

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, December 22nd, 2008. Present were Commissioners Vicki Meadows, Chairman, Ron Funk and Ken Estep. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney F. Randall Kline.

APPLICATION FOR TAX EXEMPTION (I.C. #63-602AA): American Falls School District #381 Administrator Kay Jones appeared before the Commissioners to request that the real and personal property deeded to the School District from Briggs & Hendrickson on June 30th, 2008, be exempted from property taxes under I.C. #63-602AA. Following a review of the application and Deed, it was moved by Commissioner Meadows, seconded by Commissioner Estep, that the real and personal property taxes owing on Power County Parcels #RPD0976-00 and #PPD0976-00 in the amount of \$1,315.73 be cancelled and that said parcels be exempted from taxation pursuant to I.C. #63-602AA. Carried.

POWER COUNTY COURTHOUSE – KITCHEN/BREAK ROOM: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to replace the broken refrigerator in the break room/kitchen at the Power County Courthouse. Carried. Commissioner Estep agreed to make the purchase and have a new refrigerator delivered.

POWER COUNTY COURTHOUSE – STAIRWAY STORAGE: Following request of Power County Clerk Christine Steinlicht, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to install a door on the storage area under the stairs at the Southeast corner of Power County Courthouse. Carried.

POWER COUNTY EMPLOYEE MEDICAL INSURANCE BENEFIT PLAN – GEM PLAN: Power County Commissioner Ken Estep reported that Gem Plan, which is a Joint Powers Entity created to provide self-funded medical insurance benefits to employees of participating counties, remains financially solvent; however, the Gem Plan Board of Directors is intensifying it's efforts to include non-participating counties and to expand coverage opportunities to other taxing entities within the State of Idaho. Commissioner Estep further reported that the Gem Plan Board is planning to distribute quarterly financial reports to participating counties.

HARDSHIP EXEMPTION APPLICATION (I.C. #63-711): Power County Chief Deputy Treasurer Carol Whitnah and Chief Deputy Assessor Mary Annen appeared before the Commissioners with applicant to present an Application for Hardship Exemption on Parcel #RPA1365-24. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to take this matter under advisement until January 12th, 2009. Carried.

EXECUTIVE SESSION (I.C. #67-2345): At the request of Power County Prosecuting Attorney F. Randall Kline, it was moved by Commissioner Funk, seconded by Commissioner Estep, to move into executive session pursuant to I.C. #67-2345 to consider and advise its legal representative in pending litigation or where there is a general public awareness of probable litigation. Upon a call for the question, the following roll call vote was taken:

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

Carried.

AMERICAN AIR VS. POWER COUNTY (CASE #CV-2008-352) – WARRANT OF DISTRAINT (PERSONAL PROPERTY): Power County Treasurer Bobbie Mauch appeared before the Commissioners with Power County Prosecuting Attorney F. Randall Kline to review American Air's Offer of Judgment per Idaho Civil Rule of Procedure 68 in the amount of \$15,000. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to accept American Air's Offer of Judgment in the amount of \$15,000 as final settlement and payment in full of all taxes currently owing on Power County Parcel #RPD0872-15, except the second half of 2008 taxes in the amount of \$1,078.64 which are due June 20th, 2009. Carried.

POWER COUNTY INDIGENT SERVICES – ACCOUNTS RECEIVABLE: Power County Prosecuting Attorney F. Randall Kline appeared before the Commissioners to present copies of the letters of demand sent on several outstanding indigent accounts. The Commissioners agreed to review this matter further on January 12th, 2008.

POWER COUNTY ORDINANCE #2009-01 – BEACH USE: Commissioner Meadows announced that it was the date and time scheduled for public hearing on proposed Power County Ordinance #2009-01, which is an ordinance regulating the control and use of public beaches and lands surrounding the American Falls Reservoir and to provide penalties for the violation of such regulations. Following a full reading of said proposed Ordinance by Power County Prosecuting Attorney F. Randall Kline and there being no public objection, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to schedule second reading on January 12th, 2008, at 1:00 o'clock p.m. Carried.

