

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, March 24, 2003. Present were Commissioners Ken Estep, Chairman, Vicki L. Meadows and Ray Zimmerman. Also present were Power County Deputy Clerk Maureen Schelske and Power County Prosecuting Attorney Paul Laggis.

POWER COUNTY INDUSTRIAL DEVELOPMENT BOARD – FMC POLLUTION CONTROL BONDS: Power County Industrial Development Board Members Otto Tiede, President, Dan Hammond, Vice President, John Hoybjerg, Secretary, Bob Cox and Kent Rudeen appeared before the Commissioners to discuss the outstanding FMC revenue bonds. Also present via speaker telephone was Debbie Boye of the law firm Chapman and Cutler of Chicago, Illinois, the underwriter on said Bonds. At the outset, Ms. Boyce advised the Industrial Development Board and the Commissioners of the pledged proceeds which have arisen with respect to the Bonds. Ms. Boye then requested that the Power County Industrial Development Board and the Power County Commissioners authorize FMC Corporation, Wachovia Bank, National Association, the custodian that currently holds the pledged proceeds, or any successor to either of the foregoing, to subscribe for State and Local Government Series (SLGS) in order to comply with the yield restrictions on these pledged proceeds, and further requested that this authorization extend for the remaining life of the Bonds. Following discussion, it was moved by Director Kent Rudeen, seconded by Director Bob Cox to approve the request of FMC Corporation, Wachovia Bank, National Association, the custodian that currently holds the pledged proceeds, or any successor to either of the foregoing, to subscribe for SLGS on behalf of Power County, Idaho, including through the use of SLGSafe for the remaining life of the Bonds. Carried. Power County Industrial Development Board President Otto Tiede then signed the related documentation and authorization. Following approval of the same by the Industrial Development Board, it was moved by Commissioner Estep, seconded by Commissioner Zimmerman, to approve and sign the authorization by Power County, Idaho, of FMC Corporation, Wachovia Bank, National Association, or any successor to either of the foregoing to subscribe for SLGS on behalf of Power County, including through the use of SLGSafe for the remaining life of the Bonds. Carried. The original executed authorizations will be returned to Chapman and Cutler via Federal Express.

GREIVANCE – POWER COUNTY JAIL/MAGISTRATE COURT: Lewis O. Jensen appeared before the Commissioners via speaker telephone to discuss a possible Tort Claim against Power County as a result of the injury and/or damage he feels he sustained as a result of his Court Hearings and subsequent jail sentence. The Commissioners suggested, as they did with a previous grievance report on March 10th, that Mr. Jensen file a proper Notice of Tort Claim as required by Idaho Code and the Tort Claims Act.

INTREPID TECHNOLOGIES – ETHANOL PLANT: Brad Frasure of Intrepid Technologies appeared before the Commissioners to discuss a possible Ethanol plant being placed on the FMC site, and presented a chart on ethanol consumption projections in Idaho. Commissioner Meadows suggested that a Committee be appointed to investigate the issues of an ethanol plant in the Power County area and Mr. Frasure indicated that he would be willing to work with that committee.

YOUTH WEED PROGRAM: Paul Muirbrook of Aberdeen appeared before the Commissioners to discuss a Youth Weed Program he has been involved with which trains youth in the area to assist with weed mapping programs and disaster training. Also present was Power County Weed Supervisor Curtis Munk. Mr. Munk indicated that he had obtained grant funding to purchase hand-held GPS units and to hire students and give them opportunity to learn the technical skills required to identify and map weeds. Mr. Munk then presented the Commissioners with a copy of the 2002 Power County Weeds Map for Zone 5/Arbon Valley as well as the 2001-2002 Salt Cedar Chart Map. Following discussion, the Commissioners agreed to table this matter until April 14th at 10:30 a.m. so that other appropriate County personnel and officials could participate in further discussions of the County's GPS Base Mapping System.

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

General	\$ 5,786.52	
Ambulance	1,722.87	o
District Court	1,333.04	
Justice Fund	9,893.86	
Indigent	174.90	
Solid Waste	10,597.51	
Waterways	117.63	
PILT	38.75	

POWER COUNTY ORDINANCE #2002-05: Commissioner Estep announced that it was the date and time set for further consideration of proposed Power County Ordinance #2002-05, which is a proposed ordinance regulating the use of firearms below the American Falls Dam within the high water mark of the Snake River down river to the confluence of the Fish Hatchery Spring. Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to reject and withdraw proposed Power County Ordinance #2002-05, and to continue with the multiple use designation currently in effect in the area. Following a roll call vote, the motion carried unanimously.

