

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, February 23, 2004. Present were Commissioners Ken Estep, Chairman, Vicki L. Meadows and Ray Zimmerman. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney Paul Laggis.

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

General	\$ 25,166.25
Ambulance	842.60
District Court	2,174.46
Justice Fund	7,338.66
Indigent	1,143.55
Solid Waste	715.17
Weeds	32.15
Waterways	3.46
PILT	5,169.89

POWER COUNTY AIRPORT BOARD: Moved by Commissioner Zimmerman, seconded by Commissioner Estep, to appoint Pete Ramsey to fill the vacancy on the Power County Airport Board (January, 2006) created by Ralph Breeding's resignation. Carried.

DISASTER DECLARATION: The Commissioners reviewed the Disaster Declaration dated December 29<sup>th</sup>, 2003. Following discussion, the Commissioners agreed that the local disaster appears to be decreasing and may not exceed the capabilities of the services, personnel, equipment and facilities of local government and agencies to deal with this emergency. Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to execute the Resolution to cancel Declaration of Emergency. Carried.

500 POCATELLO AVENUE – RENOVATION: Commissioner Meadows indicated that she had discussed renovation of the 500 Pocatello Avenue building with Gary Ferguson of BGM Builders. Mr. Ferguson is willing to reinforce the entire truss structure for approximately \$17,000. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Zimmerman, to hire BGM Builders to reinforce the truss structure at the 500 Pocatello Avenue building. Carried. Commissioner Estep indicated that he would investigate the possibility of obtaining a grant from the Idaho Historical Society to replace the shingles.

STORM WATER RUNOFF PLAN: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Zimmerman, to remit to \$1,049.89 to the Idaho department of Transportation as Power County's share of the Storm Water Runoff plan, to be paid from PILT Contingency funds. Carried. The Commissioners instructed Clerk Steinlicht to send the County warrant, referencing Project #STP-0005(125) Key #8146, to the Power County Highway District to be sent to the Idaho Department of Transportation with the Highway District's check.

HARDSHIP EXEMPTION APPLICATION – I. C. #67-311: Following discussion, the Commissioners agreed to reschedule hearing on the Hardship Exemption Application of Doris Rast until Wednesday, February 25, 2004, at 3:00 p.m.

IDAHO WOOL GROWERS ASSOCIATION – DISTRICT #4 ANIMAL DAMAGE CONTROL BOARD: Moved by Commissioner Estep, seconded by Meadows, to reappoint Vernon Miller to serve as Director from Power County to the District #4 Animal Damage Control Board pursuant to I. C. #25-2612. Carried.

FINANCIAL RESPONSIBILITY POLICY: Clerk Steinlicht reported that Power County's independent auditor, Scott Jones of the firm Jones, Yost & Hatt, would meet with Power County elected officials and department heads on Monday, March 8<sup>th</sup>, 2004, at 9:30 a.m. to discuss Power County's financial responsibility policy.

DISASTER SERVICES HOMELAND SECURITY GRANT – COMMUNICATIONS: Power County Disaster Services Director Mark Love appeared before the Commissioner to discuss the National Homeland Security Office of Domestic Preparedness Grant, and presented the Commissioners with a copy of the Program Narrative Impact of Funding Table. Also present were Power County Sheriff Howard Sprague and Chief Deputy Jim Jeffries, American Falls Chief Police Jerry Hubbs and officer Jim Morse, Highway District Supervisor Don Haskins, American Falls Fire District Chief Gary Ferguson and Ken Fagnet from the State Bureau of Disaster Services. Following discussion, the Commissioners agreed that the County taxing entities should review the Funding Table and negotiate a plan for upgrading Power County's communication system. Once a draft plan has been prepared, the Commissioners will discuss specific equipment needs with area vendors. The first meeting of County entities has been scheduled for Monday, March 1<sup>st</sup>, 2004, at 4:00 p.m. at the Power County Emergency Services Building. The Commissioners agreed to table this matter until March 8<sup>th</sup>, 2004.