POWER COUNTY DISTRICT COURT – INTERPRETER EQUIPMENT: Power County Court Interpreter Jerry Cuevas appeared before the Commissioners to present a quote for equipment to interpret for multiple individuals concurrently through headsets. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve the quote submitted by Aatronics, Inc., in the amount of \$1,555.84 to purchase Court interpreter equipment. Carried.

POWER COUNTY COURTHOUSE – SECURITY ISSUES: Power County Deputy Sheriff Max Sprague and Court Bailiff Brian Morris appeared before the Commissioners to report on the Courtroom security exercise held Thursday, December 18th, 2008. Power County Prosecuting Attorney F. Randall Kline and Clerk Chris Steinlicht concurred that the exercise was very beneficial. Deputy Sprague reported that a full Courthouse exercise is being planned for sometime in the near future; after which, Deputy Sprague and Bailiff Morris will present a full report and recommendations to enhance Courthouse security and public safety for the Commissioners review.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Funk, seconded by Commissioner Estep, to move into executive session pursuant to I.C. #67-2345 to consider records that are exempt from disclosure as provided in Chapter 3, Title 9, Idaho Code. Upon a call for the question, the following roll call vote was taken:

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

Carried.

INDIGENT CASE #2009-02-I: Moved by Commissioner Estep, seconded by Commissioner Meadows, to deny indigent medical application #2009-02-I, since applicant has other resources sufficient to pay the medical expenses incurred. Carried.

INDIGENT CASE #2009-04-I: Moved by Commissioner Estep, seconded by Commissioner Meadows, to approve indigent application #2009-04-I. Carried.

INDIGENT CASE #2009-03-I: Moved by Commissioner Estep, seconded by Commissioner Meadows, to approve indigent medical application #2009-03-I. Carried.

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

General Fund	\$ 18,516.44
Ambulance District	4,689.76
District Court	2,056.92
Justice Fund	21,902.77
Indigent	12,573.79
Revaluation	300.00
Solid Waste	466.05
Weeds	5,181.80
PILT	106,164.60

DISASTER DECLARATION: Following discussion with Power County Disaster Services Director Di Jones, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to issue a Winter Storm Disaster Declaration, the nature of the

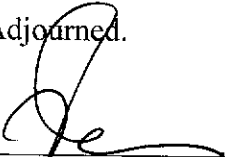
emergency being the occurrence and imminent threat of injury and loss of property arising from heavy snow accumulations accompanied by severe blowing and drifting, causing road closures and stranded motorists Power County, effective December 22nd, 2008, at 1:30 p.m. Carried. Power County Clerk Chris Steinlicht reported that a copy of the original Disaster Declaration will be faxed to the Governor's Office as well as the Idaho Bureau of Homeland Security. This matter was tabled until January 12th, 2009.

DISASTER SERVICES – HOMELAND SECURITY GRANT: Moved by Commissioner Meadows, seconded by Commissioner Estep, to execute the Fiscal Year 2009 EMPG Grant Project Application in the amount of \$25,370.47 presented by Power County Disaster Services Director Di Jones. Carried.

PROPERTY ACQUISITION – 506/508 GIFFORD AVENUE: Gate City Realtor Bobette Wright appeared before the Commissioners to review the appraisal prepared by Hartley Appraisals pursuant to I.C. #31-807 and dated December 17th, 2008, affixing an appraised value on the duplex property located at 506-508 Gifford Avenue, American Falls, at \$104,000. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to complete the purchase of the duplex property for the purchase price of \$103,900 and to execute the closing documents as presented by Amerititle of Pocatello. Carried. The Commissioners then reviewed the Rental/Lease Agreement prepared by Attorney Douglas J. Balfour and agreed to provide copies to the current tenant for her review and approval, along with instructions that all future rental payments shall be made to the Power County Clerk. This matter was tabled until January 12th, 2009.

POWER COUNTY TREASURER – MONTHLY REPORT (I.C. #31-2113): Power County Treasurer Bobbie Mauch appeared before the Commissioners pursuant to I.C. #31-2113 to present her monthly report for the period ending November 30th, 2008.

Adjourned.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk