

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, October 24th, 2005. Present were Commissioners Ken Estep, Chairman, Vicki Meadows and Ray Zimmerman. Also present was Power County Clerk Christine Steinlicht.

POWER COUNTY TRANSFER STATION/LANDFILL – BIG SKY DUMPSTER: Bill and Jamie Jones d/b/a Snake River Sanitation appeared before the Commissioners to discuss the concrete damage at the new dumpster site in Eastern Power County, which was caused by trucks backing in too close to the retaining wall. Also present was Power County Landfill/Transfer Station Supervisor Craig Heward. Following discussion, the parties agreed that railroad ties should be placed on the vehicle ramp to prevent trucks from backing into the wall. Mr. Jones then advised the Commissioners that fuel costs have dramatically increased his cost of doing business and he will be submitting a written proposal for fee adjustments to the Commissioners for their review and consideration.

ARBON CELLUAR TELEPHONE TOWERS: Commissioner Estep reported that he has been unable to make arrangements to meet directly with the Fort Hall Tribal Council to discuss a possible long term lease to place a cellular telephone tower within the boundaries of the Fort Hall Indian Reservation to allow enhanced cellular telephone communications in the Eastern Power County and Arbon Valley areas; however, he has been informally advised that the Tribal Council may not consider negotiating any lease for cellular towers at this time. Commissioner Estep will continue to pursue a meeting with the Fort Hall Tribal Council. This matter was tabled until November 28th, 2005.

POWER COUNTY WEED DEPARTMENT – NOXIOUS WEED ENFORCEMENT: Commissioner Estep reported that weed enforcement spraying on Merrill & Brent Walker's CRP ground in Power County is very nearly completed pursuant to the five (5) day "NOTICE OF NEED FOR NOXIOUS WEED CONTROL AND WAIVER" dated September 26th, 2005. Commissioner Estep indicated that the Walkers will continue with spraying until full compliance has been achieved.

POWER COUNTY EMPLOYEE MEDICAL BENEFIT PLAN – GEM PLAN: The Commissioners discussed the Power County Employee Benefit plan through the Gem Plan and specifically prescription drug benefits. Clerk Steinlicht indicated that several employees had expressed concerns about being charged additional amounts for ninety (90) day prescriptions rather than being assessed the single co-pay as previously allowed under Power County's self-funded medical insurance benefit plan. Commissioner Estep agreed to contact the appropriate Gem Plan Representative to get specific prescription drug coverage information so that the Power County employees will be aware of insurance coverage for prescription medication. This matter was tabled until November

28th, 2005.

POWER COUNTY PLANNING & ZONING – REQUEST FOR RECONSIDERATION (MERRILL GRAVEL PIT SPECIAL USE PERMIT): Commissioner Estep announced that it was the date and time scheduled to hear appellant Shelly Lish's request for reconsideration of the Board's previous denial of her appeal of the Special Use Permit issued to Merrill Gravel Corporation, LLC, to develop a gravel pit in Eastern Power County, since the appeal did not comply with the requirements of the Power County Development Code by being untimely filed. Following discussion and a review of the Power County Development Code and Idaho Code, it was moved by Commissioner Estep, seconded by Commissioner Zimmerman, to sustain the Board's Findings of Fact, Conclusions and Decision entered on September 12th, 2005, denying the Notice of Appeal as being untimely filed, and to refund the appeal fee in the amount of \$300 to Power County resident Shelly Lish. Carried. It was then moved by Commissioner Meadows, seconded by Commissioner Estep, to recess from the public hearing on this appeal from Planning & Zoning Board and close the record. Carried.

POWER COUNTY SHERIFF – BAILIFF AGREEMENT: Power County Sheriff Jim Jeffries appeared before the Commissioners to report that he and Power County Prosecuting Attorney Paul Laggis have been working together to get a written Bailiff Agreement prepared which would allow the Court bailiff position and related Courthouse security functions to be performed by the Power County Probation Department under the direction and supervision of Sheriff Jeffries; however, Sheriff Jeffries indicated that the updated Bailiff Agreement, if executed, would be on a short term basis only and set forth a specific period within which to transition the position back to the Power County Sheriff's Office. This matter was tabled until December 19th, 2005.

