

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, June 3, 2002. Present were Commissioners Ken Estep, Chairman, and Janet S. Chapman. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney Paul Laggis.

SIXTH DISTRICT MAGISTRATE COMMISSION: Commissioner Estep reported that Eric Hunn of the firm Racine, Olson, Nye, Budge & Bailey has been selected to serve as Magistrate Judge in Franklin County, Idaho, by the Sixth District Magistrate Commission.

PRIMARY ELECTION CANVASS: The Power County Commissioners then met as the County Board of Canvassers. Clerk Steinlicht presented the Board with a copy of the Primary Election Abstract for their review. Moved by Commissioner Estep, seconded by Commissioner Chapman, to approve the Primary Election Abstract as presented. Carried. Clerk Steinlicht will submit the original Abstract to the Idaho Secretary of State. (SEE ATTACHED)

MINUTES: Moved by Commissioner Chapman, seconded by Commissioner Estep, to approve the Commissioner Minutes for May 6th, 13th, 20th, 21st and 28th, 2002, as presented. Carried.

POWER COUNTY LANDFILL – FENCE REPAIRS: The Commissioners again reviewed the quotes submitted for repair of the damaged fence at the Power County Landfill. Following discussion, it was moved by Commissioner Chapman, seconded by Commissioner Estep, to approve the quote submitted by Haddon Excavation & Yellowstone Fence in the amount of \$1,245 for repair of the landfill fence. Clerk Steinlicht will submit a property damage claim to the County's liability insurance carrier, ICRMP, for possible reimbursement.

POWER COUNTY LANDFILL – DEMOLITION PIT: Commissioner Estep reported that Anderson Construction has completed excavation of the landfill demolition pit and is willing to take partial payment now with the balance to be paid October 1, 2002. Following discussion, the Commissioners agreed to pay \$15,000 now, and the balance of \$7,619.52 after October 1st, 2002, to be paid from Solid Waste Capital Construction funds. The Commissioners then contacted Transfer Station Supervisor Craig Heward by speaker telephone. Mr. Heward indicated that the pit is very deep and may present a liability problem. Prosecuting Attorney Laggis suggested that Mr. Heward contact the SCILD crew and request that they install a snow type fence along the edges of the pit to help protect residents and visitors to the landfill from danger.

IDAHO ASSOCIATION OF COUNTIES – PHOTOGRAPH: Commissioner Chapman presented the original photograph prepared by Lucien's Photography, which photograph will be delivered to the Idaho Association of Counties to be exhibited in their

offices. Commissioner Chapman expressed her desire to reproduce the photograph at County expense and sell copies at American Falls days, with the proceeds to assist with renovation of the new American Falls Youth Center at 500 Pocatello Avenue. The Commissioners then discussed copyright laws with Prosecuting Attorney Laggis. Clerk Steinlicht will contact Mr. Armstrong at Lucien's Photography and advise him of the County's intention to reproduce the photograph. Commissioner Estep will deliver the original photograph to the Idaho Association of Counties when he attends Commissioners and Clerks Conference in Boise next week.

BEHAVIORAL HEALTH CENTER – SERVICE PROVIDER AGREEMENT: The Commissioners reviewed the Service Provider Agreement between Power County and Behavioral Health Center for indigent mental health services with Power County Prosecuting Attorney Paul Laggis. Prosecutor Laggis expressed his concern with the primary and exclusive provider provision (paragraph #14) and indicated that he would like to discuss the agreement with Behavioral Health Center prior to Power County executing the agreement. This matter was tabled until June 10th, 2002.

