

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, July 23<sup>rd</sup>, 2007. Present were Commissioners Vicki Meadows, Chairman, Ken Estep and Ron Funk. Also present was Power County Clerk Christine Steinlicht.

POWER COUNTY CLERK – QUARTERLY REPORT (I.C. #31-1611): Pursuant to I.C. #31-1611, Power County Clerk Christine Steinlicht appeared before the Commissioners to present her quarterly report for the period ending June 30<sup>th</sup>, 2007. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to accept the Power County Clerk's Quarterly report as presented. Carried.

IDAHO DEPARTMENT OF JUVENILE CORRECTIONS – MEMORANDUM OF AGREEMENT: Moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and execute the Memorandum of Agreement to support the Community Incentive Program (CIP), the Re-Entry Program (REP) and/or the Mental Health Program (MHP) between the Idaho Department of Juvenile Corrections and Power County. Carried.

IDAHO DEPARTMENT OF JUVENILE CORRECTIONS – JUVENILE ACCOUNTABILITY BLOCK GRANT (APPLICATION FORM): Moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and execute the Idaho Department of Juvenile Corrections Juvenile Accountability Block Grant (JABG) Application Form for Federal Fiscal Year 2006. Carried.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Meadows, seconded by Commissioner Estep, 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 probable 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 TREASURER/CLERK – JOINT QUARTERLY REPORT (I.C. #31-2306): Pursuant to I.C. #31-2306, Power County Clerk Christine Steinlicht and Power County Treasurer Bobbie Mauch appeared before the Commissioners to present the Treasurer/Auditor Joint Quarterly Report for the quarter ending June 30<sup>th</sup>, 2007.

Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to approve the Joint Quarterly Report as presented. Carried.

POWER COUNTY TREASURER – MONTHLY 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 month ending June 30<sup>th</sup>, 2007. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to approve the Treasurer's Report as presented. Carried.

BRIAN HAYNES D/B/A AMERICAN AIR – DELINQUENT PROPERTY TAXES: Brian Haynes d/b/a American Air appeared before the Commissioners with his attorney Don Marler to discuss the delinquent property taxes, penalty and interest owing on Parcel #RPD0872-15A in the amount of \$24,207.58 and attorney fees paid by Power County for collection of this account in the amount of \$2,056.25. Also present was Power County Treasurer Bobbie Mauch. Following discussion, the Commissioners agreed to table further consideration of this matter until August 6<sup>th</sup>, 2007.

SECURE RURAL SCHOOLS & COMMUNITY – SELF DETERMINATION ACT (POWER COUNTY RESOLUTION #2007-04): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and adopt Power County Resolution #2007-04, which is a resolution designating the amount of funding to be assigned to Title II and Title III Projects on Forest Reserve payments for roads and schools under the terms of the Agricultural Reapportionment Act of 1908. Carried.

U.S. FOREST SERVICE – CRYSTAL SUMMIT PARKING LOT (DEPARTMENT OF PARKS & RECREATION ADA ACCESS GRANT): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and execute the Idaho Department of Parks & Recreation Grant Agreement Form #GMV8-5-39-1 in the amount of \$21,885.00 to construct ADA access toilets at the Crystal Summit Parking Lot in Power County. Carried.

U.S. FOREST SERVICE – CRYSTAL SUMMIT PARKING LOT (MEMORANDUM OF UNDERSTANDING): Commissioner Estep reported that he had been contacted by Deb Tiller of the U. S. Forest Service regarding the Memorandum of Understanding for the Crystal Summit Parking Lot between Idaho Department of Parks & Recreation, U.S. Forest Service and Power and Bannock Counties, as discussed on January 22<sup>nd</sup>, 2007. Ms. Tiller has reported that the Memorandum of Understanding is in the process of being prepared and requested additional time to present the same to the Board of Power County Commissioners for review and approval. Following discussion, the Commissioners agreed to table further consideration of this matter until October 22<sup>nd</sup>, 2007.

IDAHO DEPARTMENT OF COMMERCE – IDAHO RURAL ECONOMIC DEVELOPMENT PROFESSIONAL PROGRAM GRANT (GREAT RIFT ECONOMIC DEVELOPMENT BOARD): The Commissioners reviewed the Memorandum of Understanding between the Idaho Department of Commerce and Power County regarding the Idaho Rural Economic Development Professional Program Grant to fund the salary

and benefits of a full time economic development professional to serve the American Falls area for a period of three years. Following discussion, the Commissioners agreed to discuss this matter with Great Rift Economic Development Board on July 27<sup>th</sup>, 2007, and this matter was tabled until that time.

