

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in special session on Tuesday, March 4<sup>th</sup>, 2008. Present were Commissioners Vicki Meadows, Chairman, Ken Estep and Ron Funk. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney Paul Laggis.

POWER COUNTY PLANNING & ZONING – MIKE MILLWARD D/B/A M&S DEVELOPMENT, LLC (BUCKAROO ESTATES): Commissioner Meadows announced that it was the date and time scheduled for Commissioner deliberation and final determination on the appeals of the Shoshone Bannock Tribes and the City of Pocatello from the Findings of Fact, Conclusions of Law and Order of the Power County Planning & Zoning Board dated January 15<sup>th</sup>, 2008, approving the application of Mike Millward d/b/a M&S Development, LLC, to rezone approximately 120 acres located in Section 17, Township 7 South, Range 33 E.B.M. from agricultural to rural residential to allow for the future sale and construction of individual home sites, to be known as Buckaroo Estates. Also present was Power County Planning & Zoning Attorney Douglas J. Balfour and Power County Building Administrator Robert Steinlicht. Also appearing was Mike Millward d/b/a M&S Development, LLC. Following discussion and a review of the evidence and testimony presented to the Power County Planning & Zoning Board, it was moved by Commissioner Estep, seconded by Commissioner Funk, to deny the City of Pocatello's appeal and uphold the decision of the Power County Planning & Zoning Board. Upon a call for the question, the following roll call vote was taken:

Commissioner Meadows – Aye  
Commissioner Estep – Aye  
Commissioner Funk – Aye

Carried. Following further discussion and review, it was moved by Commissioner Estep, seconded by Commissioner Funk, to deny Shoshone Bannock Tribe's appeal and uphold the decision of the Power County Planning & Zoning Board. Upon a call for the question, the following roll call vote was taken:

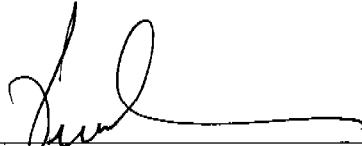
Commissioner Meadows – Aye  
Commissioner Estep – Aye  
Commissioner Funk – Aye

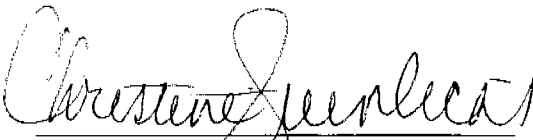
Carried. Moved by Commissioner Estep, seconded by Commissioner Funk, to close public hearing and refer this matter to Planning & Zoning Attorney Douglas Balfour with instructions that a written decision be prepared for Commissioners' signatures. Carried. This matter was tabled until March 10<sup>th</sup>, 2008.

POWER COUNTY PLANNING & ZONING – APPEAL & VARIANCES (POWER COUNTY ORDINANCE #2008-01): The Commissioners and Prosecuting Attorney Laggis reviewed proposed Power County Ordinance #2008-01 prepared by Power County Planning & Zoning Attorney Douglas J. Balfour, which is an ordinance to amend section 10-2-3 of the County Code to limit appeal hearings before the Commissioners to the record established by the Power County Planning & Zoning Board, and a determination as to whether the Planning & Zoning Board's findings and conclusions were supported by substantial, competent evidence and were proper under the law. Following a full reading of the proposed Ordinance, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and adopt Power County Ordinance #2008-01 and cause the same to be published in the March 12<sup>th</sup>, 2008, edition of the Power County Press. Carried.

POWER COUNTY PLANNING & ZONING – JUB ENGINEERS, INC. (COMMUNITY PLANNING): Alan Giesbrecht of JUB Engineers, Inc., appeared before the Commissioners to review the Agreements for Professional Services with Power County and the City of American Falls for community engineering and planning. Following discussion, the Commissioners agreed to review these Agreements and cost proposals with the American Falls Mayor and City Council and the next joint quarterly meeting.

COMMISSIONER MINUTES: Moved by Commissioner Meadows, seconded by Commissioner Estep, to approve the Power County Commissioner Minutes for February 1<sup>st</sup>, 11<sup>th</sup> and 25<sup>th</sup>, 2008, as presented. Carried.

  
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VICKI MEADOWS, Chairman

  
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CHRISTINE STEINLICHT, Clerk