POWER COUNTY JAIL – REMODEL: The Commissioners then discussed the need to increase beds at the Power County Jail. Prosecuting Attorney Paul Laggis then advised the Commissioners that inmate population increase is due in part to a change in INS policy regarding deportation of illegal immigrants, which policy will only require deportation of illegal immigrants who are "dangerous offenders". Prosecuting Attorney Laggis suggested the Commissioners contact their federal representatives to express their displeasure with the new INS policy. Prosecutor Laggis then indicated that mandatory minimum sentences imposed by the Idaho Legislature also contribute to the increase in inmate population at the Power County Jail. Power County Sheriff Howard Sprague then reported that he currently has 37 inmates in the custody of the Power County Sheriff, twelve of which are in being housed in the Cassia County Jail and one being housed in the Bingham County Jail. Sheriff Sprague suggested that the Commissioners address the potential overcrowding problems during the fiscal year 2003 budget process and, in the meantime, he will continue to transport prisoners to other jail facilities to avoid overcrowding the Power County Jail. Sheriff Sprague then advised the Commissioners that architect Ken Douglass is still working on plans for the kitchen remodel, and Mr. Douglass will make an appointment with the Commissioners once those plans have been completed.

ECONOMIC DEVELOPMENT: Deborah Rudeen and Linda Campbell of the American Falls Economic Development Board appeared before the Commissioners to report on the recent actions of the Economic Development Board. Ms. Rudeen indicated the first priority of the Board was to create the American Falls Revitalization Project, which consists of three subcommittees, i.e. an infrastructure task force, a city park task force and a golf course task force. Ms. Rudeen presented a map of the initial target area for revitalization. The initial focus will be to increase commerce and retail in the target area, which increase will come from tourism opportunities with the hope and expectation that industrial dollars will follow. Ms. Rudeen asked that the County be involved by agreeing to upgrade the curb and gutter around County buildings when the time comes, and also

submit a plan on the renovations of the County building at 500 Pocatello Avenue. Ms. Rudeen also asked that the Commissioners provide a letter of commitment and support to accompany the revitalization program grant application. The Commissioners then advised Ms. Rudeen of their intention to discuss this project as a full Board of Commissioners. Ms. Rudeen then suggested that one of the Power County Commissioners join the American Falls Revitalization Project Committee, which meets the fourth Thursday of each month at City Hall. This matter was tabled until June 10th, 2002.

MS ADMINISTRATIVE SERVICES: Commissioner Estep reported that MS Administrative Services has not been reimbursing Dr. Dean Williams at the 90% level as previously instructed. Commissioner Estep recently contacted the County's insurance agent Mark Seamons to discuss this oversight. Mr. Seamons has advised Commissioner Estep that he will investigate the problem and report back to the Commissioners.

SUNSET AVIATION – LEASE: Prosecuting Attorney Paul Laggis reported that he had contacted Airport Board Chairman Klaren Koompin and Dave Savage d/b/a Savage Air to discuss the Banvil contamination found in the Airport wells approximately fifteen years ago in an effort to determine the responsibility for any contamination clean up. Mr. Laggis indicated that the Estate of Joe and Caron Werenka d/b/a Sunset Aviation is attempting to sell all of it's business property located at the Power County Airport, and that any such sale, either private or at public auction, should be subject to disclosure of any known contamination. This matter was tabled until June 10th, 2002.

DROUGHT DISASTER DECLARATION REQUEST: The Commissioners discussed the need to request that Power County be declared a drought emergency area pursuant to Idaho Code #44-222A. Prosecuting Attorney Laggis will prepare the written request to the Department of Water Resources that the declaration be made immediately to allow the citizens of Power County to take action to develop plans for the current growing season.

PLANNING & ZONING: Jim Fitzgerald, Chairman of the Power County Planning & Zoning, appeared before the Commissioners via speaker telephone. Mr. Fitzgerald requested that the Commissioners adopt an emergency resolution limiting the size of Confined Animal Feeding Operations (CAFOs) to the levels currently certified by the Idaho Department of Agriculture. Mr. Fitzgerald indicated that the next meeting of the Power County Planning & Zoning is scheduled for Tuesday, June 4th, 2002. This matter was tabled until June 10th, 2002.

POWER COUNTY RESOLUTION #2002-01 (PLANNING & ZONING): Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Chapman, to approve Power County Resolution #2002-01 establishing procedures for Land Use Public Hearings. Carried.

