

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, July 25th, 2005. 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.

POWER COUNTY COURTHOUSE ANNEX (500 POCATELLO AVENUE) – RENOVATION: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve and accept the quote submitted by The Blind Spot in the amount of \$2,871.05 to install blinds in the upstairs windows of the Power County Courthouse Annex at 500 Pocatello Avenue. Carried. Following discussion, it was moved by Commissioner Zimmerman, seconded by Commissioner Estep, to approve and accept the quote submitted by AJ Construction in the amount of \$5,480 for concrete work to be done at the Power County Courthouse Annex at 500 Pocatello Avenue. Carried. The Commissioners then discussed the need for a sign to be installed at the Power County Courthouse Annex and Commissioner Estep agreed to contact several sign companies to discuss available options. The Commissioners then conducted a walk through of the Power County Courthouse annex and made a listing of the finish work that still needs to be completed, which will be furnished to BGM Builders and/or the Power County Sheriff SCILD crew.

POWER COUNTY CELLULAR TELEPHONES – U. S. CELLULAR: Brandt Hill of U. S. Cellular appeared before the Board of Power County Commissioners to discuss the County's cellular telephone plan, which expires in September, 2005. Mr. Hill indicated that if the Commissioners would renew the current cellular telephone plan, he would replace all of the County's cellular telephones to a newer model and offer vehicle chargers and carrying cases free of charge. Following discussion, the Commissioners agreed to table further discussion and consideration of this matter until August 1st, 2005, to allow the local U.S. Cellular representative to submit a proposal for cellular telephone service.

WEEDS – INSPECTION/ENFORCEMENT PROTOCOL: Following discussion, Commissioner Estep agreed to contact Power County Weed Supervisor Curtis Munk and request that he make an appointment with Power County Prosecuting Attorney Paul Laggis so that a written protocol for noxious weed inspection and enforcement can be developed. This matter was tabled until August 1st, 2005.

POWER COUNTY GUARDIANSHIP BOARD – SWEARING-IN: Commissioner Meadows administered the Oath of Office to newly appointed Power County Guardianship Board member Jim Morse.

JUNIOR COLLEGE – CERTIFICATES OF RESIDENCY: Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve the Certificates of Residency as submitted by the College of Southern Idaho. Carried.

POWER COUNTY PLANNING & ZONING – GRAVEL PIT APPEAL: Power County Building Administrator Bob Steinlicht appeared before the Commissioners to report that Power County resident Shelly Lish has appealed the Special Use Permit granted by the Power County Planning & Zoning Board to Merrill Materials, LLC, to establish a gravel pit in Eastern Power County. The Commissioners agreed to schedule the appeal hearing on Monday, August 15th, 2005, at 7:00 p.m. in the Commissioners Office of the Power County Courthouse.

POWER COUNTY COURTHOUSE EXPANSION/REMODEL: Power County Sheriff Jim Jeffries and Deputy Sheriff Max Sprague appeared before the Commissioners to discuss upgrading the Courthouse security camera system in the Courthouse. Following discussion, the Commissioners agreed that Sheriff Jeffries and Deputy Sprague should work directly with architect Keeven Shropshire to get the proper cable ordered and installed during the Courthouse expansion/renovation project. The Commissioners further agreed that cable should be run through the conduit between the Power County Courthouse and Sheriff's Office in order to conduct video arraignments in the future.

569 BANNOCK AVENUE – IDAHO DEPARTMENT OF HEALTH & WELFARE LEASE: The Commissioners reviewed the Lease Agreement between Power County and the Idaho Department of Health & Welfare for lease of the County building located at 569 Bannock Avenue with Power County Prosecuting Attorney Paul Laggis. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve the Lease Agreement as presented. Carried.

POWER COUNTY SHERIFF – POWER COUNTY PROBATION/COURT SERVICES (BAILIFF AGREEMENT): Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss renewal of the Bailiff Agreement between former Power County Sheriff Howard Sprague and the Power County Commissioners which allows the Court Bailiff position, and related Courthouse security functions, to be performed by the Power County Probation/Court Services Department. Sheriff Jeffries and the Commissioners agreed that renewal of the written agreement would not relinquish Sheriff Jeffries authority and legal obligation to fully administer courthouse security, but rather to assign specific duties to the Power County Probation/Court Services officers to oversee the general day-to-day Courtroom security and building alarm maintenance. Sheriff Jeffries and Power County Prosecutor Paul Laggis will work together to get a written agreement prepared for the Commissioners consideration. This matter was tabled until August 1st, 2005.

POWER COUNTY ORDINANCES – OPEN BURNING REGULATIONS: Power County resident Merlin Culicke appeared before the Commissioners to discuss the offensive odors being emitted when his neighbor burns household garbage in his burn barrel. Following a review of Chapter 1, Section 4 of the Power County Code Book, the

Commissioners and Prosecuting Attorney Paul Laggis agreed that the burning of any material which will produce an offensive smell, smoke or odor is prohibited, whether in an open burn or in an incinerator, burn barrel, stove or fireplace. Prosecutor Laggis agreed to provide written notice to Mr. Culicke's neighbor, Blair Wilcox, of the open burning rules and regulations within Power County and request that he discontinue burning his household garbage.

