

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, December 3rd, 2007. Present were Commissioners Vicki Meadow, Chairman, Ken Estep and Ron Funk. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney Paul Laggis.

COMMISSIONER MINUTES: Moved by Commissioner Estep, seconded by Commissioner Funk, to approve the Power County Commissioners Minutes for November 5th, 19th and 26th, 2007, as presented. Carried.

PUBLIC RECORDS REQUEST (I.C. #9-338): Power County Prosecuting Attorney Paul Laggis reviewed the written public records request submitted by John Miller of the Associated Press pursuant to I.C. #9-338, requesting copies of all Power County records related to Southeast Idaho Energy LLC and/or Refined Energy Holdings since January 1st, 2007. Following discussion, the Commissioners directed Prosecutor Laggis to compile the requested information for delivery to Mr. Miller.

POWER COUNTY TRANSFER STATION/LANDFILL – EQUIPMENT OPTIONS: Following discussion, Commissioners Estep and Funk agreed to visit the Power County Transfer Station to view the 2005 410G John Deere Backhoe in order to make a determination as to whether the upgrade options provided by Scott Machinery Company are necessary. This matter was tabled until December 17th, 2007.

POWER COUNTY SHERIFF – SICK LEAVE ACCRUAL: Power County Chief Deputy Sheriff Jackie Morris appeared before the Commissioners to request that they consider allowing minimal compensation to be paid to employees whose sick accrual balance is reduced to the maximum allowable. Following discussion, the Commissioners agreed that Section VIII(C)(2)(e) of the Power County Personnel Manual specifically prohibits the accrual of sick leave over the maximum allowable and directed Clerk Steinlicht to implement any payroll procedures necessary to cap sick leave accrual at the maximum allowable for each employee beginning in January, 2008.

SOUTHEASTERN DISTRICT HEALTH DEPARTMENT – QUARTERLY REPORT: Sandy Sorrell of the Southeastern District Health Department appeared before the Commissioners to present the District's quarterly report for Power County for the quarter ending September 30th, 2007.

POWER COUNTY CELLULAR TELEPHONE PLAN – ALLTEL: Power County Clerk Chris Steinlicht reported that the new cellular phones and related equipment have been received from Alltel and delivered to the appropriate County employees. Following discussion, the Commissioners agreed that all of the old cellular phones should be returned to the Power County Clerk's Office.

SNOW REMOVAL CONTRACT: Following discussion, Commissioner Estep agreed to contact Greg Olson d/b/a Olson Excavation to determine whether he will be providing snow removal services to Power County during the upcoming winter season.

POWER COUNTY PLANNING & ZONING – KBC FARMS, LLC (SUBDIVISION REZONE – POWER COUNTY ORDINANCE #2007-04): Commissioner Meadows announced that it was the date and time scheduled for first reading of proposed Power County Ordinance #2007-04, which is an ordinance to amend the Official Zoning Map of Power County to rezone approximately 110.63 acres from agricultural to rural residential to permit subdivision development pursuant to the application of KBC Farms LLC. Following first reading, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to close public hearing and schedule second reading for Monday, December 17th, 2007, at 9:00 a.m. Carried.

POWER COUNTY TREASURER – DELINQUENT PERSONAL PROPERTY TAXES (WARRANTS OF DISTRAINT): Power County Treasurer Bobbie Mauch and Chief Deputy Treasurer Carol Whitnah appeared before the Commissioners to report that all past due and delinquent personal property taxes owing against the following parcels were paid in full prior to Sheriff's Sale:

1. Parcel #MHZ0032-07, described as a 1973 Fleetwood mobile home, in the amount of \$56.24 (Steven Doty).
2. Parcel #MHZ0356-00, described as a 1976 Sun Valley mobile home, in the amount of \$189.20 (Marisela Alvarez).
3. Parcel #MHZ0279-01, described as a 1976 Concord mobile home, in the amount of \$137.74 (Darrell McClure).
4. Parcel #MHZ0332-07, described as a 2003 mobile home (make unknown), in the amount of \$415.82 (Parrish Realty).
5. Parcel #MHZ0072-02, described as a 1975 Hallmark mobile home, in the amount of \$79.98 (Roy Ledoux).
6. Parcel #MHZ0119-02, described as a 1974 Brookdale mobile home, in the amount of \$215.41 (Michael Johnson).