POWER COUNTY EXTENSION OFFICE – AIR CONDITIONER REQUEST: Power County Extension Office Supervisor Stan Gortsema appeared before the Commissioners

to request that the Power County Extension and Weed Department Offices be equipped with air conditioning. Following discussion, it was agreed that Commissioner Estep would call Browers Heating & Air and that Mr. Gortsema would call Vogts Heating and Air to obtain quotes for central air conditioning installed in the Extension and Weed building adjacent to the Courthouse. This matter was tabled until June 10th, 2002.

POWER COUNTY TRANSFER STATION - SOLID WASTE DISPOSAL CONTRACT: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Chapman, to approve the Addendum to Solid Waste Hauling Contract between Power County and Snake River Dispose-All, Inc., as prepared and presented by Power County Prosecuting Attorney Paul Laggis. Clerk Steinlicht will send the duplicate original agreements to Snake River Dispose-All, Inc., for their review and consideration.

AMERICAN FALLS YOUTH CENTER - LEASE AGREEMENT: The Commissioners reviewed the Lease Agreement between Power County and the American Falls Youth Ministry, Inc., for their lease of the County's premises located at 500 Pocatello Avenue. Mr. Laggis will make the changes requested by the Commissioners. This matter was tabled until June 10th, 2002.

QUARTERLY JAIL INSPECTION: The Commissioners then conducted their quarterly jail inspection.

Adjourned.


KEN ESTEP, Chairman


CHRISTINE STEINLICHT, Clerk

ABSTRACT OF VOTES
 PRIMARY02 2002 PRIMARY ELECTION
 MAY 28, 2002

	001	002	003	004	005	006	007	TOTAL	
NO. 1									
COUNTY									
POWER									
NO. 2									
COUNTY									
POWER									
NO. 3									
COUNTY									
POWER									
ROCKLAND									
ARBON									
COUNTY									
POWER									
EASTERN									
COUNTY									
ABSENTEE									
COUNTY									
POWER									

DEMOCRATIC PARTY

FEDERAL

UNITED STATES SENATOR

BLINKEN, ALAN	DEM	33	30	30	15	1	11	5	125	125
SNEDDON, D.P. "DAVE"	DEM	11	17	7	8	2	3	5	53	53
TOTAL		44	47	37	23	3	14	10	178	178

HOUSE OF REPRESENTATIVES

SECOND DISTRICT

KINGHORN, EDWARD W.	DEM	40	44	31	22	2	11	7	157	157
TOTAL		40	44	31	22	2	11	7	157	157

STATE

GOVERNOR

STATE OF IDAHO

BRADY, JERRY M.	DEM	44	47	30	19	1	13	10	164	164
STEARNS, RUE T.	DEM	1	4	6	5	2	2	1	21	21
TOTAL		45	51	36	24	3	15	11	185	185

LIEUTENANT GOVERNOR

STATE OF IDAHO

PERRY, BRUCE M.	DEM	20	24	14	13	2	7	6	86	86
SHURTLIFF, KARL	DEM	24	19	21	11	1	6	3	85	85
TOTAL		44	43	35	24	3	13	9	171	171

SECRETARY OF STATE

STATE OF IDAHO

SCANLIN, STEVEN F.	DEM	41	43	35	23	3	12	9	166	166
TOTAL		41	43	35	23	3	12	9	166	166

STATE AUDITOR STATE OF IDAHO

SONNICHSEN, BOB	DEM	42	43	33	23	3	12	9	165	165
TOTAL		42	43	33	23	3	12	9	165	165

STATE TREASURER

STATE OF IDAHO

BEITIA, SALLY A.	DEM	44	51	36	23	3	12	11	180	180
TOTAL		44	51	36	23	3	12	11	180	180

ATTORNEY GENERAL

STATE OF IDAHO

TOTAL		44	51	36	23	3	12	11	180	180
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ABSTRACT OF VOTES
 PRIMARY02 2002 PRIMARY ELECTION
 MAY 28, 2002

	001	002	003	004	005	006	007	TOTAL	
NO. 1 COUNTY POWER									
NO. 2 COUNTY POWER									
NO. 3 COUNTY POWER									
ROCKLAND									
ARBON COUNTY POWER									
EASTERN COUNTY ABSENTEE POWER									

