

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, November 26, 2001. Present were Commissioners Ken Estep, Chairman, Valerie Hoybjerg and Janet S. Chapman. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney Paul Laggis.

CLAIMS: Moved by Commissioner Chapman, seconded by Commissioner Hoybjerg to approve the claims as supplemented and amended. Carried.

Current Expense (General)	\$ 10,871.20
Ambulance	4,644.08
District Court	1,394.02
Justice	10,432.45
Indigent	551.40
Revaluation	68.14
Solid Waste	2,546.00
Weeds	2,551.57
Waterways	19.35
PILT	2,253.96

SOUTHEASTERN DISTRICT HEALTH DEPARTMENT: Jack Palmer of the Southeastern District Health Department appeared before the Commissioners to present the Health Department's Annual Report for fiscal year 2001. Also present from the Southeastern District Health Department were Ed Muraug, Jack Bennett, Kim Gaskell, Kathy Fast, Maggie Mann, Terry Harris and Diane Hill. Diane Hill then presented the Power County Health District Quarterly Report for fiscal year 2002.

SOLID WASTE – LAMB WESTON: Power County Transfer Station Supervisor Craig Heward appeared before the Commissioners to discuss problems with solid waste being delivered to the Power County Transfer Station by Lamb Weston. Present from Lamb Weston were Bob Blume, Bob Schutte, Roger Smith and John Blair. Mr. Heward indicated that occasionally there are problems with trailer availability when Lamb Weston brings in loads. Mr. Heward would like twenty-four hours notice prior to receiving waste from Lamb Weston in order to prepare the trailers for the volume and type of waste being produced by Lamb Weston. Mr. Heward also indicated that he would like reject all loads from Lamb Weston brought in on Fridays or Saturdays, or at any time when there is no backup trailer available. Following discussion, Lamb Weston officials agreed to provide the Power County Transfer Station with the twenty-four hour advance notice. The Commissioners instructed Mr. Heward to accept any and all waste delivered to the Transfer Station from Lamb Weston with the twenty-four hour advance notice. The Commissioners concluded that twenty-four hours advance notice is sufficient time for Mr. Heward to secure trailer availability. The Commissioners instructed Mr. Heward to keep a log of the additional over-time hours and expenses incurred as a result of accommodating Lamb Weston. Power County Treasurer Bobbie Mauch appeared

before the Commissioners and Lamb Weston Officials and indicated that Lamb Weston was not being assessed the Solid Waste Disposal Fee for commercial users since Lamb Weston had been hauling it's waste to Bannock County. Treasurer Mauch calculated the Lamb Weston commercial user fee at \$11,061.60 for 2002, which will be added to the Lamb Weston Tax Bill.

PLANNING & ZONING – LAMB WESTON: The Commissioners discussed the heavy industrial zoning around the Lamb Weston plant. Commissioner Estep reported that many landowners in that area are discussing the ability to re-zone specific areas along the River to residential. Commissioner Hoybjerg discussed a possible re-zone to residential and the County's ability to impose specific covenants on homeowner Deeds to protect Lamb Weston. Mr. Blume expressed concerns with any proposed re-zoning of that industrial area, indicating that any attempt to re-zone the current heavy industrial area would be opposed by Lamb Weston. Mr. Laggis indicated that any deeded covenants intended to protect Lamb Weston couldn't address the intangible nuisances, i.e. odors, noise levels, etc., and the public's ability to measure and litigate those nuisances.

WOMEN ADVOCACY: Power County Community Resource Coordinator Connie Shepherd appeared before the Commissioners to discuss the efforts of the Family Service Alliance to open their office here in Power County. Mrs. Shepherd reported that SCILD Supervisor Milton Davidson indicated that there are serious plumbing and electrical problems with the house adjacent to the Sheriff's Office that would make it unusable. This set back has delayed the Family Service Alliance opening date in Power County from December 1, 2001, to January 2, 2002. The Commissioners indicated that they would like to take a walk through the premises at 4:00 o'clock p.m. today to assess the condition of the property. Following the 4:00 o'clock walk through, the Commissioners found the premises to be adequate and asked that the SCILD crew move their stored items to the basement of the building. The Commissioners will also perform a walk through with representatives of the Family Service Alliance as soon as that can be arranged.

PLANNING & ZONING – RE-ZONE JUDICIAL REVIEW: Clerk Steinlicht reported that the Clerk's Record on the Kendell Re-Zone Application had been sent to Power County's Special Planning & Zoning attorney Jerry Mason. Clerk Steinlicht will follow up with Mr. Mason to confirm that he has received that information.

EXECUTIVE SESSION: Moved by Commissioner Estep, seconded by Commissioner Chapman, to move into executive session pursuant to I.C. #67-2345, for the purpose of taking up indigent medical applications. Carried.

INDIGENT CASE #2002-08-I: Moved by Commissioner Estep, seconded by Commissioner Hoybjerg, to deny indigent medical application #2002-08-I, since application was processed as incomplete pursuant to I.C. #31-3505(a) and also since applicant has other resources available for payment of the medical expense incurred as defined in I.C. #31-3502(17), i.e. Social Security benefits. Carried.

INDIGENT CASE #2002-05-I: Moved by Commissioner Chapman, seconded by Commissioner Hoybjerg, to deny indigent medical application #2002-05-I, since applicant has other resources available for payment of the medical expenses incurred as defined in I.C. #31-3502(17). Carried.

INDIGENT CASE #2002-06-I: Moved by Commissioner Hoybjerg, seconded by Commissioner Chapman, to deny indigent medical application #2002-06-I, since application was processed as incomplete pursuant to I.C. #31-3505(a), and also since applicant has other resources available for payment of the medical expenses incurred as defined by I.C. #31-3502(17), i.e. social security benefits. Carried.

INDIGENT CASE #2002-03-I: Moved by Commissioner Hoybjerg, seconded by Commissioner Estep, to approve indigent medical application #2002-03-I. Carried.

SUNSET AVIATION LEASE: The Commissioners reviewed the Sunset Aviation Lease between Power County and Joe and Caron Werenka d/b/a Sunset Aviation. Prosecutor Laggis will contact the attorney for the Werenka estate to determine the status of the aviation business.

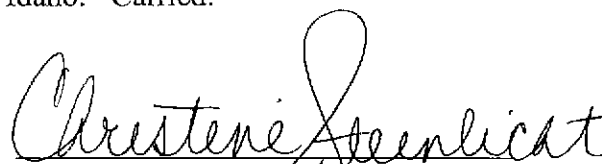
WATERWAYS: Commissioner Chapman reported that she attended the most recent meeting of the Power County Waterways Board. Commissioner Chapman reported that the vessel funds being held by Power County are obligated monies as defined by the Vessel Fund Rules and will not need to be remitted to the Idaho Department of Parks and Recreation. Mr. Anderson has contracted with the Seagull Bay Club to provide additional docks in that area and will expend those funds next fiscal year.

FAMILY MEDICAL LEAVE ACT – REQUEST FOR EXTENSION: Moved by Commissioner Hoybjerg, seconded by Commissioner Estep, to approve Jami Montross' request to extend her maternity leave under the family medical leave act beginning Monday, November 26, 2001. Carried. Mrs. Montross intends to return to work on February 11, 2002.

JUNIOR COLLEGE – CERTIFICATE OF RESIDENCY: Moved by Commissioner Hoybjerg, seconded by Commissioner Estep, to approve the Certificate of Residency of Dana Johnson to attend the College of Southern Idaho. Carried.

Adjourned?


KEN ESTEP, Chairman


CHRISTINE STEINLICHT, Clerk