Treasurer Mauch then reported that the only parcel subject to Sheriff's Sale on November 28th, 2007, was Parcel #MHZ0436-06 (Joyce Tirado), described as a 1969 Tamarack mobile home, which was purchased by Power County for the delinquent tax amount of \$76.34. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to declare the 1969 Tamarack mobile home as surplus County property which constitutes a nuisance and health hazard to the community and arrange for said trailer be transported to the Power County Landfill for disposal. Carried.

Commissioner Meadows reported that American Falls Mayor Amy Wynn has suggested that the City Street Department would assist with equipment and manpower to transport the trailer to the Power County Landfill

QUARTERLY JAIL INSPECTION: Pursuant to Idaho Code #20-622, the Power County Commissioners then conducted their quarterly inspection of the Power County Jail.

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

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| General Fund | \$ 16,690.38 |
| Ambulance | 510.32 |
| District Court | 852.63 |
| Justice Fund | 13,045.15 |
| Indigent | 386.00 |
| Solid Waste | 260.43 |
| Weeds | 1,511.30 |
| Waterways | 23.17 |
| PILT | 608.11 |

POWER COUNTY PROBATION DEPARTMENT – MONTHLY PROBATIONER FEES: Power County Probation Office Supervisor Connie Shepherd appeared before the Commissioners to inquire whether a fee resolution could be adopted by the Commissioners allowing for the assessment and collection of monthly probationer fees and Clerk Steinlicht agreed to investigate what other counties are charging. Following discussion, the Commissioners agreed to table further consideration of this matter until December 17th, 2007.

POWER COUNTY PLANNING & ZONING – AARON FLOYD AND JAY GREENWALT D/B/A J.N.A. ENTERPRISES, LLC (WARTH SUBDIVISION PLAT): Power County Building Administrator Robert Steinlicht appeared before the Commissioners to present the original Plat for Warth Subdivision, which was prepared by GVE Drafting & Land Surveying. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute the Warth Subdivision Plat as presented. Carried. Mr. Steinlicht reported that all outstanding fees owing to Power County will be collected prior to the original Plat being recorded.

POWER COUNTY PLANNING & ZONING – JODY BREDDING D/B/A RIO PROPERTIES LLC (WATERS EDGE SUBDIVISION PLAT): Power County Building Administrator Robert Steinlicht and Jody Bredding of Rio Properties, LLC, appeared before the Commissioners to present a copy of the original Plat for Waters Edge Subdivision, which is being prepared by Rocky Mountain Engineering & Surveying. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to authorize Power County Commissioner Chairman Vicki Meadows to approve and execute the original Waters Edge Subdivision Plat upon receipt of the same from Rocky Mountain Engineering & Surveying. Carried. Mr. Steinlicht reported that all

outstanding fees owing to Power County will be collected prior to the original Plat being recorded.

POWER COUNTY PLANNING & ZONING – POWER COUNTY DEVELOPMENT CODE AMENDEMENT (LESA STANDARDS MODIFICATION) – POWER COUNTY ORDINANCE #2007-06: Commissioner Meadows announced that it was date and time scheduled for the first reading of proposed Power County Ordinance #2007-06, which is an ordinance to amend Chapter 10-8-6(A) of the Power County Development Code to eliminate LESA requirements from Rural Residential Zoning Districts. Following reading, it was moved by Commissioner Estep, seconded by Commissioner Funk, to close the public hearing and schedule second reading for December 17th, 2007, at 9:30 a.m. Carried.

IDAHO TRANSPORTATION DEPARTMENT – I-86, EXIT 40 INTERCHANGE UPGRADE: Ed Bala and Blake Rindlisbacher of the Idaho Department of Transportation appeared before the Commissioners to discuss the I-86, Exit 40 Interchange upgrade. Also present were American Falls Mayor Amy Wynn and City Council President Norm Wright. At the outset, Mr. Bala presented a copy of a proposed Cooperative Agreement between the Idaho Transportation Department and the City of American Falls setting forth the responsibilities of each party in relation to the future right of way and construction of the new interchange at I-86, Exit 40. Following a request by the City of American Falls for additional time to review the proposed Cooperative Agreement, further consideration of this matter was tabled until January 10th, 2008.

POWER COUNTY HISTORICAL SOCIETY – IDAHO COMMUNITY FOUNDATION IFFT GRANT: Commissioner Estep reported that the Power County Historical Society has secured an Idaho Community Foundation Ifft Grant in the amount of \$4,322 to purchase equipment and software to catalogue and properly preserve Power County's valuable historical documents, photos and artifacts.

Adjourned.


VICKI MEADOWS, Chairman


CHRISTINE STERLICH, Clerk