

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, November 26<sup>th</sup>, 2007. Present were Commissioners Vicki Meadows, Chairman, Ken Estep and Ron Funk. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Paul Laggis.

POWER COUNTY PLANNING & ZONING – KBC FARMS, LLC (SUBDIVISION RE-ZONE POWER COUNTY ORDINANCE #2007-04): Power County Prosecuting Attorney Paul Laggis appeared before the Commissioners to report that he will be preparing Power County Ordinance #2007-04, which is an ordinance to re-zone approximately 110.63 acres from agricultural to rural residential. Following discussion, the Commissioners agreed to schedule the first reading of proposed Power County Ordinance #2007-04 for December 3<sup>rd</sup>, 2007, at 10:30 a.m.

SOUTHEASTERN DISTRICT HEALTH DEPARTMENT – 2007 ANNUAL REPORT: Southeastern District Health Department District Director Ed Marugg appeared before the Commissioners to present the Department's Annual Report for fiscal year 2007.

IDAHO DEPARTMENT OF TRANSPORTATION – I-86, EXIT 40 INTERCHANGE UPGRADE: Commissioner Meadows reported that the Idaho Department of Transportation has scheduled a general coalition meeting on November 27<sup>th</sup>, 2007, at 11:00 a.m. at the ITD District Five office in Pocatello to discuss flexibility in decision making at the local level, at which time Commissioner Meadows will also request an update on the I-86, Exit 40 interchange project. The Commissioners agreed to table further discussion of this matter until December 3<sup>rd</sup>, 2007.

GREAT RIFT BUSINESS DEVELOPMENT BOARD – COMMUNITY PLANNING: Commissioner Meadows reported that she had attended the most recent meeting of the American Falls City Council to discuss economic development within Power County and American Falls, at which time Great Rift Business Development Board Director Kristen Jensen agreed to contact various community planning agencies to request that they prepare presentations for the American Falls City Council and Power County Commissioners on Monday, January 14<sup>th</sup>, 2008, beginning at 4:00 p.m. in the Commissioners meeting room at the Power County Courthouse, and this matter was tabled until that time.

POWER COUNTY TRANSFER STATION/LANDFILL – EQUIPMENT OPTIONS: Power County Transfer Station/Landfill Supervisor Craig Heward appeared before the Commissioners with Randy Thurber from Scott Machinery Company to discuss maintenance of the Landfill's 2005 John Deere 410G backhoe. Mr. Thurber presented the Commissioners with options of purchase or lease on a new 2007 John Deere 410J backhoe. Following discussion, the Commissioners agreed to take this matter under advisement until December 3<sup>rd</sup>, 2007.

POWER COUNTY TRANSFER STATION/LANDFILL – FEE RESOLUTION: Commissioner Estep reported that he and Power County Transfer Station/Landfill Supervisor Craig Heward will be meeting with Power County Treasurer Bobbie Mauch and Power County Prosecuting Attorney Paul Laggis to discuss increasing the annual solid waste disposal fees and/or adopted an updated fee resolution, and the Commissioners agreed to table further consideration of this matter until January 14<sup>th</sup>, 2008.

COUNTY BOARD APPOINTMENTS: Following discussion, the Commissioners instructed Clerk Steinlicht to publish a notice of the various County Boards that will have vacancies to be filled in January, 2008. This matter was tabled until December 17<sup>th</sup>, 2007.

POWER COUNTY EMPLOYEES – CHRISTMAS RECOGNITION: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to give a \$15.00 Ken's Market gift certificate to Power County employees rather than host a Christmas party. Carried.

CHRISTMAS EVE COURTHOUSE CLOSURE: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to authorize closure of the Power County Courthouse and related offices on Monday, December 24<sup>th</sup>, 2007, at 12:00 o'clock noon. Carried.

POWER COUNTY BOARD OF EQUALIZATION (I.C. #63-501(2)): The Power County Board of Commissioners then convened as the Power County Board of Equalization pursuant to I.C. #63-501(2). There being no business to come before the Board, the Power County Board of Equalization recessed until January 28<sup>th</sup>, 2008.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Meadows, seconded by Commissioner Funk, to move into executive session pursuant to I.C. #67-2345 to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent. 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 PERSONNEL MANUAL: The Commissioners contacted Jim McNall of the Idaho Counties Risk Management Program (ICRMP) to discuss the Power County Personnel Manual, and specifically Section VII(C). Following discussion, it was moved by Commissioner Meadows, seconded by Funk, to specifically to prohibit Power

County employees from bringing children to work on a regular, non-emergency basis. Carried.

