

## POWER COUNTY COMMISSIONERS MINUTES

The Board of Power County Commissioners met in special session on Monday, April 1, 2002. 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.

FAIRBOARD: Commissioner Estep reported that he had attended the Power County Fairboard meeting earlier today. The POW/MIA Motorcycle Rodeo committee has reserved the Power County Fairgrounds on August 22<sup>nd</sup>, 23<sup>rd</sup>, 24<sup>th</sup> and 25<sup>th</sup>, 2002, and it is anticipated that a minimum of 1,200 motorcycles will be participating. The Commissioners then discussed the Fairboard vacancy and reviewed the names submitted by the Fairboard to fill that position. Moved by Commissioner Estep, seconded by Commissioner Chapman, to appoint Roger Whitnah to complete Harry Batterton's term on the Power County Fairboard. Carried.

COURT BAILIFF: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Chapman, to accept the resignation of Court Bailiff Dan Thaxton effective Thursday, March 28, 2002. Carried.

POWER COUNTY PROBATION/COURT SERVICES: Power County Magistrate Judge Mark Beebe and Probation Office Supervisor Russ Wheatley appeared before the Commissioners to discuss the open bailiff position. Judge Beebe indicated his desire to expand the Power County Probation Department to include a Court Services Office. Judge Beebe suggested, and Probation Office Supervisor Wheatley concurred, that the Power County Probation Officers perform any necessary Bailiff duties on a rotation basis. Judge Beebe and Mr. Wheatley requested that part-time Drug Court Coordinator Max Sprague be put on full-time status, as was requested earlier by Judge Beebe to better cover Drug Court needs. This would also allow the bailiff rotation and probation services to function effectively between the probation officers. Judge Beebe suggested that the Power County Probation Office be renamed to Power County Probation/Court Services. The Commissioners then advised Judge Beebe and Mr. Wheatley of their desire to discuss the proposed arrangement with Power County Sheriff Howard Sprague. Sheriff Sprague appeared before the Commissioners and agreed that the Power County Probation Office should also serve as a Court Services Office to oversee and supervise the bailiff position. Following discussion, it was moved by Commissioner Hoybjerg, seconded by Commissioner Chapman, to put part-time Drug Court Coordinator Max Sprague on full time status with the Power County Probation/Court Services Office for an annual salary of \$25,000, plus benefits, effective March 25, 2002, as recommended and requested by Magistrate Judge Mark Beebe. Carried. The Commissioners agreed that the expected BURNE grant, as applied for jointly by Power County and the Sixth District Trial Court Administrator's Office, would pay for this expanded position.

LAMB WESTON (GRANT): John Blair and Bob Schutte of Lamb Weston appeared before the Commissioners to inform them of the \$5,000 cash grant to be awarded by Lamb Weston to be used in our local community. The community project must be in the spirit of sustainable development as defined by ConAgra's sustainable development statement. Any proposed project must be written up with a brief description, a cost estimate, and an explanation of the benefit to the community. The deadline for project submittals is April 26, 2002, with the award to be announced by May 10, 2002. The Commissioners assured Mr. Blair and Mr. Schutte that Power County would be submitting a project proposal. This matter was tabled until April 8, 2002.

NATIONAL ASSOCIATION OF COUNTIES – 2<sup>ND</sup> VICE-PRESIDENT: The Commissioners reviewed the ballot for National Association of Counties (NACO) 2<sup>nd</sup> Vice President. Following discussion, the Commissioners agreed to cast their vote for Bill Hansell for NACO 2<sup>nd</sup> Vice-President. Clerk Steinlicht will return the completed ballot to the Idaho Association of Counties.

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

BALLOT BOXES: Clerk Steinlicht informed the Commissioners of the need to update the Power County election ballot boxes, at a cost of nearly \$900. Following discussion, it was moved by Commissioner Chapman, seconded by Commissioner Hoybjerg, to authorize Power County Clerk Christine Steinlicht to purchase new election ballot boxes for Power County. Carried.

INDIGENT SERVICES – WELFARE CONFERENCE: Clerk Steinlicht reported that Idaho Association of Clerk's has rescheduled the welfare conference, which was previously scheduled for April 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup>. The conference has been rescheduled to June 24<sup>th</sup>, 25<sup>th</sup> and 26<sup>th</sup>, in Wallace, Shoshone County.