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

INDIGENT CASE #2004-07-I: Moved by Commissioner Zimmerman, seconded by Commissioner Meadows, to deny indigent medical application #2004-07-I. Carried.

ECONOMIC DEVELOPMENT – EASTERN POWER COUNTY: Commissioner Estep reported that Southeast Idaho Council of Governments (SEICOG) is willing to assist

Power County, Bannock County and Shoshone-Bannock Tribes in obtaining an economic development grant, which would be administered by the Shoshone-Bannock Tribes, to develop economic and/or industrial opportunities at the FMC site in Eastern Power County. Prosecutor Laggis indicated that he has been in contact with Fort Hall Tribal Attorney Bill Bacon regarding this issue. Mr. Laggis suggested that the Commissioners deal directly with the Fort Hall Business Council regarding the grant and the Commissioner suggested that Prosecutor Laggis draft a letter to the Fort Hall Business Council to advise them of this grant opportunity. Commissioner Estep reported that Paul Yochum of the FMC Corporation is scheduled to meet with the Fort Hall Business Council on March 11<sup>th</sup>, 2004, at 9:00 a.m. at the Fort Hall Business Council Office and has invited the Power County Commissioners to attend to discuss the FMC site.

FORT HALL JUSTICE CENTER: The Commissioners reviewed the request of the Shoshone-Bannock Tribes Planning Department for a letter of support on the proposed Shoshone-Bannock Tribal Justice Center. Following discussion, the Commissioners agreed to offer written support for the Tribe's efforts in obtaining federal funding to assist with the construction of the Fort Hall Justice Center in Fort Hall, Idaho.

POWER COUNTY ECONOMIC DEVELOPMENT BOARD – BY-LAWS: Prosecuting Attorney Paul Laggis presented the Commissioners with the final draft of the Power County Economic Development Board By-laws. Moved by Commissioner Meadows, seconded by Commissioner Estep, to approve the Economic Development Board By-laws as presented. Carried. The original By-laws will be returned to the Power County Economic Development Board.

PLANNING & ZONING BOARD – CONFINED ANIMAL FEEDING OPERATION (CAFO) ORDINANCE: Jim Fitzgerald, Chairman, Alan Permann, Bill Lasley and Vance Ward of the Power County Planning & Zoning Board met with the Board of Power County Commissioners to discuss the Confined Animal Feeding Operation (CAFO) Ordinance as presented to the Commissioners. The Planning & Zoning Board advised the Commissioners that they had reviewed other County's ordinances dealing with CAFO regulations and feel that Power County's proposed ordinance is fairly standard, and even less restrictive on the 75 animal unit herd; although the Commissioners discussed the possibility of increasing that number. The Commissioners then questioned the feasibility of the Power County Building Administrator enforcing the ordinance. The Commissioners and Planning & Zoning Board agreed that permitting issues should be handled at a County level and all initial complaints could be received by the Power County Building Administrator for local documentation; however, any enforcement and/or nutrient management issues arising from those complaints should lie with the State of Idaho Agriculture Department. The Commissioners and Planning & Zoning Board then agreed that all existing CAFO operations would be "grand fathered" and only effected by this ordinance in the event they desired to expand their operation. The Commissioners and Planning & Zoning Board then discussed the buffer zone requirements imposed by the proposed ordinance and the possibility of allowing negotiated or contractual use within the buffer zone. The Commissioners then advised the Planning & Zoning Board of their intentions to delete Section II(P) of the Power

County CAFO Ordinance dealing with invited agencies participating as consultants. The Board of Power County Commissioners thanked the Power County Planning & Zoning Board for their diligent and exemplary efforts in bringing forth the proposed CAFO ordinance. The Commissioners will instruct Power County Prosecuting Attorney Paul Laggis to make the amendments as discussed, after which the amended CAFO Ordinance will be referred back to the Power County Planning & Zoning Board for re-hearing.

Adjourned.

  
KEN ESTEP, Chairman

  
CHRISTINE STEINLICHT, Clerk