

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, January 12th, 2009. Present were Commissioners Vicki Meadows, Chairman, Ken Estep and Ron Funk. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney F. Randall Kline.

POWER COUNTY ELECTED OFFICIALS – OATH OF OFFICE: Power County Commissioner Ken Estep administered the Oath of Office to the following duly elected Power County officials:

Ron Funk – Commissioner District #1
Vicki Meadows – Commissioner District #2
Jim Jeffries – Sheriff
F. Randall Kline – Prosecuting Attorney

COMMISSIONER MINUTES: Moved by Commissioner Estep, seconded by Commissioner Meadows, to approve the Commissioner Minutes for December 8th and 22nd, 2008, as presented. Carried.

EXECUTIVE SESSION (I.C. #67-2345): At the request of Power County Prosecuting Attorney F. Randall Kline, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to move into executive session pursuant to I.C. #67-2345 to consider and advise its legal representatives 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.

IDAHO ASSOCIATION OF COUNTIES – INDUSTRIAL LITIGATION FUND: Following discussion with Power County Assessor Douglas Glascock and Prosecuting Attorney F. Randall Kline, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to execute the Joint Application of Power and Caribou Counties, on behalf of the Idaho State Tax Commission, to access funding from the Idaho Association of Counties Industrial Litigation Fund and attempt to establish legal precedent on the matter of economic obsolescence. Carried. Commissioner Estep will hand deliver the original application to the Idaho Association of Counties this week.

POWER COUNTY AIRPORT BOARD: Moved by Commissioner Funk, seconded by Commissioner Estep, to reappoint Pete Ramsey to serve an additional three (3) year term on the Power County Airport Board (January, 2012). Carried.

POWER COUNTY CLERK – FISCAL YEAR 2008 ANNUAL FINANCIAL REPORT (I.C. #31-2307): Pursuant to I.C. #31-2307, Power County Clerk Christine Steinlicht provided the Commissioners with a copy of the Clerk’s Fiscal Year 2008 Annual Report. The Commissioners agreed that they would need additional time to review the report and this matter was tabled until January 26th, 2009.

EMPLOYEE ACCRUAL REGISTER – VACATION/COMPENSATORY TIME CARRY-OVER: The Commissioners reviewed the Power County Accrual Register showing vacation and compensatory time being carried over to calendar year 2009 by each County employee. Following discussion and a review of Sections VIII B(5), VIII C(1)(d) and VIII C(2)(e) of the Power County Personnel Manual, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to reduce vacation accrual balances on all employees to the maximum carry-over allowed under the Power County Personnel Manual. Carried.

POWER COUNTY AIRPORT – PROMISSORY NOTE: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to request that the Power County Airport Board members appear before the Board of Power County Commissioners on Monday, January 26th, 2009, at 10:00 a.m. to discuss payment in full on the Promissory Note executed by the Power County Airport Board in favor of Power County on December 17th, 2004. Carried.

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

DUPLEX RENTAL PROPERTY (506-508 GIFFORD): Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to approve and execute the Lease Agreement between Power County and Bonnie Saiz to lease the premises located at 506 Gifford Street, American Falls, Idaho for the period January 1st through December 31st, 2009. Carried.

POWER COUNTY DISASTER SERVICES – DISASTER DECLARATION: Following a review of the Disaster Declaration issued by the Board of Power County Commissioners on December 22nd, 2008, the Commissioners agreed that the state of emergency continues to exist, the nature of which was 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 in Power County, and that said Disaster Declaration shall remain in effect. This matter was tabled until February 23rd, 2009.

POWER COUNTY TRANSFER STATION/LANDFILL – ACCOUNTS RECEIVABLE: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to write off the following account receivable for the Power County Transfer Station/Landfill as “uncollectible”:

Tom White -- \$105.00

Carried.