MINUTES: Moved by Commissioner Hoybjerg, seconded by Commissioner Chapman, to approve the Minutes for March 11<sup>th</sup>, 20<sup>th</sup>, 25<sup>th</sup> and 26<sup>th</sup>, 2002, as presented. Carried.

POWER COUNTY BUILDING DEPARTMENT: Power County Building Inspector Richard Wiles appeared before the Commissioners to present his building activity report for the quarter ending March 31, 2002. Mr. Wiles advised the Commissioners of his objection to having his carry-over vacation time cut in January. The Commissioners noted his objection.

BUILDING SAFETY REPORT – EYE WASH STATION: Power County Building Inspector Richard Wiles advised the Commissioners that he has discussed Power County's Building Safety Report with Tony Rojas from the State Division of Building Safety. Mr. Rojas recommends that Power County install an eye wash station and anti-siphon device in the janitorial closet of the Courthouse because of the amount and

frequency of chemical use in that area. Following discussion, it was moved by Commissioner Chapman, seconded by Commissioner Estep, to install an eye wash station and an anti-siphon device in the Courthouse Janitorial closet. Carried.

TAX CANCELLATION APPLICATION – GREG WILLIAMS: Greg Williams and Marshall Payne appeared before the Commissioners to again request that past due taxes be cancelled on Parcel #RPA0812-00 (Lots 1 to 3, Block 35, Reclamation Addition). The County records indicate that Marshall Payne is the owner of record; however, Mr. Payne as signed a Deed to Mr. Williams, which has not yet been recorded. At the outset, Commissioner Estep advised Mr. Williams and Mr. Payne that one of them needs to be willing to step forward as the applicant and complete the Application for Hardship Exemption pursuant to I.C. #63-711. Mr. Williams and Mr. Payne agreed that Mr. Williams in the owner of the property in question. Prosecuting Attorney Laggis instructed Mr. Williams to complete the application and then present his proof of hardship so the Commissioners can make their determination. Following further discussion, it was moved by Commissioner Hoybjerg, seconded by Commissioner Estep, to forgive penalty and interest owing on Parcel #RPA0812-00 in the amount of \$1,806.40, and waive any further interest or penalty accrual on past due taxes, upon the condition that the past due taxes and special fees owing for 1999 be paid immediately and upon the further condition that the past due taxes and special fees owing for 2000 and 2001 be paid as directed by the Power County Treasurer. Carried. Mr. Williams was specifically advised that in the event he fails to pay the taxes as set forth, the penalty and interest forgiven will become due and owing.

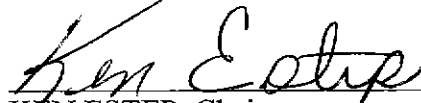
AMERICAN LEGION BUILDING PURCHASE – BUILDING INSPECTION: The Power County Commissioners then performed a “walk-through” inspection of the American Legion Building for several concerned Power County Citizens. Following the “walk-through” the Commissioners agreed to publish a letter in the Power County Press asking for public comments and input on the County’s decision to purchase the American Legion Building.

PLANNING & ZONING – PUBLIC HEARING (ORDINANCE #2002-01): Commissioner Estep reported that it was the date and time set for public hearing of proposed Power County Planning & Zoning Power County Ordinance #2002-01 on low impact industrial uses in agricultural areas. Power County Planning & Zoning Board has unanimously recommended approval of this ordinance by the Power County Commissioners. There being no public objection, it was moved by Commissioner Hoybjerg, seconded by Commissioner Chapman to approve and adopt Power County Ordinance #2002-01 allowing for low impact industrial uses in agricultural areas. Carried.

PLANNING & ZONING – PUBLIC HEARING (ORDINANCE #2002-02): Commissioner Estep reported that it was the date and time set for public hearing of proposed Power County Planning & Zoning Ordinance #2002-02 establishing regulations and standards for the citing of telecommunication towers, antennas and facilities within Power County. Power County Planning & Zoning Board has unanimously recommended

approval of this ordinance by the Power County Commissioners. There being no public objection, it was moved by Commissioner Chapman, seconded by Commissioner Estep, to approve and adopt Power County Ordinance #2002-02 establishing regulations and standards for the citing of telecommunication towers, antennas and facilities within Power County. Carried.

Adjourned

  
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KEN ESTEP, Chairman

  
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CHRISTINE STEINLICHT, Clerk