

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Thursday, July 18, 2002. Present were Commissioners Ken Estep, Chairman, Valerie Hoybjerg and Janet S. Chapman. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney Paul Laggis.

CLAIMS: Moved by Commissioner Hoybjerg, seconded by Commissioner Hoybjerg, to approve the claims as submitted and supplemented. Carried.

Current Expense (General)	\$ 32,008.75
Ambulance	5,287.35
District Court	6,077.18
Justice	57,979.83
Indigent	1,831.48
Revaluation	204.65
Solid Waste	15,887.60
Weeds	5,236.17
Waterways	4,298.72
PILT	9,895.30

ALCOHOL BEVERAGE LICENSE: Commissioner Estep announced that it was the date and time set for consideration of numerous alcohol beverage licenses. Commissioner Estep read the applications into the record. There being no public objection, it was moved by Commissioner Chapman, seconded by Commissioner Estep, to approve the following alcohol beverage licenses:

1. Gary Allen d/b/a Arbon Valley Store for the sale of bottled or canned beer not to be consumed on the premises.
2. Bill L. Beck d/b/a Bill's Pro Shop for the sale of draught and bottled or canned beer to be consumed on the premises.
3. Mike Jensen d/b/a Bingham Co-op, Inc. for the sale of bottled or canned beer not to be consumed on the premises.
4. Rick Farnsworth d/b/a Cardinal Market Place for the sale of bottled or canned beer not to be consumed on the premises and retail wine.
5. Robert Hartman d/b/a Hilltop Truck Stop & Café for the sale of bottled or canned beer to be consumed on the premises and retail wine.

6. Jackson Food Stores, Inc. d/b/a Jackson Food #70 for the sale of bottled or canned beer not to be consumed on the premises and retail wine.
7. Tonna Edmo, AE Sales LLC d/b/a Jet Stop for bottled or canned beer not to be consumed on the premises.
8. Sherrie Garner, Lakeside Food, Inc. d/b/a Ken's Food Market for the sale of bottled or canned beer not to be consumed on the premises and retail wine.
9. Silvia Gutierrez d/b/a La Rancherita for the sale of bottled or canned beer to be consumed on the premises and bottled or canned beer not to be consumed on the premises and retail wine.
10. Merrill George & Shirley Udy d/b/a Mr. Petrol's Pantry for the sale of bottled or canned beer not to be consumed on the premises and retail wine.
11. Patricia J. Payne d/b/a O'Grady's Gas & Grocery, Inc. for the sale of bottled or canned beer not to be consumed on the premises.
12. Gerald A. Waller d/b/a Pizza Hut of Idaho, Inc., for the sale of bottled or canned beer to be consumed on the premises.
13. Robert J. Hartman, Hartman's Inc. d/b/a Pocatello Trap Club for the sale of bottled or canned beer to be consumed on the premises.
14. Shirley Mitchell d/b/a Rockland Café for the sale of draught and bottled or canned beer to be consumed on the premises.
15. Charles R. Hess d/b/a Sagebrush Bar for the sale of draught, bottled or canned beer to be consumed on the premises.
16. Brent Woodworth d/b/a Silver Horseshoe for the sale of draught and bottled or canned beer to be consumed on the premises and retail liquor.
17. Michael J. Smith d/b/a Time Out Lounge for the sale of draught and bottled or canned beer to be consumed on the premises and retail liquor.
18. Leonel Brambila d/b/a Tres Hermanos for the sale of bottled or canned beer to be consumed on the premises.
19. Brandon Walter & Valonna Wardell d/b/a W&W Quick Pick for the sale of bottled or canned beer not to be consumed on the premises and retail wine.
20. LaRay Correll d/b/a Willow Bay Café for the sale of bottled or canned beer to be consumed on the premises and bottled or canned beer not to be consumed on the premises.

Carried.