POWER COUNTY PROBATION – INTRODUCTORY EMPLOYMENT PROBATION REVIEW: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to release Power County Probation Office Supervisor Connie Shepherd from introductory employment probation and increase her annual salary by \$1,000. Carried.

FISCAL YEAR 2008 BUDGET: Power County Clerk Christine Steinlicht reported that the Commissioners proposed Fiscal Year 2008 budget will be published in the Power County Press on August 15<sup>th</sup> and 22<sup>nd</sup>, 2007, with the Fiscal Year 2008 Budget Public Hearing scheduled for Monday, August 27<sup>th</sup>, 2007, at 5:00 p.m.

CELLULAR TELEPHONE PLAN – ALLTEL (FORMERLY U.S. CELLULAR): Power County Clerk Christine Steinlicht reported that Kent Hill of A&H Cellular has confirmed that he is unable to offer an updated cellular telephone plan to Power County, due to his inability to act as the agent on a government account. The Commissioners then contacted Stephanie Schritter at the local Alltel Office to discuss renewal of Power County's cellular telephone plan, who indicated Power County's current cellular telephone account will remain unchanged as long as the monthly payments are made; however, Alltel's government account representative will be contacting Power County to discuss renewal options. Following discussion, the Commissioners agreed to continue payments to keep the current cellular telephone account active until a government account representative makes contact.

ALCOHOL BEVERAGE LICENSE: Commissioner Meadows announced that it was the date and time scheduled for consideration of a number of alcohol beverage licenses. There being no public objection, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve the following alcohol beverage licenses:

10. M. George & Shirley Udy d/b/a Mr. Petrol's Pantry for the sale of bottled or canned beer not to be consumed on the premises.
11. Economy Cash Stores, Inc. d/b/a Cardinal Thriftway for the sale of bottled or canned beer not to be consumed on the premises and retail wine.
12. Stanley L. Thyberg d/b/a Idaho Unlimited for the sale of bottled or canned beer to be consumed on the premises.
13. Lakeside Food, Inc. d/b/a Ken's Food Market for the sale of bottled or canned beer not to be consumed on the premises and retail wine.

14. Lonnie & Tina Lowder d/b/a Casey's Restaurant & Lounge for the sale of draught and bottled or canned beer to be consumed on the premises and retail liquor.
15. Bill L. Beck d/b/a Bill's Pro Shop for the sale of bottled or canned beer to be consumed on the premises and retail wine.
16. Patricia J. Payne d/b/a O'Grady's Gas & Grocery, Inc. for the sale of bottled or canned beer not to be consumed on the premises.

Carried.

INTERM ABATEMENT DISTRICT – ADAPCO VECTOR CONTROL SERVICES: Nathan O'Neal of Adapco Vector Control Services appeared before the Commissioners to present his weekly mosquito surveillance and control report for Power County for the week of July 23<sup>rd</sup>, 2007.

POWER COUNTY COURTHOUSE – SIDEWALK REPAIRS: Power County Clerk Christine Steinlicht presented the Commissioners with quotes for sidewalk and concrete repairs needed at Power County properties adjacent to the Power County Courthouse. Following discussion, the Commissioners agreed to review the quotes with Power County Building & Grounds Supervisor Gary Thomson and this matter was tabled until August 6<sup>th</sup>, 2007.

POWER COUNTY COURTHOUSE – SECURITY FEATURE: Power County Clerk Christine Steinlicht reported that Power County Building & Grounds Supervisor Gary Thomson is obtaining quotes to construct a security feature in front of the Power County Courthouse. Following discussion, the Commissioners agreed to table further discussion of this matter until August 6<sup>th</sup>, 2007.

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

General Fund	\$ 25,986.11
Ambulance	1,746.66
District Court	2,710.67
Justice Fund	28,810.32
Indigent	3,391.86
Revaluation	183.32
Solid Waste	16,007.65
Tort	581.60
Weeds	1,780.99
Waterways	644.86
PILT	15,704.35

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Estep, seconded by Commissioner Funk, to move into executive session pursuant to I.C. #67-2345 to consider records that are exempt from disclosure as provided in Chapter 3, Title 9, Idaho Code, specifically indigent medical applications. Upon a call for the question, the following roll call vote was taken:

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

Carried.

INDIGENT MEDICAL APPLICATION #2007-22-I: Moved by Commissioner Meadows, seconded by Commissioner Estep, to deny indigent medical application #2007-22-I, since applicant has other resources available to pay the medical expenses incurred. Carried.