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 personnel issues. Carried.

POWER COUNTY PERSONNEL MANUAL: The Commissioners then reviewed the proposed addition to the Power County Personnel Manual at section VII(B)(19) entitled "Workplace Loyalty" with Power County Sheriff Jim Jeffries. The Commissioners agreed to table further discussion of this matter until November 28th, 2005.

FISCAL YEAR 2005 BUDGET – CLOSING: Clerk Steinlicht reported that the fiscal year 2005 budget was closed on October 19th, 2005, and Independent Auditors Charles Clark and Brandi Young of Deaton & Company have been provided with the closing information for preparation of the general purpose financial statements for Power County for the fiscal year ending September 30th, 2005.

POWER COUNTY COURTHOUSE EXPANSION/REMODEL: The Commissioners then reviewed the change orders submitted on the Power County Courthouse expansion and remodel project by Construction Supervisor Brennan Construction Co., Inc. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner

Zimmerman, to approve and execute Work Change Orders #001, #002, #003 and #004, as presented by Brennan Construction Co., Inc. Carried. The original will be returned to Brennan Construction as requested.

500 POCATELLO AVENUE (POWER COUNTY COURTHOUSE ANNEX) – RENOVATIONS: Clerk Steinlicht reported that Affordable Contracting has not yet installed the gutters and downspouts at the Power County Courthouse Annex at 500 Pocatello Avenue. Following discussion, Clerk Steinlicht agreed to contact Steve Campolattaro at Affordable Contracting to get a date for installation. This matter was tabled until November 28th, 2005.

POWER COUNTY PROBATION – PARENT PROJECT FACILITATOR TRAINING: The Commissioners reviewed the cost proposal submitted by Power County Probation Officer Connie Shepherd to get three Spanish speaking facilitators trained for the Power County Parent Project classes. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to authorize the Power County Probation/Court Services office to get three (3) Spanish Speaking Parent Project Facilitators trained at County expense, which training is scheduled for March 5th through March 11th, 2006. Carried.

COMMISSIONER AGENDA: Following a review of the calendar, the Commissioners agreed to meet in November on the 7th (afternoon only), 14th and 28th and in December on the 5th and 19th, 2005. Carried.

ORDER FOR CANCELLATION OF TAXES: Moved by Commissioner Zimmerman, seconded by Commissioner Meadows, to approve the Order for Cancellation of Taxes as presented by Power County Treasurer Bobbie Mauch. Carried.

SOUTHEAST IDAHO COUNCIL OF GOVERNMENTS (SEICOG) – SENIOR HEALTH MOBILE: Judy Robinson of the Southeast Idaho Council of Governments appeared before the Commissioners to discuss the mobile medical clinic that SEICOG, in conjunction with Idaho State University's College of Medicine, will be offering to rural communities in Southeast Idaho to provide health and wellness support services to senior citizens and/or disabled family members of Senior Citizens at no charge or at reduced sliding fee scale. Ms. Robinson indicated that she will also be discussing this matter with the Harms Memorial Hospital District Board, Power County Senior Citizens Center Board and the American Falls Mayor and City Council. The Commissioners suggested that Ms. Robinson also contact the Power County Guardianship Board.

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

HARDSHIP EXEMPTION APPLICATION (I.C. #63-711): The Hardship Exemption Application of Power County residents John and Vicki Gibbs came before the Commissioners for further consideration; having been under advisement since April 25th,


2005. Following discussion, it was moved by Commissioner Zimmerman, seconded by Commissioner Meadows, to deny the Application for Hardship Tax Exemption pursuant to I.C. #63-711, on Power County Parcel #RPD1017-01A filed by John L. and Vicki Gibbs since the applicants have failed to make the regular monthly payments as previously agreed and have since filed for bankruptcy relief and protection. Carried.

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

General	\$ 33,498.40
Ambulance	2,682.83
District Court	1,841.16
Justice	33,541.02
Indigent	6,817.97
Junior College	6,850.00
Revaluation	16,835.43
Solid Waste	21,329.10
Tort	35,030.83
Weeds	1,245.76
Waterways	625.98
PILT	11,167.60

Carried.

Adjourned.



KEN ESTEP, Chairman



CHRISTINE STEINLICHT, Clerk