

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, March 10<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.

DEATON & COMPANY – FISCAL YEAR 2007 AUDIT (SEARCH & RESCUE): Power County Sheriff Jim Jeffries appeared before the Commissioners to review the proposed Management Comments submitted by Power County's independent auditors at Deaton & Company following their audit of Power County Search & Rescue accounts. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and accept the recommendations and compliance comments of Sheriff Jeffries on Power County Search & Rescue Management Comments. Carried.

DEATON & COMPANY – FISCAL YEAR 2007 AUDIT (FAIR BOARD): Commissioner Meadows reported she had met with the Power County Fair Board to review the proposed Management Comments submitted by Power County's independent auditors at Deaton & Company following their audit of Power County Fair Board accounts. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and accept the recommendations and compliance comments on the Power County Fair Board Management Comments. Carried.

POWER COUNTY SHERIFF – POWER COUNTY PERSONNEL MANUAL: Power County Sheriff Jim Jeffries appeared before the Commissioners to review Section VIII(C)(3) of the Power County Personnel Manual regarding paid holidays, and the Fair Labor Standards Act 207(k) exemption that applies to law enforcement personnel. Following discussion, the Commissioners agreed to refer this matter to Power County Prosecuting Attorney Paul Laggis with instructions that an appropriate resolution be prepared to amend the Power County Personnel Manual to exclude Power County law enforcement personnel from Section VIII(C)(3), since those employees are subject to the Fair Labor Standards Act 207(k) exemption. This matter was tabled until March 27<sup>th</sup>, 2008.

SOUTHEASTERN DISTRICT HEALTH DEPARTMENT – QUARTERLY REPORT: Craig Madsen of the Southeastern District Health Department appeared before the Commissioners to present the District's quarterly report for the period ending December 31<sup>st</sup>, 2007.

POWER COUNTY PLANNING & ZONING – MIKE MILLWARD D/B/A M&S DEVELOPMENT, LLC (BUCKAROO ESTATES): Power County Building Administrator Robert Steinlicht appeared before the Commissioners to discuss the actual

costs incurred by Power County on 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 sale and construction of individual home sites to be known as Buckaroo Estates, which costs should be paid by applicant pursuant to County Code prior to any permit being issued. Following discussion, the Commissioners agreed that Appellants City of Pocatello and the Shoshone Bannock Tribes should be billed for the appeal costs. Following further discussion, it was moved by Commissioner Funk, seconded by Commissioner Estep, to approve and execute the written Decision of the Power County Commissioners affirming the Findings of Fact, Conclusions of Law and Decision of the Power County Planning & Zoning Board issued on January 15<sup>th</sup>, 2008. Carried.

POWER COUNTY PLANNING & ZONING – APPELLANT FEES/COSTS: Following discussion with Power County Building Administrator Robert Steinlicht and Power County Prosecuting Attorney Paul Laggis, the Commissioners agreed that County Code should be amended by ordinance to reflect that the appellant should pay a filing fee plus all actual costs associated with appeals from the Power County Planning & Zoning Board, and the Commissioners instructed Prosecuting Attorney Laggis to prepare the appropriate fee Ordinance. This matter was tabled until April 14<sup>th</sup>, 2008.

POWER COUNTY PLANNING & ZONING – RESOURCE MANAGEMENT EASEMENT: Power County Building Administrator Robert Steinlicht appeared before the Commissioners to present the Power County Planning & Zoning Board's recommendation for Resource Management Easements as allowed by I.C. #22-4501 et seq. under the Right to Farm Act. Following discussion, the Commissioners agreed to return this matter to the Power County Planning & Zoning Board with a suggestion that the Resource Management Easement be included as part of the Right to Farm Act in the updated Comprehensive Land Use Plan .

DELINQUENT PROPERTY TAXES – BRIAN HAYNES D/B/A AMERICAN AIR: Brian Hayes d/b/a American Air appeared before the Commissioners with Counsel Don Marler and Craig Parrish to discuss the delinquent property taxes owing on Power County Parcel #RPD082-15. At the outset, Mr. Parrish requested that the parties attempt to negotiate a settlement prior to trial, which is scheduled for May 9<sup>th</sup>, 2008, and presented several verbal options for settlement. Following discussion, the Commissioners agreed to discuss the proposed settlement options with the Power County Airport Board and this matter was tabled until April 14<sup>th</sup>, 2008.