DEMOCRATIC PARTY

STATE	STATE OF IDAHO								
ATTORNEY GENERAL	DEM	42	47	35	22	3	12	9	170
ROARK, R. KEITH		42	47	35	22	3	12	9	170
TOTAL									170

SUPERINTENDENT OF	PUBLIC INSTRUCTION								
HOWARD, MARILYN	DEM	40	46	35	23	3	12	10	169
TOTAL		40	46	35	23	3	12	10	169

STATE REPS	DISTRICT NO. 27								
STATE SENATOR	DEM	40	52	36	23	3	13	12	179
FUNK, RON		40	52	36	23	3	13	12	179
TOTAL									179

STATE REPRESENTATIVE -A-	DISTRICT NO. 27								
RALPHS, DAN	DEM	38	48	34	24	3	14	10	171
TOTAL		38	48	34	24	3	14	10	171

STATE REPRESENTATIVE -B-	DISTRICT NO. 27								
WOODWORTH, CHARLES	DEM	39	47	37	21	3	13	11	171
TOTAL		39	47	37	21	3	13	11	171

COUNTY	DISTRICT NO. 1								
COUNTY COMMISSIONER	DEM	39	43	33	23	3	15	12	168
PORATH, PATTY		39	43	33	23	3	15	12	168
TOTAL		39	43	33	23	3	15	12	168

COUNTY	DISTRICT NO. 2								
COUNTY COMMISSIONER	DEM	39	47	35	21	3	13	11	169
MEADOWS, VICKI L.		39	47	35	21	3	13	11	169
TOTAL		39	47	35	21	3	13	11	169

CLERK OF THE	DISTRICT COURT								
STEINLICHT, CHRISTINE W.	DEM	40	51	36	23	3	11	11	175
TOTAL		40	51	36	23	3	11	11	175

**ABSTRACT OF VOTES
PRIMARY02 2002 PRIMARY ELECTION
MAY 28, 2002**

	001	002	003	004	005	006	007	TOTAL
	POWER COUNTY NO. 1	POWER COUNTY NO. 2	POWER COUNTY NO. 3	ROCKLAND	ARBON COUNTY	EASTERN POWER COUNTY	ABSENTEE COUNTY	POWER COUNTY
LIBERTARIAN PARTY								
FEDERAL								
UNITED STATES SENATOR								
BRAMWELL, DONOVAN	0	0	1	0	0	0	0	1
TOTAL	0	0	1	0	0	0	0	1
HOUSE OF REPRESENTATIVES								
SECOND DISTRICT								
CORRON, GREGORY P.	0	0	1	0	0	0	0	1
TOTAL	0	0	1	0	0	0	0	1
STATE								
GOVERNOR								
STATE OF IDAHO								
ADAMS, DANIEL L.J.	0	0	1	0	0	0	0	1
TOTAL	0	0	1	0	0	0	0	1
LIEUTENANT GOVERNOR								
STATE OF IDAHO								
KEMPF, MICHAEL J.	0	0	1	0	0	0	0	1
TOTAL	0	0	1	0	0	0	0	1
SECRETARY OF STATE								
STATE OF IDAHO								
PERRY, RONALD E.	0	0	1	0	0	0	0	1
TOTAL	0	0	1	0	0	0	0	1
STATE AUDITOR STATE OF IDAHO								
LIB								
GRIBBIN, SUZANNE	0	0	1	0	0	0	0	1
TOTAL	0	0	1	0	0	0	0	1
STATE TREASURER								
STATE OF IDAHO								
FELLEN, SHERWIN M.	0	0	1	0	0	0	0	1
TOTAL	0	0	1	0	0	0	0	1
SUPERINTENDENT OF								
PUBLIC INSTRUCTION								
LIB								
KIER, ROBB L.	0	0	1	0	0	0	0	1
TOTAL	0	0	1	0	0	0	0	1

