

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, June 25th, 2007. Present were Commissioners Vicki Meadows, Chairman, Ken Estep and Ron Funk. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney Paul Laggis.

IDAHO DEPARTMENT OF JUVENILE CORRECTIONS – JUVENILE PROBATION/DETENTION REPORT: Idaho Department of Juvenile Corrections District Liaison William Lasley and Skip Green of the State Juvenile Center in St. Anthony appeared before the Commissioners with Power County Juvenile Probation Office Supervisor Connie Shepherd to discuss juvenile probation issues. Following discussion, Mr. Lasley agreed to provide Ms. Shepherd with a copy of the State of Idaho's quarterly report, which will then be provided to the Commissioners.

POWER COUNTY EXTENSION AGENT – YELLOW PAGES ACCOUNT: Power County Prosecuting Attorney Paul Laggis appeared before the Commissioners to report that he had settled the delinquent Yellow Pages Account on behalf of the Power County Extension Agent for \$250. Following discussion, the Commissioners instructed Clerk Steinlicht to immediately issue a warrant payable to Thompson Hill Publishing, Inc. in the amount of \$250 from the County Agent's office supplies budget as payment in full and request that the account be closed.

POWER COUNTY PLANNING & ZONING – REZONE RESOLUTIONS: Power County Prosecuting Attorney Paul Laggis appeared before the Commissioners to request that a public hearing be scheduled to allow the Board of Power County Commissioners to adopt two rezoning resolutions as recommended by the Power County Planning & Zoning Board. Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Estep, to schedule a public hearing on the proposed rezone Resolutions for Monday, July 23rd, 2007, at 6:30 p.m. in the Commissioners Meeting room of the Power County Courthouse. Carried. Prosecutor Laggis will cause the proper public notices to be published in the Power County Press.

POWER COUNTY COURTHOUSE – FOUNDATION: Power County Building & Grounds Supervisor Gary Thomsen appeared before the Commissioners to review the report submitted by Keeven Shropshire d/b/a JHS Architects regarding the moisture damage to the foundation of the Power County Courthouse. Mr. Shropshire's report concludes that the conditions appear to be very minor and not progressing to suggest that any structural work would be necessary at this time. The Commissioners agreed to keep the report on file for future reference.

POWER COUNTY COURTHOUSE – SIDEWALK REPAIRS: Power County Building & Grounds Supervisor Gary Thomsen appeared before the Commissioners to discuss the sidewalk damage at three different points adjacent to the Power County Courthouse. Following discussion, the Commissioners agreed to obtain separate quotes to repair the three eroded or damaged sidewalk areas and this matter was tabled until July 23rd, 2007.

POWER COUNTY COURTHOUSE – SECURITY FEATURE: Power County Building & Grounds Supervisor Gary Thomsen appeared before the Commissioners to discuss the security feature that was deleted from the Courthouse expansion and remodel project. Following discussion, the Commissioners agreed that moving the flag pole and constructing a short barrier around the pole would be much more cost effective while still providing the desired level of security. Following discussion, the Commissioners instructed Mr. Thomsen to obtain quotes and this matter was tabled until July 23rd, 2007.

POWER COUNTY CELLULAR PHONES – A&H CELLULAR: Kent Hill of A&H Cellular appeared before the Commissioners to discuss renewal of Power County's cellular telephone plan through Alltel, formerly known as U.S. Cellular. Following discussion, the Commissioners suggested that Mr. Hill prepare and submit a cost proposal and this matter was tabled until July 6th, 2007.

POWER COUNTY BUILDING DEPARTMENT – STATE PLUMBING INSPECTIONS: Power County Building Administrator Robert Steinlicht appeared before the Commissioners to report that the Idaho Division of Building Safety had performed a plumbing inspection on an agricultural storage building being built for Driscoll Brothers by M&H Construction, which resulted in a "red tag" being issued to halt or delay further construction. Also present was contractor Paul Herndon d/b/a M&H Construction and his clients Wallace and Thayne Driscoll, who enumerated inspection inconsistencies within the Division of Building Safety and the Division's unwillingness to provide details for compliance and recession of the "red tag", which has remained in effect for nearly seven weeks. Craig Madsen of the Southeastern District Health Department appeared to report that the septic system installed at the Driscoll Brothers construction site has passed all Southeastern Idaho District Health Department inspections. Present from the Idaho Division of Building Safety were Chris Crister, the State Plumbing Inspector assigned to Driscoll Brothers project; Carl Lohrengel, the Regional Inspector who oversees all State Plumbing Inspectors within his area or range; and Steve Keys, the Deputy Administrator of the Division of Building Safety in Boise. Following discussion, Mr. Lohrengel acknowledged that he had not provided compliance detail or followed up with the Contractor or Driscoll Brothers in a timely fashion. Additionally, Mr. Keys apologized for any confusion and the unwillingness of the Division of Building Safety to provide proper assistance to keep the project moving and reported that the Division of Building Safety will implement appropriate policies and procedures for the inspection of agricultural buildings. Mr. Keys and Mr. Herndon discussed the balance of the work to be completed on the project and any plumbing inspections that may need to be performed. Mr. Keys affirmed that the "red tag" is immediately withdrawn and construction may proceed. Mr. Keys then encouraged Mr. Herndon and Driscoll Brothers to file any Tort Claims with the State of Idaho Division of Building Safety that they may deem necessary to recover loss or damage.

