHER RESOLVED by said Board that:

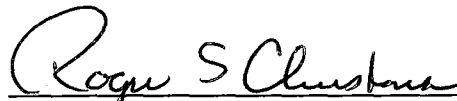
1. All fees must be paid in a timely manner as set forth below:
  - a. While the Board will initiate the proceedings in a timely manner by acknowledging receipt of the petition and by scheduling a tentative hearing date for the petition, before the Board will send the required notices that effectively solidify the date of the public hearing, Petitioner must pay the following expenses:

- i. All Administrative Costs; AND
  - ii. As it pertains to the Publication Costs and Postage Costs, the Board will require an additional initial payment of Two Hundred and Fifty Dollars (\$250.00) in anticipation of these costs. The petitioner will remain liable for any overages in costs beyond this initial payment. Any remaining amounts of this initial payment will be applied to Support Document Costs or Other Support Costs. Any funds remaining when the process is complete will be returned to the Petitioner.
- b. As it relates to Support Document Costs and Other Support Costs, which can vary greatly from case to case and cannot be reasonably estimated until after a hearing is completed, these costs (along with any outstanding Publication and Postage Costs) must be paid prior to the issuance of a decision from the Board regarding validation or abandonment.
  - c. All fees must be paid in full within one hundred and eighty (180) calendar days from the date the public hearing is held or the petition shall deemed withdrawn.
2. At the election of the Board, the fee schedule may be reviewed and adjusted on an annual basis.

ANY ORDINANCES NOT MODIFIED BY THE FOREGOING, SHALL REMAIN IN FULL FORCE AND EFFECT.

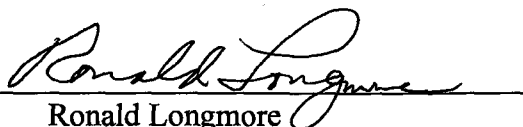
ADOPTED this 20<sup>th</sup> day of May, 2013.

BONNEVILLE COUNTY, IDAHO



Roger S. Christensen, Chairman  
Board of County Commissioners

ATTEST:



Ronald Longmore  
Bonneville County Clerk