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Atomic City disincorporation process continues

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Members of Atomic City along with county commissioners discussed for the second time the next steps of Atomic City. KYLE MANGUM SCREENSHOT

BLACKFOOT – Local officials and those involved in the day-to-day happenings in Atomic City met Monday for the second time since the November elections to discuss the next steps for the disincorporation of Atomic City.

On Nov. 3, Atomic City residents voted in favor of disincorporating, which is only the third time that state statute has been put to use. Disincorporation is the process of a city removing its governing body, dissolving, and passing everything to the county, including all assets.

Monday's meeting picked up right where the previous one left off, discussing the different hurdles that would need to be cleared in order to reach the end of the process.

Outgoing Atomic City Mayor Chris Polatis said they have paid the city's bills for the street lights and other financial obligations three months in advance to ensure there would be no issues about getting bills paid while all of the processes are lined and carried out by the county.

County Commissioners Mark Bair and Jessica Lewis were not sure if that process would be considered appropriate but were later provided with the information from their financial auditor Fred Woodsworth who stated that he sees no issue with them paying those bills in advance nor does he see an issue with keeping the current bank account that Atomic City held as long as the names on the account were changed.

The financial concerns were major unknowns in the previous meeting, but the input from Woodsworth provided the information to get the ball rolling.

Time was spent trying to find out more information regarding the joining of a fire district. It had been suggested that they contact the Blackfoot Fire District and then try to establish their own volunteer station in Atomic City. Polatis said he has been in contact with the Rockford Fire District and may possibly become part of that district. Polatis also explained that he learned quite a bit from Rockford and the problems they faced during their growth and changes.

Some of the more prominent issues Polatis highlighted included utilizing homeowners associations as a governing body. Because an HoA cannot be considered a legal governing body, they ran into issues when it came to requiring people to pay their part on things. Because some of the major issues involved finances, that became a major concern for Polatis. He explained that in the past, they were having issues collecting delinquent bills for the city water and they do not want to run into the same issues as they make the changes into a water district.

Chase Hendricks, county civil attorney, said the HoA plan is the most suggested and there are other options, but it ensures that the members pay their parts and that burdens are shared. He also said there are different items that the county will have to levy taxes on to ensure there are funds in the coffers to cover the costs of the bond on the water facility.

Currently, Atomic City has bond payments due to the Department of Environmental Quality (DEQ) and the United States Department of Agriculture (USDA). Hendricks was informed that they can get the exact dollar amount of what is owed on the two parts of the bond with a few phone calls. The bond on the water system remains the single-largest issue for the two sides in the discussion. Creating a water district is not a quick process — it could take as long as a year to create the district, meaning there will need to be plans in place regarding the bond payments.

Hendricks explained that if it comes down to levying taxes on the properties in Atomic City and the taxes go unpaid, the county will have no choice but to place the property or properties under tax deed, selling the land for fair market value to cover the cost of the deed with any excess going to the original owner. He said the county does not enjoy doing this, but does do this when residents refuse to pay their taxes.

The final major topic covered in the meeting was that of Atomic City's assets — more specifically, which assets become county property. Under the state statute, both Hendricks and Woodsworth said, all of the city's property becomes county property, which includes land and equipment. Currently, the only property that is owned by Atomic

City that cannot become county property is the location of the city water tank because it is under bond. Hendricks said the equipment should all be properly cataloged in preparation for the transition. Polatis said he will have that ready, but believes the list he has already produced is correct.

The date of official disincorporation is Dec. 3, 30 days after the initial vote.