

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, May 10th, 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.

MINUTES: Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve the Power County Commissioner Minutes for April 12th, 20th and 26th, 2004, as presented. Carried.

TWIN FALLS COUNTY CASE #2004-001151 – MAGISTRATE FACILITIES PROVIDED BY CITY (I.C. #1-2218): The Commissioners reviewed the unanimous Decision dated April 30th, 2004, issued by an *en banc* panel comprised of all of the District Judges of the Fifth Judicial District and filed as Twin Falls County Case #2004-001151, wherein the Cities of Twin Falls, Buhl, Kimberly, Hansen and Filer were ordered and directed to reimburse Twin Falls County for a percentage of the total costs of court operations attributable to the Magistrate Division, less costs recovered by Twin Falls County. The “net costs” of the Magistrate Division would then be allocated between the County and Cities based upon each entity’s percentage of the number of infractions and misdemeanor citations or filings as compared to the total number of such filings or citations. Clerk Steinlicht prepared and presented the Commissioners with a copy of her calculations for Power County’s total operating costs, recouped costs, net costs and allocations attributable to the Cities within Power County. Prosecuting Attorney Laggis indicated that that the Cities of Twin Falls, Buhl, Kimberly, Hansen and Filer may appeal this Decision to the Idaho Supreme Court. The Commissioners agreed to discuss this matter further with the American Falls Mayor and City Council at their next joint meeting scheduled for Wednesday, May 19th, 2004.

FEDERAL GOVERNMENT – PAYMENT IN LIEU OF TAXES (PILT): At the request of the Commissioners, Clerk Steinlicht prepared and presented a spreadsheet showing distribution of PILT funds received during fiscal year 2003 to each Taxing District within Power County based upon the levies certified by the State Tax Commission, as well as a spreadsheet showing distribution of PILT funds received during fiscal year 2003 to each County-wide Taxing District within Power County based upon the levies certified by the State Tax Commission.

AMERICAN FALLS LITTLE LEAGUE ASSOCIATION – BASEBALL BACKSTOPS & FENCING: The Commissioners reviewed the receipts for the baseball backstops and fencing provided by American Falls Little League President Randy Jensen. The Commissioners agreed that the expenses paid with Power County’s \$8,000 donation may have been outside the scope of the reported or intended use as discussed at the Power

County Commissioners meeting on March 22, 2004. Commissioner Meadows agreed to draft a letter to American Falls Little League Association President Randy Jensen and City Recreation Director Jason Hess to address these concerns. This matter was tabled until May 27th, 2004.

POWER COUNTY ASSESSOR – CIRCUIT BREAKER APPLICATIONS: Power County Deputy Assessor Elna Neu appeared before the Commissioners to present the Circuit Breaker Applications received by the Power County Assessor for the 2004 tax year. Following discussion, it was moved by Commissioner Zimmerman, seconded by Commissioner Estep, to accept and approve the Circuit Breaker Applications as presented. Carried.

SOUTHEASTERN DISTRICT HEALTH DEPARTMENT – FISCAL YEAR 2005 BUDGET REQUEST: Steve Pew of the Southeastern District Health Department appeared before the Commissioners to present the Health Department's Fiscal Year 2005 Budget request. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to accept and approve the Southeastern District Health Department's Fiscal Year 2005 Budget Request as presented. Carried.

POWER COUNTY FAIRBOARD – PROMISSORY NOTE REPAYMENT: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to forgive any and all amounts owing on the Promissory Note executed by the Power County Fairboard in favor of Power County on January 28th, 2003, in the original amount of \$15,000 and to mark said Promissory Note "paid in full". Carried. Commissioner Estep will draft a notification letter to the Power County Fairboard.

POWER COUNTY COURTHOUSE – VENDING MACHINES: Power County resident Adam Bliven appeared before the Commissioners to request that he be allowed to install vending machines (candy, nuts, gum) in the Power County Courthouse. Mr. Bliven advised the Commissioners that a portion of his profits would be contributed to the Gerald Fehringer Youth Center. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to allow Power County Resident Adam Bliven to place vending machines in the Power County Courthouse for a period of one year, until May 10th, 2005. Carried.

ROBERT ZIMMERMAN – FARM LEASE: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and execute the Extension of Farm Lease Agreement between Power County and Robert Zimmerman for an additional five (5) years until November 1st, 2009. Carried. Commissioner Zimmerman abstained. The original Extension of Farm Lease Agreement will be forwarded to Robert Zimmerman for his review and approval.

STORM WATER RUNOFF PLAN: The Commissioners reviewed the fax from City of American Falls Clerk Betty Huse contesting the amount owing on the Storm Water Runoff Plan. The Commissioners then reviewed their Minutes of August 12th, 2002, and February 23rd, 2004, wherein Power County agreed to contribute \$1,049.89 to the Idaho

Department of Transportation as Power County's share of the Storm Water Runoff Plan. The Commissioners agreed that the County's \$1,049.89 contribution was the amount requested by the Department of Transportation and the Power County Highway District and no further contributions or donations would be made toward the Storm Water Runoff Plan without a request from the Idaho Department of Transportation.

500 POCATELLO AVENUE – RENOVATION: Commissioner Estep reported that Gary Ferguson d/b/a BGM Builders is scheduled to begin the truss and roof re-enforcement at the 500 Pocatello Avenue Building later this week. Commissioner Estep will contact Power County Building & Maintenance Supervisor Gary Thomson to discuss his willingness and ability to serve as Construction Supervisor during the balance of the 500 Pocatello Avenue Renovation project. This matter was tabled until May 27th, 2004.

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

General	\$ 18,891.53
Ambulance	1,020.34
District Court	8,445.35
Justice Fund	25,036.85
Indigent	2,406.41
Revaluation	15,250.33
Solid Waste	1,951.09
Weeds	1,173.68
PILT	11,837.77

IDAHO DEPARTMENT OF COMMERCE – RURAL ECONOMIC DEVELOPMENT GRANT: The Commissioners reviewed the Idaho Rural Economic Development Grant information from the Idaho Department of Commerce. The Grant, if awarded, would allow Power County to receive \$41,500 per year for three years toward the salary and benefit package of a full time economic development professional; however, matching funds would also be required. Commissioner Estep reported that he had discussed this grant opportunity with the Southeast Idaho Council of Governments, who would assist Power County in preparing the grant application for a fee. The Commissioners agreed to take this matter under advisement until May 27th, 2004.

DROUGHT DISASTER DECLARATION – LETTER: Norman Wright of the U.S. Department of Agriculture and Power County Farm Service Agency appeared before the Commissioners to discuss reservoir storage in the Upper Snake River Basin and his overall drought concerns for the Power County area. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to make a written request to the Department of Water Resources that Power County be declared a drought emergency area pursuant to Idaho Code #44-222A. Carried. The written request, addressed to Karl J. Dreher, Director of the Idaho Department of Water Resources and signed by the Commissioners, requests 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 BUILDING ADMINISTRATOR: Power County Building Administrator Richard Wiles appeared before the Commissioners to present his building permit collections for Power County for the months of March and April, 2004.

POWER COUNTY ELECTED OFFICIALS MEETING: Present for the Power County Elected Officials Meeting were:

Ken Estep, Commissioner Chairman
Vicki Meadows, Commissioner
Ray Zimmerman, Commissioner
Chris Steinlicht, Clerk
Bobbie Mauch, Treasurer
Doug Glascock, Assessor
Paul Laggis, Prosecuting Attorney

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 personnel issues. Carried.

Adjourned.



KEN ESTEP, Chairman



CHRISTINE STEINLICHT, Clerk