POCATELLO MUNICIPAL AIRPORT – REGIONAL DEVELOPMENT BOARD:

Commissioner Estep reported that Pocatello Mayor Roger Chase is attempting to put together a regional development board to oversee economic development opportunities at the Pocatello Municipal Airport located in Eastern Power County. Following discussion, the Commissioners agreed to rotate their attendance to the Pocatello Airport Regional Development Board meetings.

POWER COUNTY PROSECUTING ATTORNEY – DEPUTY PROSECUTOR:

Power County Prosecuting Attorney Paul Laggis reported that he and City of American Falls Attorney Randy Kline have agreed to exchange services on a limited basis when one of them is unavailable or out of the area, which would require that Mr. Kline be sworn to act as a deputy prosecutor. Prosecuting Attorney Laggis confirmed that the agreement is not a financial arrangement, but rather an exchange of services to cover absences. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to acknowledge and support the appointment of F. Randy Kline to serve as Deputy Prosecuting Attorney on a limited basis when Power County Prosecuting Attorney Paul Laggis is unavailable. Carried.

AMERICAN FALLS AIRPORT – GROUNDS REVIEW: The Commissioners then recessed at 11:00 a.m. to view the American Falls Airport property with the American Falls Airport Board, and reconvened at 1:00 p.m.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Estep, seconded by Commissioner Meadows, to move into executive session pursuant to I.C. #67-2345 for the purpose of discussing potential legal issues.

POWER COUNTY FISCAL YEAR 2006 BUDGET – COMMISSIONER WORK

SESSION: The Commissioners then conducted a work session to discuss Power County's fiscal year 2006 budget. Following discussion, the Commissioners agreed to table further discussion until August 1st, 2005.

AMBULANCE: Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to recess as the Power County Board of Commissioners and reconvene as the Power County Ambulance District Board. Carried.

MEDICAL SOLUTIONS CONTRACT: Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve and execute the Service Contract Agreement for Billing Services between Power County Ambulance District and Medical Solutions as presented. Carried.

EMS STATISTICAL REPORT: Power County Ambulance District Director Di Armstrong appeared before the Commissioners to present the Power County EMS Statistics for June, 2005.

Moved by Commissioner Zimmerman, seconded by Commissioner Meadows, to recess as Power County Ambulance District Board and reconvene as Power County Board of Commissioners.

POWER COUNTY DISASTER SERVICES – GRANT FUNDING: Power County Disaster Services Director Di Armstrong appeared before the Commissioners to report that she has obtained grant funding through the State of Idaho to purchase hand held radios for all law enforcement agencies within Power County, which will then allow additional homeland security grant funds to be used to enhance and upgrade repeater sites and purchase new repeaters.

POWER COUNTY DISASTER SERVICES – TABLE TOP EXERCISES: Power County Disaster Services Director Di Armstrong appeared before the Commissioners to report that a disaster table top exercise has been scheduled for Wednesday, August 10th, 2005, at 6:00 p.m. at the Power County Emergency Services Building, and a “real time” State exercise is scheduled in Power County during a week in July, 2006, which will include actual deployment of Strategic National Stockpile.

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

General Fund	\$ 11,729.42
Ambulance	2,182.50
District Court	3,075.95
Justice Fund	29,669.02
Indigent	10.00
Revaluation	38.57
Solid Waste	17,081.21
Weeds	928.03
Waterways	177.49
PILT	19,380.04

ALCOHOL BEVERAGE LICENSES: Commissioners Meadows and Zimmerman then agreed that it was the date and time scheduled for consideration of numerous alcohol beverage licenses. There being no public objection, it was moved by Commissioner Zimmerman, seconded by Commissioner Meadows, to approve the following alcohol beverage licenses:

6. Estate of Charles R. Hess d/b/a Sagebrush Bar for the sale of draught and bottled or canned beer to be consumed on the premises.

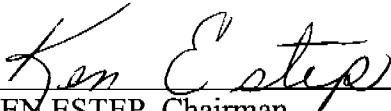
7. George & Shirley Udy d/b/a Mr. Petrol's Pantry for the sale of bottled or canned beer not to be consumed on the premises.
8. Economy Cash Stores, Inc. d/b/a Cardinal Thriftway for the sale of bottled or canned beer not to be consumed on the premises and retail wine.
9. El Jaliciense, Inc. d/b/a Tres Hermanos for the sale of bottled or canned beer to be consumed on the premises.
10. Kerry Nelson (Mock) and Michael Smith d/b/a Time Out for the sale of draught and bottled or canned beer to be consumed on the premises and retail liquor (includes wine).
11. Brenda Nichols d/b/a Stardust Lounge for the sale of draught and bottled or canned beer to be consumed on the premises and retail liquor (includes wine).
12. 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.
13. Bill L. Beck d/b/a Bill's Pro Shop/American Falls Golf Course for the sale of bottled or canned beer to be consumed on the premises and retail wine.
14. 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.
15. 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.

Carried.

POWER COUNTY PUBLIC DEFENDER – GRIEVANCE: American Falls resident James Jump appeared before the Commissioners to discuss his dissatisfaction with the Power County Public Defender George Southworth who represented him in a recent case before the Power County Sixth District Magistrate Court.

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

Adjourned.



KEN ESTEP, Chairman



CHRISTINE STEINLICHT, Clerk