ABSTRACT OF VOTES
 PRIMARY02 2002 PRIMARY ELECTION
 MAY 28, 2002

	001	002	003	004	005	006	007	TOTAL	
NO. 1									
COUNTY									
NO. 2									
COUNTY									
NO. 3									
COUNTY									
ROCKLAND									
ARBON									
COUNTY									
EASTERN									
COUNTY									
ABSENTEE									
COUNTY									
POWER									

NON-PARTISAN

JUDICIAL

SUP CT JUSTICE-TO SUCCEED GERALD F. SCHROEDER

SCHROEDER, GERALD F.	NON	168	134	115	82	27	30	11	567
TOTAL		168	134	115	82	27	30	11	567

SUP CT JUSTICE-TO SUCCEED LINDA COPPLE TROUT

KELSO, STARR	NON	84	67	67	42	18	18	2	298
TROUT, LINDA COPPLE	NON	124	102	74	47	13	21	10	391
TOTAL		208	169	141	89	31	39	12	689

APPLS CT JUDGE-TO SUCCEED SERGIO A. GUTIERREZ

GUTIERREZ, SERGIO A.	NON	163	135	113	79	25	27	8	550
TOTAL		163	135	113	79	25	27	8	550

DISTRICT JUDGE-TO SUCCEED DON L. HARDING

HARDING, DON L.	NON	149	123	106	74	22	27	10	511
TOTAL		149	123	106	74	22	27	10	511

DISTRICT JUDGE-TO SUCCEED N. RANDY SMITH

SMITH, N. RANDY	NON	172	146	118	75	28	30	11	580
TOTAL		172	146	118	75	28	30	11	580

DISTRICT JUDGE-TO SUCCEED PETER D. MC DERMOTT

MC DERMOTT, PETER D.	NON	174	146	126	79	26	36	11	598
TOTAL		174	146	126	79	26	36	11	598

DISTRICT JUDGE-TO SUCCEED WILLIAM H. WOODLAND

WOODLAND, WILLIAM H.	NON	152	128	112	84	25	31	10	542
TOTAL		152	128	112	84	25	31	10	542

ABSTRACT OF VOTES
 PRIMARY02 2002 PRIMARY ELECTION
 MAY 28, 2002

	001	002	003	004	005	006	007	TOTAL	
NO. 1 POWER COUNTY									
NO. 2 POWER COUNTY									
NO. 3 POWER COUNTY									
ROCKLAND									
ARBON COUNTY									
EASTERN POWER COUNTY									
ABSENTEE COUNTY									

REPUBLICAN PARTY

FEDERAL

UNITED STATES SENATOR

CRAIG, LARRY E.	REP	185	169	145	96	44	43	12	694	694
TOTAL		185	169	145	96	44	43	12	694	694

HOUSE OF REPRESENTATIVES SECOND DISTRICT

SIMPSON, MICHAEL K.	REP	177	156	138	88	39	40	11	649	649
TOTAL		177	156	138	88	39	40	11	649	649

STATE

GOVERNOR STATE OF IDAHO

BAYES, WALTER L.	REP	2	4	8	5	2	1	1	23	23
ERHART, MILT	REP	43	50	45	17	10	6	0	171	171
GEORGE, RAYNELLE J.	REP	8	5	7	4	0	2	0	26	26
KEMPTHORNE, DIRK	REP	147	115	104	78	31	34	11	520	520
TOTAL		200	174	164	104	43	43	12	740	740

LIEUTENANT GOVERNOR STATE OF IDAHO

BABBITT, DARRELL	REP	5	4	8	6	0	1	0	24	24
EASTLAND, LARRY	REP	31	30	19	17	11	3	0	111	111
GOULD, CELIA R.	REP	28	27	14	6	6	8	2	91	91
PRAATT, JIM	REP	8	9	4	6	1	1	1	30	30
RIGGS, JACK	REP	35	31	35	20	6	12	2	141	141
RISCH, JIM	REP	86	64	72	42	19	19	6	308	308
TOTAL		193	165	152	97	43	44	11	705	705

SECRETARY OF STATE STATE OF IDAHO

FRASURE, EVAN S.	REP	104	72	81	68	22	20	6	373	373
YSURSA, BEN	REP	101	107	82	35	22	23	5	375	375
TOTAL		205	179	163	103	44	43	11	748	748