POWER COUNTY CELLULAR TELEPHONE PLAN – ALLTEL: The Commissioners contacted Alltel Government Account Representative Kati Patterson by telephone to discuss upgrading Power County's cellular telephone plan. Following discussion, the Commissioners agreed that the current plan is acceptable and should be maintained; however, cellular telephones and equipment need to be upgraded. Ms. Patterson will send an equipment list for the Commissioners review and this matter was tabled until December 3<sup>rd</sup>, 2007.

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

General Fund	\$ 24,258.63
Ambulance	6,447.91
Interim Abatement	20,833.08
District Court	10,881.04
Justice Fund	10,183.12
Indigent	685.22
Revaluation	540.00
Solid Waste	20,057.06
Weeds	587.02
Waterways	173.50
PILT	1,737.24

POWER COUNTY PLANNING & ZONING – KERRY WARD D/B/A K.J. CATTLE (CONFINED ANIMAL FEEDING OPERATION (APPEAL): Power County Prosecuting Attorney Paul Laggis reported that he has received no response to his written requests for applicant and appellant to complete mediation as previously ordered by the Board of Power County Commissioners pursuant to I.C. #67-6410. Following discussion, the Commissioners agreed to table further consideration of this matter until December 17<sup>th</sup>, 2007, at 3:00 p.m., at which time the Board of Commissioners will make its final determination on appeal.

POWER COUNTY TREASURER – WARRANT OF DISTRAINT (AMERICAN AIR): Power County Prosecuting Attorney Paul Laggis appeared before the Commissioners to report that Sixth District Judge Ronald E. Bush has scheduled the matter of American Air vs. Power County (Power County Case #CV-2007-294) for Court Trial on May 9<sup>th</sup>, 2008, and the Commissioners agreed to table further consider of this matter until May 12<sup>th</sup>, 2008.

ARBON DUMPSTER SITE – TAX CANCELLATION REQUEST: Clerk Steinlicht reported that Power County resident Barry Williams has requested that the \$60 solid waste disposal fee he is being assessed on Parcels #RPD2246-01 and #RPD2246-00 be cancelled annually in exchange for him allowing the Arbon dumpster site to be situated

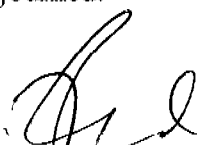
on his property free of charge. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to cancel the solid waste disposal fees on Power County Parcels #RPD2246-01 and #RPD2246-00 in the total amount of \$120.00 Carried.

POWER COUNTY COURTHOUSE – HANDICAP ACCESS (RESTROOM): Commissioner Meadows reported that she had discussed restroom handicapped accessibility with Power County Courthouse Expansion/Remodel project Architect Keevin Shropshire of JHS Architects, as well as with American Falls Building Administrator Jeff Nelson. Both Mr. Shropshire and Mr. Nelson have confirmed that all restrooms in the newly expanded and remodeled Courthouse comply fully with the provisions of the Americans with Disabilities Act (ADA) and are completely handicapped accessible.

POWER COUNTY PLANNING & ZONING – LAND APPLICATION PERMITS (CITY OF POCATELLO): The Commissioners contacted special Planning & Zoning Attorney Doug Balfour by telephone to discuss the City of Pocatello's obligation to obtain a permit for the land application of wastewater on the City's property adjacent to the Pocatello Municipal Airport. Mr. Balfour reported that he has scheduled a meeting with City of Pocatello Attorney Dean Tramner to discuss this matter, and the Commissioners agreed to table further discussion until December 17<sup>th</sup>, 2007.

POWER COUNTY PLANNING & ZONING – IDAHO DEVELOPMENT IMPACT FEE ACT (I.C. #67-8202): The Commissioners contacted special Planning & Zoning attorney Doug Balfour by telephone to discuss the Idaho Development Impact Fee Act. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to remove this matter as a Commissioner Agenda item and delay further consideration until after the Power County Planning & Zoning Board has completed its updates to the Power County Comprehensive Land Use Plan and Development Code.

Adjourned.

  
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VICKI MEADOWS, Chairman

  
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CHRISTINE STENLICHT, Clerk