INDIGENT MEDICAL APPLICATION #2007-21-I: Moved by Commissioner Meadows, seconded by Commissioner Estep, to deny indigent medical application #2007-21-I, since applicant has other resources available to pay the medical expenses incurred. Carried.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Meadows, seconded by Commissioner Estep, 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 probable 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 TRANSFER STATION/LANDFILL – DEMOLITION PIT: Following discussion, the Commissioners instructed Power County Prosecuting Attorney Paul Laggis to contact Stan Harmon d/b/a M.S.C. Industrial Services, Inc., to discuss the completion of the demolition pit at the Power County Transfer Station/Landfill, which project was awarded to M.S.C. Industrial Services, Inc., on June 18<sup>th</sup>, 2007.

POWER COUNTY SHERIFF – SURPLUS COUNTY PROPERTY: Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss surplus County property being held by the Power County Sheriff's Office. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to declare the 1978 Crestliner Boat #ID-4618-L and trailer as surplus County property with a value in excess of \$250 to be sold by the Power County Sheriff at public auction. Carried.

CONFLICT PUBLIC DEFENDER – FISCAL YEAR 2008 CONTRACT: Following discussion, the Commissioners agreed to solicit quotes for conflict public defender services for fiscal year 2008, and this matter was tabled until August 6<sup>th</sup>, 2007.

POWER COUNTY TRANSFER STATION/LANDFILL – FEE SCHEDULE ORDINANCE: At request of Power County Prosecuting Attorney Paul Laggis, the Commissioners agreed to table further consideration of this matter until August 6<sup>th</sup>, 2007.

POWER COUNTY HISTORICAL SOCIETY BOARD/MUSEUM – JOINT RESOLUTION: At the request of Power County Prosecuting Attorney Paul Laggis, the Commissioners agreed to table further consideration of this matter until August 6<sup>th</sup>, 2007.

POWER COUNTY PLANNING & ZONING – CITY OF POCATELLO (LAND APPLICATION PERMITS): At the request of Power County Prosecuting Attorney Paul Laggis, the Commissioners agreed to table further consideration of this matter until August 6<sup>th</sup>, 2007.

POWER COUNTY PLANNING & ZONING – KERRY WARD D/B/A K.J. CATTLE (CONFINED ANIMAL FEEDING OPERATION ) APPEAL: At the request of Power County Prosecuting Attorney Paul Laggis, the Commissioners agreed to table further consideration of this matter until August 6<sup>th</sup>, 2007.

POWER COUNTY PLANNING & ZONING – AARON FLOYD AND JAY GREENWALT D/B/A D.B.A., J.N.A. ENTERPRISES, LLC (WARTH SUBDIVISION – REZONE ORDINANCE): Commissioner Meadows announced that it was the date and time scheduled for public hearing on a recommendation from the Power County Planning & Zoning Board to rezone a parcel of land located in Section 2, Township 6 South, Range 31 E.B.M. in Power County from agricultural to rural residential to permit a subdivision pursuant the application of Aaron Floyd and Jay Greenwalt d/b/a J.N.A. Enterprises, L.L.C. Also present was Power County Building Administrator Robert Steinlicht. At the outset, the Commissioners each reported no conflicts which would prevent them from proceeding with the public hearing and a determination of the Planning & Zoning Board's recommendation. Upon hearing the evidence and testimony and reviewing the exhibits admitted, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to take this matter under advisement until July 30<sup>th</sup>, 2007, at 3:30 p.m. Carried.

POWER COUNTY PLANNING & ZONING – JODY BREIDING D/B/A RIO PROPERTIES, LLC (WATERS EDGE SUBDIVISION – REZONE ORDINANCE): Commissioner Meadows announced that it was the date and time scheduled for public hearing on a recommendation from the Power County Planning & Zoning Board to rezone a parcel of land located in Section 7, Township 7 South, Range 31 E.B.M. from agricultural to rural residential to permit a subdivision pursuant to the application of Jody Breiding d/b/a Rio Properties, L.L.C. Also present was Power County Building Administrator Robert Steinlicht. At the outset, the Commissioners each reported no

conflicts which would prevent them from proceeding with the public hearing and a determination of the Planning & Zoning Board's recommendation. Upon hearing the evidence and testimony and reviewing the exhibits admitted, it was moved by Commissioner Estep, seconded by Commissioner Funk, to take this matter under advisement until July 30<sup>th</sup>, 2007, at 4:00 p.m. Carried.

Adjourned.

  
VICKI MEADOWS, Chairman

  
CHRISTINE STEINLICHT, Clerk