COUNTY APPAREL: Commissioner Chapman reported that she had donated most of the remaining articles of County apparel to the Power County Search & Rescue crew for the silent auction they held in conjunction with their annual Salmon barbeque. Following discussion, the Commissioners agreed that any person interested in purchasing County apparel should order the directly from the catalogue available at the Clerk's Office rather than the County keeping extra apparel in stock.

NATIONAL ASSOCIATION OF COUNTIES (NACO) REPORT: Commissioner Estep reported on the NACO conference he recently attended in New Orleans, Louisiana.

AMERICAN FALLS YOUTH CENTER: American Falls Youth Center Board Members Bobbie Mauch, Art Meadows, Gerald Fehringer and Bob Schreiber appeared before the Commissioners to discuss the lease agreement between Power County and the American Falls Youth Center to the basement portion of the County's building at 500 Pocatello Avenue. The Youth Center Board reported that they had done a walk through of the premises yesterday and they were somewhat concerned with the monthly costs of utilities for the premises. The Commissioners advised the Youth Center Board members that architect Jerry Meyers is working on an "as is" floor plan to be used for demolition and rebuilding needs. The Youth Center Board then expressed their desire to have carpeting installed in the area they intend to lease rather than tile. The Youth Center Board and the Commissioners then discussed the need for a handicapped accessible restroom in the Youth Center area, and agreed to either leave the restrooms as they presently are, with minimal upgrade, or make one large unisex restroom that would be handicap accessible. The Commissioners and Youth Center Board then discussed the need for upgrading the electrical wiring in the facility on one meter, as well as upgrading the heat and cooling systems for the building. The Youth Center Board expressed their commitment to assist with remodeling costs via several grants they have received, and asked that the Commissioners continue to commit the \$5,000 annual contribution from PILT to assist with their day-to-day operation costs. Following further discussion, the Commissioners indicated their willingness to absorb all utility costs until the Youth Center can obtain funds for utility costs. The Commissioners advised the Youth Center Board that the window replacement should be completed by American Falls Day (August 17th). The Youth Center Board and Commissioners agreed to meet again after the architect's report had been received. The Commissioners and Board members reviewed the lease agreement and discussed the need to add a mediation clause in the event there is a disagreement between the Youth Center Board and Power County. The lease agreement will be referred to Power County Prosecuting Attorney Paul Laggis to be amended. The Commissioners then reviewed the quotes received for termite extermination at the 500 Pocatello Avenue Building. The Commissioners agreed to accept the quote submitted by Best Way Pest Control in the amount of \$4,889.00. Commissioner Estep will ask the American Legion to assist with the costs of termite extermination.

POWER COUNTY TRANSFER STATION/LANDFILL: Terry Schultz of Southern Idaho Solid Waste appeared before the Commissioners with Transfer Station Supervisor

Craig Heward. Mr. Schultz advised the Commissioners that Power County has increased its solid waste by 6% over the past year, as well as an increase in the number of trailers delivering solid waste to Milner-Butte landfill operated by Southern Idaho Solid Waste. Mr. Schultz indicated that there would be no increase in disposal fees this year; however, there will be an increase in wood waste grinding fees and a 2% increase in trailer switches. Moved by Commissioner Hoybjerg, seconded by Commissioner Chapman, to accept the 2% increase in trailer switches plus the increase in wood waste grinding fees as proposed by Terry Schultz of Southern Idaho Solid Waste. Carried. Mr. Heward indicated that Fibers International might be pulling their cardboard bins out of Power County, which will require that all waste cardboard be pushed into the trailers to be transported to Southern Idaho Solid Waste. Mr. Schultz's then advised the Commissioners of his desire to have Power County sponsor bi-annual events to allow Power County residents to dispose of household hazardous materials to eliminate those household hazardous materials (usually paint or oil) from ending up in trailers with regular weekly household garbage.

TAX CANCELLATIONS: Moved by Commissioner Hoybjerg, seconded by Commissioner Chapman, to approve the Order for Cancellations of Taxes as presented by Power County Treasurer Bobbie Mauch. Carried.