POWER COUNTY ELECTED OFFICIALS MEETING: Present for the Power County Elected Officials Meeting were the following elected officials:

Power County Commissioner Vicki Meadows
Power County Commissioner Ken Estep
Power County Commissioner Ron Funk
Power County Clerk Christine Steinlicht
Power County Assessor Doug Glascock
Power County Sheriff Jim Jeffries
Power County Prosecuting Attorney F. Randall Kline

POWER COUNTY CELLULAR TELEPHONE PLAN - ALLTEL: Following discussion, the Power County Elected Officials agreed that a meeting should be scheduled with Alltel Government Account Representative Kati Patterson to discuss upgrading Power County's cellular telephone plan. The Commissioners agreed to contact Ms. Patterson and this matter was tabled until February 9th, 2009, at 9:30 a.m.

2009 LEGISLATIVE SESSION: The Power County Elected Officials discussed possible and potential legislation that may be introduced during the 2009 Legislative Session.

POWER COUNTY WEB PAGE: Mike Jones and Greg Gunter of Rave communications appeared before the Power County Elected Officials to present their initial demonstration of Power County's new web site. Mr. Jones reported that each County Office/Department would need to designate an employee to monitor that Office/Departments web information. Mr. Jones agreed to contact the Commissioners once the web page is in place and arrange a time for training.

POWER COUNTY JAIL - QUARTERLY INSPECTION: Commissioner Estep reported that he had conducted the quarterly inspection of the Power County Jail on Wednesday, January 8th, 2009.

IDAHO FEDERAL SURPLUS PROPERTY PROGRAM - RENEWAL DOCUMENTS: Power County Clerk Chris Steinlicht reported that she had been contacted by the Idaho Department of Administration regarding Power County's participation in the Idaho Federal Surplus property Program. Current federal guidelines require periodic re-documentation of eligibility. Following discussion it was moved by Commissioner Estep, seconded by Commissioner Meadows, to approve and execute the Idaho Federal Surplus Property Program renewal documents as presented and to designate each of the Power County Elected Official as an authorized representative. Carried.

COMMISSIONER CHAIRMAN: Moved by Commissioner Funk, seconded by Commissioner Estep, to appoint Commissioner Vicki Meadows to serve as chairman of the Power County Commission until January, 2011. Carried.

COMMISSIONER APPOINTMENTS: The Commissioners then agreed on which County Departments and boards each would oversee or act as liaison with during calendar years 2009 and 2010.

CRYSTAL SUMMIT PARKING LOT: Commissioner Estep reported that the U.S. Forest Service is seeking grant funding through the Idaho Department of Parks & Recreation to place additional gravel at the Crystal Summit Parking Lot located in the Mink Creek area of Power County. Following discussion, the Commissioners agreed to table further discussion of this matter until Monday, February 9th, 2009, at 11:00 a.m., the date and time scheduled for Jeff Hammes at the U. S. Forest Service to present his annual report on said property.

SAFETY AWARD – STATE INSURANCE FUND: Power County Clerk Chris Steinlicht reported that Power County has received a dividend from the State Insurance Fund in the amount of \$5,356.00. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to grant the Power County employees a safety award of \$75 for elected officials and full-time employees and \$35 for part-time employees. Carried.

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 second reading by Power County Prosecuting Attorney F. Randall Kline and opportunity for public input, it was moved by Commissioner Estep, seconded by Commissioner Funk, to close public hearing and schedule third and final reading for Monday, January 26th, 2009, at 9:30 a.m. Carried.

POWER COUNTY WATERWAYS – DOCKS (SWIMMING RESTRICTIONS): Power County residents Kacy Gehring and Erin Kress appeared before the Commissioners to request that, in the interest of public safety, Power County consider adopting an ordinance restricting swimming and/or diving at the American Falls Reservoir's west boat ramp and docks. Following discussion, the Commissioners instructed Prosecuting Attorney F. Randall Kline to discuss this matter with Power County Sheriff Jim Jeffries, and possibly the Bureau of Reclamation and this matter was tabled until January 26th, 2009.