FISCAL YEAR 2008 BUDGET: The Commissioners conducted a fiscal year 2008 budget work session to review and discuss the requests made by each Office/Department.

INTERIM ABATEMENT DISTRICT – ADAPCO VECTOR CONTROL SERVICES, INC.:

Nathan O’Neal of Adapco Vector Control Services appeared before the Commissioners to report that his weekly reports will be submitted via e-mail to Power County Clerk Chris Steinlicht. The Commissioners then reviewed the proposed Professional Services Agreement for mosquito control between Power County and Adapco Vector Control Services, Inc., with Power County Prosecuting Attorney Paul Laggis. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to approve and execute the Professional Services Agreement between Power County and Adapco Vector Control Services, Inc., for mosquito control services within Power County, with the understanding that Adapco Vector Control Services will provide proof of insurance coverage as required by provision number 4 of the Agreement. Carried.

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

General Fund	\$ 5,996.02
Ambulance	929.16
District Court	1,509.63
Justice Fund	12,407.91
Indigent	309.84
Revaluation	89.27
Solid Waste	53.82
Weeds	405.61
PILT	30,859.73

POWER COUNTY TREASURER REPORT (I.C. #31-2113): Pursuant to I.C. #31-2113, Power County Treasurer Bobbie Mauch appeared before the Commissioners to present the Statement of Treasurer’s Cash for the period ending May 31st, 2007.

GERALD FEHRINGER YOUTH CENTER: Gerald Fehringer Youth Center Board members Bob Schreiber and Bobbie Mauch appeared before the Commissioners to present the Youth Center’s annual report.

POWER COUNTY TREASURER – DELINQUENT PROPERTY TAXES

(AMERICAN AIR): Brian Hayes of American Air, LLC, appeared before the Commissioners with his attorney Don Marler and Power County Treasurer Bobbie Mauch to discuss the delinquent real and personal property taxes owing by Brian Hayes d/b/a American Air, LLC, in the amount of \$24,207.58. At the outset, Treasurer Mauch announced that a Warrant of Distrainment has been issued for collection of the past due taxes, which Warrant of Distrainment shall remain in effect until September 12th, 2007. Mr. Haynes acknowledged receipt of the Warrant of Distrainment and made an offer of full and final settlement in the amount of \$5,000. Following discussion with Power County Prosecuting Attorney Paul Laggis, the Commissioners agreed that no settlement will be considered at this time, but agreed to allow further discussion of this matter with Mr. Haynes and Mr. Marler on July 6th, 2007, at 9:00 a.m.

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 to consider and advise its legal representatives in pending litigation or where there is a general public awareness of probably litigation. Upon a call for the question, the following roll call vote was taken:

Commissioner Meadows – Aye
Commissioner Estep – Aye
Commissioner Funk – Aye

Carried.

POWER COUNTY PUBLIC DEFENDER CONTRACT – FISCAL YEAR 2008:

Moved by Commissioner Estep, seconded by Commissioner Funk, to approve the Agreement for Indigent Legal Services as redacted at provision #20 between Robert O. Eldredge and Power County for public defender services during fiscal year 2008. Carried.

AMERICAN FALLS RURAL FIRE DISTRICT – EXTRICATION AGREEMENT:

Moved by Commissioner Estep, seconded by Commissioner Meadows, to approve and execute the Agreement for Extrication Services between Power County and American Falls Rural Fire District for extrication services during fiscal year 2008. Carried.

POWER COUNTY PLANNING & ZONING BOARD – APPOINTMENT:

Commissioner Funk announced that Kevin Rhead has resigned from the Power County Planning & Zoning Board effective June 6th, 2007. Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Estep, to appoint Edith Kopp to fill the vacant position on the Power County Planning & Zoning Board (January, 2008) and issue a Certificate of Appreciation to Kevin Rhead. Carried.

AUGUST AGENDA: Following a review of the calendar, the Commissioners agreed to meet in August on the 6th and 27th.

U.S. FOREST SERVICE – CRYSTAL SUMMIT PARKING LOT (MEMORANDUM OF UNDERSTANDING/PARKS & RECREATION GRANT (ADA ACCESS GRANT):

Following discussion, the Commissioners agreed to table further discussion of this matter until July 6th, 2007, to allow additional time to review the Memorandum of Understanding and the Idaho Parks & Recreation ADA Access Grant with Deb Tiller at the U. S. Forest Service.

Adjourned.


VICKI MEADOWS, Chairman


CHRISTINE STEINLIGHT, Clerk