

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, August 11, 2003. Present were Commissioners Ken Estep, Chairman, Vicki L. Meadows and Ray Zimmerman. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney Paul Laggis.

MINUTES: Moved by Commissioner Zimmerman, seconded by Commissioner Estep, to approve the Commissioner Minutes for July 7th, 14th and 28th, 2003, as presented. Carried.

WEEDS – BUREAU OF LAND MANAGEMENT AGREEMENT: Moved by Commissioner Estep, seconded by Commissioner Meadows, to approve Weed Assistance Agreement #DAA000228 between Power County and the Bureau of Land Management as presented. Carried.

POWER COUNTY HIGHWAY DISTRICT – LAND EXCHANGE AGREEMENT: Following discussion, it moved by Commissioner Estep, seconded by Commissioner Zimmerman, to approve and accept the Land Exchange Agreement between Power County and the Power County Highway District as prepared and presented by Power County Attorney Paul Laggis. Carried. Commissioner Meadows abstained.

COURTHOUSE – AIR CONDITIONING UPGRADE: Justin Richardson of Sierra Heating & Cooling appeared before the Commissioners to present his quote for upgrading the Courthouse air conditioning system. Clerk Steinlicht reported that she had attempted to solicit quotes from Paul Gardner Heating & Cooling and Vogt's Heating & Air. Following discussion, it was moved by Commissioner Estep, seconded by Zimmerman, to approve quote from Sierra Heating & Cooling in the amount of \$16,200 as presented. Carried.

FIRE MITIGATION PLAN: Commissioner Estep reported that a fire mitigation planning meeting has been scheduled in the Arbon Valley area on August 14th, 2003. Commissioner Meadows reported that Dynamac Corporation had not set up the information booth at the fairgrounds during Power County Fair Week last week as had been planned. The Commissioners then contacted Dynamac Corporation by telephone and requested that they be available during the American Falls Day celebration on Saturday, August 16th, 2003. The Commissioners agreed to discuss this issue with Power County Disaster Services Director Mark Love.

COMMISSIONER AGENDA – OCTOBER, 2003: Clerk Steinlicht advised the Commissioners that Sixth District Judge Peter D. McDermott will hold Court in Power County on the third Mondays as well as the first Tuesdays each month and the Magistrate Court will need to use the Commissioners Office on those days. Following a review of

the calendar for October, the Commissioners agreed to meet on October 6th and 27th, 2003, since the regular meeting day of October 13th is Columbus Day.

POWER COUNTY PERSONNEL MANUAL – SICK LEAVE BENEFITS: Power County Chief Deputy Sheriff Jim Jeffries appeared before Commissioners to discuss the County's Personnel Manual with respect to sick time benefits. Deputy Jeffries requested that Section VIII(2)(c) be amended to require employees to present medical proof of treatment if any sick leave extends beyond two (2) days, rather than five (5) days as currently provided. Following discussion via speaker telephone with Lynette at ICRMP, the Commissioners agreed that Section VIII(2)(c) also allows elected officials and department heads to request an independent review of any reported illness at any time by a competent medical authority, which would include any sick time used during vacation. The Commissioners agreed that the Personnel Manual may need to be amended to make it clear that an employee can be asked to submit to a physical examination at any time at the request of the elected official or department head. This matter was tabled until August 25, 2003.

POWER COUNTY – ANIMAL CONTROL POLICY: Power County Chief Deputy Sheriff Jim Jeffries appeared before the Commissioners to discuss any Countywide animal control policy the Commissioners may be considering. Deputy Jeffries indicated that the Power County Sheriff's Office enforces all state laws regarding animal control; however, he feels that a countywide animal control policy would require animal control ordinances at the County level. Following discussion, the Commissioners agreed that they would not be considering implementing any countywide animal control policies at this time.

MCLEOD USA – TELEPHONE SERVICE: Mark Sjostrom of McLeod USA appeared before the Commissioners with an updated proposal for telephone services for Power County. Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve and accept the proposal as submitted with the sixty-day trial assessment period. Carried. Commissioner Zimmerman will sign the required paperwork on Friday, August 15th, 2003.

TAX CANCELLATION REQUEST – R HOMES: Brett Crompton appeared before the Commissioners on behalf of Eastern Idaho Development Corporation (EIDC), to discuss the taxes owing on Parcel #RP D0299-00. Mr. Crompton requested that the taxes owing for an office building situated on that parcel be reduced since he feels the value on the office building was overstated by R Homes. Also present were Power County Treasurer Bobbie Mauch and Power County Assessor Doug Glascock. EIDC loaned funds to R Homes through a SBA loan and they have been offered \$8,000 for the office building and they would like to make that sale to recover some of the loss on the loan. Treasurer Mauch indicated that eventually the entire tax bill owing by R Homes would probably be cancelled since the City of Pocatello will retake ownership of the abandoned property. Moved by Commissioner Meadows, seconded by Commissioner Estep, to forgive all taxes, interest, late fees and penalty currently owing, including any 2003 taxes which will

also be owing on the office building located on Parcel #RPD0299-00, except for \$2,000 of real property taxes. Carried.

CERTIFICATE OF RESIDENCY – COLLEGE OF SOUTHERN IDAHO: Moved by Commissioner Estep, seconded by Commissioner Meadows, to approve the Certificates of Residency submitted by the College of Southern Idaho. Carried.

JONES, YOST, HATT, ERICKSON, P.A. – AUDIT CONTRACT: Moved by Commissioner Zimmerman, seconded by Commissioner Meadows, to approve the Letter of Understanding between Power County and Jones, Yost, Hatt, Erickson, P.A., for the review of Power County's financial Statements for the period October 1, 2002, through September 30, 2003, in an amount not to exceed \$4,600. Carried.

JAIL KITCHEN REMODEL – DISHWASHER: Commissioner Zimmerman reported that that he and Power County Sheriff Howard Sprague inspected the new dishwasher at the Marina Café. Sheriff Sprague was able to contact Bar Store Restaurant and exchange under counter model in the original bid with a counter top chemical dishwasher.

HARMS MEMORIAL HOSPITAL DISTRICT: Harms Memorial Hospital Administrator Bob Brummond appeared before the Commissioners to present the Hospital's Financial Information Packet for June 2003. Mr. Brummond then presented Harms Memorial Hospital Site Analysis sketches prepared by the JHS Architects depicting three different site scenarios for the new clinic and hospital.

POWER COUNTY BUILDING ADMINISTRATOR – INSPECTION DISPUTE: Homeowner Jason Hess appeared before the Commissioners to discuss his dispute with Power County Building Administrator Richard Wiles on the inspection of his home currently under construction in Power County. Also present was City of American Falls Building Inspector Jeff Nelson and Power County Building Administrator Richard Wiles. At the outset, Prosecuting Attorney Laggis informed the Commissioners that Mr. Wiles is requesting additional inspections on work performed and approved by the City Building Administrator Jeff Nelson. Mr. Nelson performed inspections on the Hess property at the request of the Commissioners during Mr. Wiles' absence. Mr. Wiles indicated that the work performed to correct the foundation problems would not be satisfactory to the architect; however, Mr. Nelson indicated that the fix on the foundation is a common practice used by contractors to correct these types of foundation problems and complies with the requirements of the Uniform Building Code. Following discussion, the Commissioners agreed that Mr. Nelson's approval of the work performed should not be subject to further inspection by Mr. Wiles. Mr. Hess indicated that he would request that his architect also submit written verification that the foundation is structurally sound.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Estep, seconded by Commissioner Zimmerman, to move into executive session pursuant to I.C. #67-2345, for the purpose of taking up personnel issues. Carried.

CITY OF ROCKLAND – BUILDING INSPECTION AGREEMENT: Moved by Commissioner Zimmerman, seconded by Commissioner Estep, to approve the Building Inspection Agreement between Power County and the City of Rockland as prepared by Power County Prosecuting Attorney Paul Laggis. Carried. Clerk Steinlicht will send the original agreement to City of Rockland for their review and approval.

CLAIMS: Moved by Commissioner Estep, seconded by Commissioner Zimmerman, to approve the claims as amended and supplemented. Carried.

General Fund (Current Expense)	\$ 7,941.77
Ambulance	2,852.34
District Court	5,528.69
Justice Fund	64,121.93
Indigent	1,207.87
Revaluation	187.94
Solid Waste	16,763.62
Weeds	3,483.17
Waterways	669.50
PILT	5,712.85

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

INDIGENT CASE #2003-21-I: Moved by Commissioner Estep, seconded by Commissioner Zimmerman, to deny indigent medical application #2003-21-I since application was untimely filed pursuant to I.C. #31-3505(1). Carried.

INDIGENT CASE #2003-20-I: Moved by Commissioner Estep, seconded by Commissioner Zimmerman, to approve indigent medical application #2003-20-I. Carried.

FMC SITE – INDUSTRIAL DEVELOPMENT: Commissioner Estep questioned whether Power County should provide financial assistance to send a team of experts from the FMC Site Optimum Committee and Idaho State University to Columbia University in New York City to look into the option of dismantling the steam generation plant on that campus and reassemble it to operate on the FMC site. Commissioner Meadows indicated that the Power County Economic Development Board and Shoshone Bannock Tribes should be kept informed of this possible option and Power County's input in these studies. Moved by Commissioner Meadows, seconded Zimmerman, to invest \$2,500 from PILT Economic Development funds towards the Columbia University steam generation project study. Commissioner Estep will contact Fred Auck, Chairman of the Tribal Business Council and Power County Economic Development Board Chairman Kent Rudeen.

PUBLIC DEFENDER CONTRACT: The Commissioners reviewed the Agreement for Indigent Legal Services between Power County and George Southworth that was prepared by Power County Prosecuting Attorney Paul Laggis for fiscal year 2004. Moved by Commissioner Zimmerman, seconded by Commissioner Meadows, to approve the Agreement for Indigent Legal Services between Power County and George Southworth as presented. Carried.

ECONOMIC DEVELOPMENT – CITY OF POCATELLO MUNICIPAL AIRPORT PROPERTY: Commissioner Estep suggested that each Commissioner put into writing their thoughts and ideas for future development of the City of Pocatello Municipal Airport property in Eastern Power County, including possible tax relief for potential developers, prior to meeting with Robert Chambers of the City of Pocatello Development Board and Mayor Roger Chase, and Ray Bergstead of the Bannock Development Corporation. Although the meeting has not yet been scheduled; the Commissioners agreed that Power County Economic Development Board Chairman Kent Rudeen be invited to attend as well.

ALCHOL BEVERAGE LICENSE: Commissioner Estep reported that it was the date and time scheduled for consideration of an alcohol beverage license. There being no public objection, it was moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve the alcohol beverage license of Bowden Investments, Inc. d/b/a Melody Lanes & Café for the sale of bottled or canned beer to be consumed on the premises. Carried.

CITY COUNTY LAW ENFORCEMENT AGREEMENT: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve the Cooperative Agreement between Power County and the City of American Falls Re: Law Enforcement Services as prepared and presented by Power County Prosecuting Attorney Paul Laggis. Carried. Clerk Steinlicht will send the original Agreement to the City of American Falls for their review and approval.

Adjourned.


KEN ESTEP, Chairman


CHRISTINE STEINLICHT, Clerk