500 POCATELLO AVENUE RENOVATIONS: 500 Pocatello Avenue Renovation Board Chairman Max Newlin appeared before the Commissioners to discuss the goals set by the Renovation Board. Mr. Newlin indicated that the primary goal is to provide a safe and accessible facility at 500 Pocatello Avenue for the Power County Museum, the American Falls Youth Center and the public at large. The Renovation Board expects to submit detailed renovation plans to the Commissioners at their regular meeting on

Monday, May 26th; after which they would like to get specifications for renovation prepared and a call for bids published.

POWER COUNTY BOARD OF EQUALIZATION (I.C. #63-501): The Power County Commissioners then met as the Power County Board of Equalization. There being no business to come before the Board, the Power County Board of Equalization recessed until April 28th, 2003.

EMPLOYEE EVALUATION: Power County Probation Office Supervisor Russ Wheatley submitted a written employee evaluation to the Commissioners and recommend a \$1,000 annual raise for Power County Drug Court Coordinator Max Sprague. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Zimmerman to increase Max Sprague's annual salary to \$26,000 effective March 25, 2003, to be paid from the District Court Fund. Carried.

SOUTHEASTERN DISTRICT HEALTH DEPARTMENT: The Commissioners reviewed the letter from Southeastern District Health Department Director Jack Palmer advising the Commissioners that previous Power County Commissioner Valerie Hoybjerg's term on the District Board of Health will expire on June 30, 2003. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to nominate Power County Commissioner Ray Zimmerman to serve as Power County's representative to the Southeastern District Health Department's District Board of Health effective July 1, 2003. Carried.

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

INDIGENT CASE #2003-11-I: Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to deny indigent medical application #2003-11-I, since applicant has other resources to pay the medical expenses incurred. Carried.

INDIGENT CASE #2003-10-I: Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve indigent medical application #2003-10-I. Carried.

INDIGENT BURIAL: Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve the application for indigent burial assistance as presented. Carried.

TIME CAPSULE: The Commissioners then opened the 25-year time capsule that had been in the basement of the Power County Implement Building until that building was sold, and then the time capsule was moved to the basement of the Power County Sheriff's Office where it has been held until the date of opening. Upon reviewing the contents, the Commissioners agreed that the time capsule was originally put together by American

Falls High School students in 1978, and that the time capsule and it's contents should be returned to the American Falls School District.

DROUGHT DISASTER DECLARATION REQUEST: The Commissioners then discussed the need to request that Power County be declared a drought emergency area pursuant to Idaho Code #42-222A. The Commissioners then signed a written request to the Department of Water Resources requesting that the declaration be made immediately to allow the citizens of Power County to take action to develop plans for the current growing season.


POWER COUNTY ORDINANCE #2003-01 – INTERNATIONAL BUILDING CODE: The Commissioners reviewed Power County Ordinance #2003-01 prepared by Power County Prosecuting Attorney Paul Laggis. The proposed ordinance adopts the latest version of the International Building. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve and pass Power County Ordinance #2003-01 for Power County to adopt the latest version of the International Building Code. Carried.

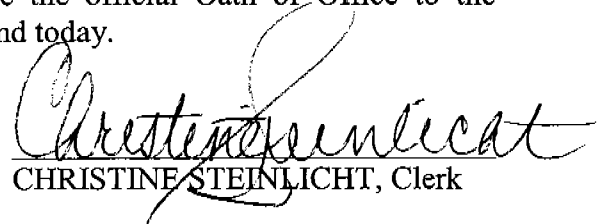
POWER COUNTY JAIL KITCHEN REMODEL/EXPANSION – BID OPENINGS: Commissioner Estep announced that it was the date and time set for opening the sealed bids submitted for the remodel and expansion of the Power County Jail kitchen. Also present were Architect Ken Douglass and Power County Chief Deputy Sheriff Jim Jeffries. The Commissioners received only one complete, sealed bid. Moved by Commissioner Zimmerman, seconded by Commissioner Meadows to approve the bid submitted by BGM Builders in the amount of \$129,493, with the understanding that Power County will pay for any kitchen equipment and/or installation thereof separately. Carried.

POWER COUNTY GUARDIANSHIP BOARD: The following Power County Guardianship Board members appeared and took the official Oath of Office administered by Power County Commission Chairman Ken Estep:

Marge Glascock
Jolene Clinger
Brenda Havlicak
Juanita Burgemeister
Donna Thornton
Cherilyn Permann

Commissioner Estep indicated that he would attend the next meeting of the Power County Guardianship Board on April 2nd to give the official Oath of Office to the remaining Board members who were unable to attend today.


KEN ESTEP, Chairman


CHRISTINE STEINLICHT, Clerk