STATE AUDITOR STATE OF IDAHO

JOHNSON, KEITH	REP	70	53	60	35	20	9	3	250	250
JONES, DONNA M.	REP	62	66	55	43	9	18	2	255	255

ABSTRACT OF VOTES
 PRIMARY02 2002 PRIMARY ELECTION
 MAY 28, 2002

----- P R E C I N C T S -----
 001 POWER NO. 1 COUNTY
 002 POWER NO. 2 COUNTY
 003 POWER NO. 3 COUNTY
 004 ROCKLAND
 005 ARRON COUNTY
 006 EASTERN POWER
 007 ABSENTEE COUNTY POWER
 TOTAL

REPUBLICAN PARTY

STATE
 STATE AUDITOR STATE OF IDAHO
 WINCHESTER, GENE REP 27 27 19 15 4 9 2 103
 TOTAL 159 146 134 93 33 36 7 608

STATE TREASURER STATE OF IDAHO
 CRANE, RON G. REP 160 140 134 87 39 36 7 603
 TOTAL 160 140 134 87 39 36 7 603

ATTORNEY GENERAL STATE OF IDAHO
 BOGERT, MICHAEL REP 59 41 42 23 12 15 1 193
 GABBERT, MYRON DAN REP 27 25 24 14 4 3 1 98
 LAKEY, TODD REP 44 46 44 22 13 7 5 181
 WADSEN, LAWRENCE G. REP 27 21 33 31 4 12 2 130
 TOTAL 157 133 143 90 33 37 9 602

SUPERINTENDENT OF PUBLIC INSTRUCTION
 LUNA, TOM REP 138 137 124 75 33 36 7 550
 TOTAL 138 137 124 75 33 36 7 550

STATE SENATORS DISTRICT NO. 27
 DARRINGTON, DENTON REP 31 40 43 39 21 14 3 191
 WHEELER, MOON REP 168 140 125 54 21 27 10 545
 TOTAL 199 180 168 93 42 41 13 736

STATE REPRESENTATIVE -A- DISTRICT NO. 27
 BEDKE, SCOTT C. REP 120 113 108 66 18 25 8 458
 WILLIE, TIM REP 39 33 34 21 17 9 2 155
 TOTAL 159 146 142 87 35 34 10 613

STATE REPRESENTATIVE -B- DISTRICT NO. 27
 NEWCOMB, BRUCE REP 133 129 125 75 31 31 8 532
 TOTAL 133 129 125 75 31 31 8 532

ABSTRACT OF VOTES
 PRIMARY02 2002 PRIMARY ELECTION
 MAY 28, 2002

----- P R E C I N C T S -----
 001 POWER COUNTY NO. 1
 002 POWER COUNTY NO. 2
 003 POWER COUNTY NO. 3
 004 ROCKLAND
 005 ARBON COUNTY
 006 EASTERN POWER COUNTY
 007 POWER COUNTY ABSENTEE
 TOTAL

REPUBLICAN PARTY
 COUNTY
 COUNTY COMMISSIONER DISTRICT NO. 1
 ZIMMERMAN, RAY REP 109 88 84 35 23 26 4 369 369
 CROMPTON, BRETT REP 89 92 86 59 20 12 9 367 367
 TOTAL 198 180 170 94 43 38 13 736 736

COUNTY COMMISSIONER DISTRICT NO. 2
 HOYBUERG, VALERIE REP 131 129 134 75 36 32 11 548 548
 TOTAL 131 129 134 75 36 32 11 548 548
 COUNTY TREASURER
 MAUCH, BOBBIE REP 176 158 154 80 36 34 12 650 650
 TOTAL 176 158 154 80 36 34 12 650 650

COUNTY CORONER
 ROSE SR., MARK GUNN REP 180 165 151 88 35 35 12 666 666
 TOTAL 180 165 151 88 35 35 12 666 666

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CHRIS STEINLICHT

POWER

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ABSTRACT OF VOTES
PRIMARY02 2002 PRIMARY ELECTION
MAY 28, 2002

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