POWER COUNTY INDUSTRIAL DEVELOPMENT BOARD – TAX INCREMENT FINANCING/URBAN RENEWAL: Power County Industrial Development Board Members Kent Rudeen, Bob Cox and Dan Hammond appeared before the Commissioners with Power County Building Administrator Robert Steinlicht and Power

County Assessor Doug Glascock to discuss possible tax increment financing and/or urban renewal options within Power County. Also present was Great Rift Business Development Director Kristen Jensen, Greg Seibert of the Idaho Department of Commerce and Wells Fargo's Public Finance Vice-President Jim C. Wrigley. Following discussion, the Power County Industrial Development Board reported that they would review these options in further detail with the full Board and will report to the Board of County Commissioners any suggestions and/or findings to create an Urban Renewal Agency for Power County.

POWER COUNTY ORDINANCE #2009-02 – ABATEMENT OF DANGEROUS BUILDINGS: Commissioner Meadows announced that it was the date and time scheduled for public hearing on Power County Ordinance #2009-02, which is an ordinance adopting the Uniform Code for the Abatement of Dangerous Buildings. Following reading of said ordinance by Power County Planning & Zoning Attorney Douglas J. Balfour and the opportunity for public testimony, the following exhibits were admitted:

Exhibit "1" – Affidavit of Publication of said ordinance and Notice of Public Hearing, which were published in the December 31st, 2008, and January 7th, 2009, editions of the Power County Press (Doug Balfour).

Exhibit "2" – Written testimony/letter of Power County Building Administrator Robert Steinlicht dated January 12th, 2009 (Robert Steinlicht).

Exhibit "3" – Public sign-in sheets for this hearing (Doug Balfour).

Exhibit "4" – Photograph of abandoned and dangerous building in Eastern Power County (Jim Burt).

Exhibit "5" – Photograph of abandoned/condemned building in Eastern Power County (Jim Burt).

Exhibit "6" – Photograph of abandoned/condemned building in Eastern Power County (Jim Burt).

Exhibit "7" – Photograph of abandoned/condemned building in Eastern Power County (Jim Burt).

Exhibit "8" – Photograph of Jim Burt residence in Eastern Power County (Jim Burt).

Exhibit "9" – 15 photographs of historic, unoccupied buildings in Rockland Valley (Kevin Boyer).

Following hearing of the testimony and review of the evidence submitted, it was moved by Commissioner Estep, seconded by Commissioner Funk, to close public hearing and take this matter under advisement until Monday, January 26th, 2009, at 10:30 a.m.

Carried. The Commissioners suggested that any interested party should provide written recommendations for changes to proposed Power County Ordinance #2009-02 to Power County Building Administrator Robert Steinlicht prior to January 26th, 2009.


HARDSHIP EXEMPTION APPLICATION (I.C. #63-711): Power County Deputy Assessor Elna Neu appeared before the Commissioners with applicant to present an Application for Hardship Exemption on Parcels #RPA0268-01 and #RPA0272-00. Following discussion and a review of the evidence and testimony submitted, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to cancel 2008 property taxes owing on Parcel #RPA0268-01 in the amount of \$1,320, plus the \$60 solid waste disposal fee for a total cancellation of \$1,380; however, the balance of taxes owing on Parcel #RPA0268-01 in the amount of \$208.90 and the total taxes and fees owing on Parcel #RPA0272-00 in the amount of \$360.68 shall remain due and owing. Carried.

IDAHO DEPARTMENT OF TRANSPORTATION – I-86, EXIT 40 INTERCHANGE UPGRADE: Kathy Buffat of the Idaho Department of Transportation appeared before the Commissioners to present two final options for upgrading the I-86, Exit 40 Interchange, and specifically the impact on the Power County Airport. Following discussion and a review of the options, the Commissioners agreed to table further consideration of this matter until January 26th, 2009, at 2:00 p.m.

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

General Fund	\$ 139,306.66
Ambulance District	3,214.37
Mosquito Abatement District	16,558.33
District Court	6,089.37
Justice Fund	24,111.46
Indigent	4,577.45
Revaluation	4,840.68
Solid Waste	17,768.20
Weeds	206.64
Waterways	29.59
PILT	1,380.45

Adjourned.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk