

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in special session on Tuesday, April 20, 2004. Present were Commissioners Ken Estep, Chairman, Vicki Meadows and Ray Zimmerman. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney Paul Laggis.

500 POCATELLO AVENUE – RENOVATIONS: Mark Forbord of Eagle Engineering and Architect Ken Douglass appeared before the Commissioners to discuss the structural assessment of the 500 Pocatello Avenue Building prepared by Eagle Engineering. At the outset, Mr. Forbord indicated that privately owned buildings converted to public access and/or increased occupancy must follow the guidelines listed in the seismic assessment. Architect Douglass indicated that re-installing the bearing walls or installing sheering walls to replace bearing walls that were removed should bring the building into seismic compliance. Commissioner Meadows questioned whether the County should obtain an official seismic study report on the building, which Mr. Forbord indicated that he could prepare for approximately \$1,000. Mr. Douglass agreed that an official seismic report should be included in the County's records. Following further discussion, the Commissioners agreed that, in order to maintain the structural integrity of the truss and roof systems, removal of any existing walls in the museum area of the building would not be allowed; only the trusses in the larger meeting room area would need to be reinforced. Mr. Forbord and Architect Douglass agreed that truss and/or roof reinforcement does not relate in any way to seismic concerns. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to authorize Eagle Engineering to prepare an official seismic analysis report on the 500 Pocatello Avenue Building. Carried.

POWER COUNTY LANDFILL – FINANCIAL ASSURANCE: The Commissioners reviewed the letter to the Idaho Department of Environmental Quality regarding financial self-insurance against landfill post-closure costs prepared by Power County Clerk Chris Steinlicht and Power County Prosecuting Attorney Paul Laggis. Moved by Commissioner Estep, seconded by Commissioner Meadows, to approve the written notice of financial self-insurance to the State Department of Environmental Quality as presented. Carried.

POWER COUNTY PLANNING & ZONING – BINGHAM INVESTMENT (GRAVEL PIT) APPEAL: At 7:00 p.m. Commissioner Estep reported that it was the date and time scheduled for further hearing on the appeal of Shelly L. Lish on the Power County Planning & Zoning Board's approval of the application of Bingham Investment to develop a gravel pit in Eastern Power County. The following exhibits were offered and admitted as evidence:

Exhibit #3 – Hearing notice on Special Use Permit published in the Power County Press on January 14, 2004.

Exhibit #4 – Power County Building Administrator Richard Wile's listing of those property owners receiving hearing notice on the Special Use Permit.

Exhibit #5 – Notice of Public Hearing sent to property owners.

Exhibit #6 – Power County Planning & Zoning Board Agenda for February 3, 2004, meeting. The agenda was posted at the Power County Courthouse.

Exhibit #7 – Bingham Investment's Special Use Permit application.

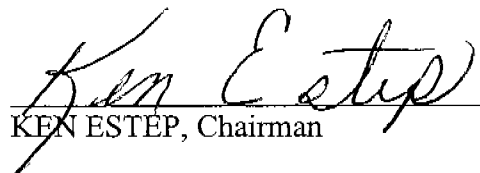
Exhibit #8 – Minutes of the Power County Planning & Zoning Board for February 3, 2004, meeting.


Exhibit #9 – Letter from BECO Construction Co., Inc., to the Power County Planning & Zoning Board dated January 7, 2004.

Following hearing of the testimony and evidence presented, it was moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to remand this matter back to the Power County Planning & Zoning Board and require that notice be properly published in the Power County Press, properly posted at the gravel pit site and properly made upon the adjoining landowners and residence as specified in the Power County Ordinance. Carried.

POWER COUNTY PLANNING & ZONING – ZONING MAP CORRECTION (CHARLIE MILLER): At 8:30 p.m., Commissioner Estep reported that it was date and time scheduled for public hearing to confirm a rezone application of Charlie Miller. In 1993, the Power County Planning & Zoning Board approved the rezone of this property from agricultural to industrial; however, the change was not made to the official map. Following discussion, it was moved by Commissioner Zimmerman, seconded by Commissioner Estep, to confirm the rezone from agricultural to industrial on Charlie Miller's property, described as Lot 3 in Section 6, Township 7 South, Range 32 E.B.M. containing 16.73 acres and reflect that change on the official Power County Planning & Zoning Map. Carried.

Adjourned.

  
KEN ESTEP, Chairman

  
CHRISTINE STENLICHT, Clerk