JUNIOR COLLEGE -- CERTIFICATES OF RESIDENCY: Moved by Commissioner Hoybjerg, seconded by Commissioner Estep, to approve the Certificates of Residency for Gina Rogers, Kristen Haskins, Shantell Cannell, Sandy Jo Cates and Estaban Cardenas to attend the College of Southern Idaho in Twin Falls. Carried.

CONFINED ANIMAL FEEDING OPERATION (CAFO) MORATORIUM: The Commissioners reviewed the Planning & Zoning Board's request that the Commissioners adopt an ordinance to limit the size of existing CAFOs. Prosecuting Attorney Laggis advised the Commissioners that the County's has no factual basis to adopt a moratorium, since the County's current ordinances require existing CAFO operators to submit to the public hearing process prior to enlarging their operation; and, therefore, an emergency moratorium is not necessary. The Commissioners again discussed a private landowner's right to pursue relief via a civil court proceeding. Power County Planning & Zoning Director Richard Wiles reported that in 1999 he sent written notice to Snake River Cattle, Andersen Dairy, Ward Dairy and Andersen Feed Lot that they could not increase their herds without a special use permit; however, it is unknown whether they have illegally expanded since 1999. The Commissioners instructed Mr. Wiles to research with the Department of Agriculture or DEQ to get an idea of the current size of these operations to see if they have expanded since 1999 without a special use permit. This matter was tabled until July 29, 2002.

PUBLIC DEFENDER CONTRACT: The Commissioners and Prosecuting Attorney Laggis reviewed the current contract for Public Defender services between Power County and George Southworth. The Commissioners agreed to allow Mr. Southworth to participate in the County's self-funded medical insurance at no cost to him, effective October 1, 2002; however, any expense for adding on family members will be paid by

Mr. Southworth via a reduction from his monthly check. This matter was tabled until July 29, 2002, to allow Prosecuting Attorney Laggis to prepare a new public defender contract.

FISCAL YEAR 2003 – CLERK’S REQUESTED BUDGET: Clerk Steinlicht presented her balanced fiscal year 2003 budget for the Commissioners review and consideration. The Commissioners advised Clerk Steinlicht of the changes to be made to the Clerk’s proposed budget.


EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Chapman, seconded by Commissioner Hoybjerg, to move into executive session for the purpose of taking up indigent medical applications. Carried.

INDIGENT CASE #2002-18-I: Moved by Commissioner Hoybjerg, seconded by Commissioner Chapman, to deny indigent medical application #2002-18-I since other resources are available for payment of the medical bills incurred. Carried.

REDISTRICTING LAWSUIT: State Senator Moon Wheeler appeared before the Commissioners to discuss Senator Robert Geddes and Senator Stan Hawkins plan to file an objection to the redistricting plan with the Idaho Supreme Court. Boise attorney John Runft will represent the senators. The basis of the lawsuit will be the Redistricting Commissioners’ inconsistency in determining “communities of interest” in the rural areas and Kootenia County. The goal of the lawsuit is to re-establish a Redistricting Commission and reapportion the Legislative Districts for the 2004 elections. Senator Wheeler asked that the Power County Commissioners attend a regional meeting with Attorney Runft and other County Commissioners to discuss any concerns they might have with the proposed lawsuit. Senator Wheeler then asked that Power County agree to contribute between \$500 and \$1000 toward the lawsuit. This matter was tabled until July 29, 2002.

SOUTHEAST IDAHO COMMUNITY ACTION AGENCY (SEICAA): Tina Perschon of the Southeastern Idaho Community Action Agency (SEICAA) appeared before the Commissioners to discuss the SEICAA mentoring program. SEICAA is looking for volunteers to donate five hours per month in schools to develop friendships with students and to help children in grades K-12 set career or educational goals. Ms. Perschon then invited the Commissioners to either serve as a mentor or perhaps help recruit mentors in the community. The Commissioners referred Ms. Perschon to Power County Resource Coordinator Connie Shepherd.

Adjourned.


KEN ESTEP, Chairman


CHRISTINE STEINLICHT, Clerk