

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, April 26th, 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.

SNAKE RIVER BASIN ADJUDICATION – FAIRGROUND WELL: Commissioner Estep reported that he had attended the Initial Hearing of the Snake River Basin Adjudication Case #39576 (Sub-Case #29-12498). The Initial Hearing provided Power County with an opportunity to meet with a representative of the Idaho Department of Water Resources in an attempt to reconcile any differences between the Power County's claim and the Director's Report, in an effort to protect the location of the groundwater well at the Power County Fairgrounds.

AMERICAN FALLS LITTLE LEAGUE ASSOCIATION – BASEBALL BACKSTOPS & FENCE: American Falls Little League Association President Randy Jensen appeared before the Commissioners to update them on the progress of the baseball backstops and fence constructed at the Lee Street ball fields. Mr. Jensen indicated that the final cost for the backstops and fence would be approximately \$19,000. Mr. Jensen is scheduled to meet with the School District #381 Board of Trustees and anticipates that they will donate approximately \$3,000 toward the project and that the City of American Falls has \$3,000 budgeted, with any balance to be paid by private donations. The Commissioners requested that Mr. Jensen provide the Power County Clerk with detailed receipts for Power County \$8,000 contribution.

POWER COUNTY BUILDING DEPARTMENT – FMC SITE (DEMOLITION PERMIT): Power County Building Administrator Richard Wiles appeared before the Commissioners to discuss the need for Power County to issue a demolition permit to the FMC Corporation prior to further dismantling of the site. Commissioner Estep reported that he had discussed this matter with Power County Planning & Zoning Attorney Jerry Mason, who agreed that demolition should be directed and supervised by qualified experts from the Environmental Protection Agency (EPA) and Department of Environmental Quality (DEQ) and not the local building administrator; however, the Commissioners should be kept apprised of the demolition plan and progress. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Zimmerman, to allow dismantling of the FMC Site to continue without a Power County Demolition Permit upon the condition that FMC furnish Power County with a copy of the demolition plan, monthly status reports on demolition progress which includes information on the modes of transportation being used to transport demolition materials and/or debris, and documented verification that EPA and DEQ are properly supervising and directing demolition. Carried.

TORT CLAIM – RODRIGUEZ VS. POWER COUNTY: The Commissioners reviewed the tort claim filed against Power County and the Power County Highway District by Esmeralda L. and Felipe Rodriguez. Clerk Steinlicht reported that the claim has been submitted to Idaho Counties Reciprocal Management Program (ICRMP), the County's liability carrier.

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

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

General	\$ 16,793.17
Ambulance	967.70
District Court	1,485.58
Justice Fund	3,635.72
Indigent	12,682.58
Revaluation	109.19
Solid Waste	18,270.32
Weeds	81.59
Waterways	4,166.92
PILT	60,258.91

CITY OF AMERICAN FALLS/POWER COUNTY – JOINT MEETING: Clerk Steinlicht reported that the joint meeting of the American Falls Mayor and City Council and the Power County Commissioners has been scheduled for Wednesday, May 19th, 2004, at 5:30 p.m. at the American Falls City Hall. Clerk Steinlicht and City Clerk Betty Huse will coordinate an appropriate agenda.

POWER COUNTY FISCAL YEAR 2005 BUDGET HEARING: Pursuant to Idaho Code #63-802(A), the Board of Power County Commissioners agreed to conduct the fiscal year 2005 budget public hearing on Monday, August 23rd, 2004, at 6:00 p.m. in the Commissioners Office of the Power County Courthouse.

AMBULANCE: Moved by Commissioner Meadows, seconded by Commissioner Estep, to recess as Power County Board of Commissioners and reconvene as Power County Ambulance District Board. Carried.

POWER COUNTY AMBULANCE DISTRICT -- FISCAL YEAR 2005 BUDGET HEARING: Pursuant to Idaho Code #63-802(A), the Power County Ambulance District Board agreed to conduct the fiscal year 2005 budget public hearing on Monday, August 23rd, 2004, at 6:00 p.m. in the Commissioners Office of the Power County Courthouse.

Moved by Commissioner Zimmerman, seconded by Commissioner Meadows, to recess as Power County Ambulance District Board and reconvene as Power County Board of Commissioners. Carried.

POWER COUNTY SHERIFF'S OFFICE – ABANDONED VEHICLE TOW POLICY:

Power County Chief Deputy Sheriff Jim Jeffries appeared before the Commissioners to discuss the County's tow policy on abandoned vehicles. Also present were Mike & Linette Speers d/b/a M&L Towing, American Falls City Council Member Charles Chadbourne and Power County Transfer Station Supervisor Craig Heward. Following discussion, the Commissioners agreed that this matter should be addressed at the Joint City/County meeting on May 19th, 2004.

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

INDIGENT CASE #2004-11-I: Moved by Commissioner Zimmerman, seconded by Commissioner Meadows, to deny indigent medical application #2004-11-I, since applicant has other resources to pay the medical expenses incurred. Carried.

INDIGENT CASE #2004-10-I: Moved by Commissioner Zimmerman, seconded by Commissioner Meadows, to deny indigent medical application #2004-10-I, since applicant has other resources to pay the medical expenses incurred. Carried.

COMMUNICATIONS – RADIO/TOWER COVERAGE: Commissioner Estep presented copies of the Motorola Engineering Study prepared by Bannock County which shows coverage areas with a 400 frequency band to a 700 frequency band. Power County is currently at 150 frequency band coverage. Following discussion, the Commissioners agreed to discuss this matter further with the Shoshone-Bannock Tribal Council at their joint meeting this afternoon.

SUNSET AVIATION – LEASE PAYMENT: Clerk Steinlicht reported that Sunset Aviation had made their 2004 lease payment on the Power County Airport property.

The Board of Power County Commissioners recessed at 1:30 p.m. to travel to Fort Hall.

The Board of Power County Commissioners reconvened at 2:15 p.m. at the Fort Hall Business Council Chambers.

SHOSHONE-BANNOCK TRIBES – ECONOMIC DEVELOPMENT: Present from the Shoshone-Bannock Tribal Council were:

Fred Auck, Chairman
Nancy Murillo
Blaine Edmo
Larry Baguley

Lee Kniffen
Alonzo Coby
Bill Bacon – Tribal Counsel

At the outset, Doug Stewart of the Rose Development Corporation appeared before the Board of Commissioners and the Shoshone-Bannock Tribal Council to submit a proposal for the establishment of an aviation and aerospace manufacturing and maintenance, repair and overhaul company within the common boundaries of Power County and the Fort Hall Indian Reservation, to be developed in three phases:

Phase I – Assessment
Phase II – Business Plan
Phase III – Implementation

The Commissioners advised the Shoshone Business Council that Power County's \$20,000 contribution, payable to the Shoshone-Bannock Tribes, had been included in the claims approved this date, paid from PILT Economic Development Funds, for the preparation of the "assessment" by Rose Development Corporation to establish an aviation and aerospace overhaul company within the common boundaries of the Fort Hall Indian Reservation and Power County.

COMMUNICATIONS – RADIO/TOWER COVERAGE: The Commissioners presented the Fort Hall Business Council with a copy of the Motorola Engineering Study prepared by Bannock County showing frequency band and coverage areas. The Fort Hall Business Council will review the maps and report back to Power County.

FMC SITE – ECONOMIC DEVELOPMENT: The Power County Commissioners and Fort Hall Tribal Council then met with representatives of the FMC Corporation and Vita Nouva to discuss re-development opportunities at the FMC Site in Eastern Power County.

Adjourned.


KEN ESTEP, Chairman


CHRISTINE STERNLICHT, Clerk