CITY OF AMERICAN FALLS – JOINT QUARTERLY MEETING: Power County Clerk Chris Steinlicht reported that the next joint quarterly meeting with the City of American Falls has been scheduled for Wednesday, April 2<sup>nd</sup>, 2008, at 6:00 p.m. at the American Falls City Council Chambers. County Clerk Steinlicht and City Clerk Robin Herndon will coordinate an agenda.

FALLS IRRIGATION DISTRICT – DECLARATION OF PUBLIC ENTITY LANDHOLDINGS (ROBERT ZIMMERMAN LEASE): Moved by Commissioner

Meadows, seconded by Commissioner Estep, to approve and execute the Declaration of Public Entity's Landholdings received from Falls Irrigation District to certify and report Power County's land that is operated by Lessee Robert Zimmerman. Carried.

DISASTER DECLARATION – REVOCATION: the Commissioners reviewed the Disaster Declaration dated January 31<sup>st</sup>, 2008. Following discussion, the Commissioners agreed that the local disaster appears to be decreasing and may not exceed the capabilities of the services, personnel, equipment and facilities of local government agencies to deal with the emergencies caused by extreme weather conditions. Moved by Commissioner Estep, seconded by Commissioner Meadows, to execute the Resolution to Cancel Declaration of Emergency in Power County. Carried.

AMERICAN FALLS CHAMBER OF COMMERCE – OFFICE SPACE: Commissioner Meadows reported that she had contacted Gary Ferguson d/b/a BGM Builders to discuss the minor renovations that would need to be made to secure the doctor's area of the Doctors Clinic in the event that the American Falls Chamber of Commerce were allowed to use a portion of that building for an office and public meeting place. Mr. Ferguson will prepare a cost estimate and this matter was tabled until March 27<sup>th</sup>, 2008.

POWER COUNTY AIRPORT BOARD: Moved by Commissioner Funk, seconded by Commissioner Estep, to reappoint Brian Fahye to serve an additional three (3) year term on Power County Airport Board (January, 2011). Carried.

POWER COUNTY INDUSTRIAL DEVELOPMENT BOARD: Moved by Commissioner Estep, seconded by Commissioner Funk, to reappoint Kent Rudeen to serve an additional three (3) year term on the Power County Industrial Development Board (January, 2011). Carried.

POWER COUNTY TREASURER – CANCELLATION OF TAXES: Following discussion with Power County Chief Deputy Treasurer Carol Whitnah, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to forgive all outstanding penalty and interest owing on Indian Springs' Parcels #RPD1331-00, #RPD1331-01, RPD1332-00 and #RPD1333-00 in the amount of \$873.25. Carried.

DOCTORS CLINIC – LEASE AGREEMENT: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the updated Lease Agreement between Power County and Dean Williams, M.D., for lease of the Doctors Clinic, for the term June 1<sup>st</sup>, 2008, through September 30<sup>th</sup>, 2010. Carried. The original lease will be referred to Dr. Williams for his review and approval.

POWER COUNTY PROBATION – MONTHLY PROBATIONER FEES: Commissioner Funk reported that he and Judge Beebe have reviewed the monthly probationer fees being charged in other Counties, and have agreed that monthly probationer fees and/or a fee schedule for specific services should be implemented in Power County. Following discussion, the Commissioners agreed to address this matter during the fiscal year 2008 budget process.

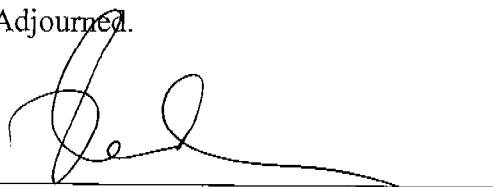
CLAIMS: Moved by Commissioner Meadows, seconded by Commissioner Estep, to approve the claims as presented. Carried.

General Fund	\$ 34,393.05
Ambulance	2,831.48
Interim Abatement District	16,558.33
District Court	7,189.11
Justice Fund	22,520.83
Indigent	834.96
Revaluation	22,100.00
Solid Waste	16,460.05
Tort	1,000.00
Weeds	821.14
Waterways	25.17
PILT	1,108.59

POWER COUNTY ELECTED OFFICIALS MEETING: Present for the Power County Elected Officials Meeting to discuss the 2008 Legislative Session and issues pertinent to Power County were the following:

Vicki Meadows – Commissioner Chair  
Ken Estep – Commissioner  
Ron Funk – Commissioner  
Christine Steinlicht – Clerk  
Douglas Glascock – Assessor  
Bobbie Mauch – Treasurer  
Jim Jeffries – Sheriff  
Paul Laggis – Prosecuting Attorney

Adjourned.

  
VICKI MEADOWS, Chairman

  
CHRISTINE STEINLICHT, Clerk