

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, January 14th, 2008. 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.

POWER COUNTY CLERK – FISCAL YEAR 2007 ANNUAL FINANCIAL REPORT (I.C. #31-2307): Pursuant to I.C. #31-2307, Power County Clerk Christine Steinlicht provided the Commissioners with a copy of the Clerk's Fiscal Year 2007 Annual Report. The Commissioners agreed that they would need additional time to review the report and this matter was tabled until January 28th, 2008.

POWER COUNTY TRANSFER STATION/LANDFILL – FEE RESOLUTION: Following discussion, the Commissioners agreed to table further consideration of this matter until February 25th, 2008.

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 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 SNOWMOBILE BOARD: Moved by Commissioner Meadows, seconded by Commissioner Estep, to reappoint Neal Permann to serve an additional three (3) year term on the Power County Snowmobile Board (January, 2011). Carried.

POWER COUNTY WATERWAYS BOARD: Moved by Commissioner Meadows, seconded by Commissioner Funk, to reappoint Ron Anderson to serve an additional three (3) year term on the Power County Waterways Board (January, 2011). Carried.

POWER COUNTY WEED BOARD: Moved by Commissioner Meadows, seconded by Commissioner Estep, to reappoint Neal Norman, Jerry Kress and Jeff Stewart each to serve an additional two (2) year term on the Power County Weed Board (January, 2010), and to appoint Don Haskins to serve a term of two (2) years on the Power County Weed Board (January, 2010). Carried.

POWER COUNTY FAIRBOARD: Moved by Commissioner Meadows, seconded by Commissioner Estep, to reappoint Roger Whitnah and Lynn Hunter each to serve an additional three (3) year term on the Power County Fairboard (January, 2011). Carried.

POWER COUNTY TRANSFER STATION/LANDFILL – SOUTHERN IDAHO SOLID WASTE (MILNER BUTTE): Terry Schultz, Executive Director of Southern Idaho Solid Waste, appeared before the Commissioners to review the Contract for Southern Idaho Solid Waste to provide facilities to receive Power County's waste at the Southern Idaho Solid Waste Landfill, which Contract will expire on September 30th, 2011. Mr. Schultz reported that increased transportation and other costs, along with internal system changes, will require the parties to renegotiate certain Contract provisions upon expiration. Mr. Schultz then reported on the current and future operations of the Southern Idaho Solid Waste District; including an effort to convert landfill waste into electrical power and other types of energy.

POWER COUNTY PLANNING & ZONING – KERRY WARD D/B/A K.J. CATTLE (CONFINED ANIMAL FEEDING OPERATION) APPEAL: Commissioner Meadows announced that it was the date and time scheduled for deliberation and final determination on the appeal of the Special Use Permit issued to Kerry Ward d/b/a K.J. Cattle, to develop a confined animal feeding operation for calves at 2576 Smith Road in Power County. At the outset, Commissioner Funk asserted a conflict of interest, since he was serving as a member of the Power County Planning & Zoning Board on August 25th, 2006, when the Special Use Permit was issued. Following a review of the record, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to uphold the Findings of Fact, Conclusions of Law and Decision entered by the Power County Planning & Zoning Board and subsequent Special Use Permit issued to K.J. Cattle, subject to the conditions stated in the Special Use Permit. Carried. There being no further business to come before the Board regarding this matter, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to close public hearing. Carried.

STATE INSURANCE FUND – DIVIDEND (SAFETY AWARD): Clerk Steinlicht advised the Commissioners that a dividend check in the amount of \$7,863 has been received from the State Insurance Fund and deposited in Power County's General Fund. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to grant the Power County employees a safety award of \$100 for elected officials and full time employees and \$50 for part time employees. Carried.

POWER COUNTY PLANNING & ZONING – KBC FARMS, LLC (SUBDIVISION RE-ZONE – POWER COUNTY ORDINANCE #2007-04): Commissioner Meadows announced that it was the date and time scheduled for third and final reading of 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 final reading, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and adopt Power County Ordinance #2007-04 and to

publish the same in the January 23rd, 2008, edition of the Power County Press. Carried. There being no further business to come before the Board regarding this matter, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to close public hearing. Carried.

POWER COUNTY CREDIT CARD ACCOUNTS (TAX EXEMPT): Commissioner Estep reported that Wells Fargo Bank has agreed to issue "tax exempt" credit cards to Power County offices/departments, which will prevent sales or other applicable taxes from being charged on credit card purchases. Following discussion, the Commissioners instructed Clerk Steinlicht to contact each office/department to suggest that all credit card accounts be converted to Wells Fargo "tax exempt" accounts.

POWER COUNTY PLANNING & ZONING – POWER COUNTY DEVELOPMENT CODE AMENDMENT (LESA STANDARDS MODIFICATION) – POWER COUNTY ORDINANCE #2007-06: Commissioner Meadows announced that it was the date and time scheduled for third and final reading of 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 final reading, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and adopt Power County Ordinance #2007-06 and to publish the same in the January 23rd, 2008, edition of the Power County Press. Carried. There being no further business to come before the Board regarding this matter, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to close public hearing. Carried.

POWER COUNTY HIGHWAY DISTRICT – 2008 IDAHO LEGISLATIVE SESSION: The following Power County Highway District officials appeared before the Board of Power County Commissioners to discuss the issues pertinent to Power County which may be brought up during the 2008 Legislative Session:

Gilbert Hofmeister – Board Chairman
Robert Wetzell – Board Member
Wade Povey – Board Member

Following discussion, the Commissioners and Highway District Board agreed to possibly partner with other taxing entities within Power County and/or their respective associations to address these common legislative concerns.

POWER COUNTY AIRPORT BOARD – PROMISSORY NOTE: The Commissioners reviewed the Promissory Note executed by the Power County Airport Board in favor of Power County in the amount of \$16,444.05, which is required to be paid in three annual installments of \$5,841.35, plus interest to be calculated by the Power County Treasurer in an amount equal to the average Idaho State Pool Interest Rate with full and final payment due January 10th, 2008. Following discussion, the Commissioners agreed that due to unforeseen and unanticipated expenses, the Power County Airport Board is unable to make full payment at this time; however, the interest portion in the amount of \$280.10 has been paid. Following discussion, it was moved by Commissioner Estep, seconded by

Commissioner Funk, to defer final payment on the Promissory Note until January 10th, 2009, with the understanding that interest will continue to accrue as agreed until the Note has been paid in full. Carried.

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

General Fund	\$ 33,298.87
Ambulance	4,289.04
Interim Abatement	14,676.66
District Court	3,455.51
Justice Fund	30,640.69
Indigent	3,512.02
Revaluation	6,639.66
Solid Waste	54,220.77
Weeds	1,214.20
Waterways	27.78
PILT	18,395.06

POWER SOIL CONSERVATION DISTRICT – ANNUAL REPORT: Power County Soil Conservation District Board Supervisor Roger Whitnah appeared before the Commissioners to present the District’s Annual Report for the period ending June 30th, 2007. Mr. Whitnah then requested that the Commissioners submit their letter of intent to provide the Power Soil Conservation District \$6,000 from Power County’s fiscal year 2009 budget. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to submit a letter of intent to allocate \$6,000 to Power County Soil Conservation District from the County’s fiscal year 2009 budget. Carried.

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

21. Holly Morris d/b/a Lucky’s Grill, LLC, for the sale of bottled or canned beer to be consumed on the premises and wine by the drink.

Carried.

EMPLOYEE ACCRUAL REGISTER – VACATION/COMPENSATORY TIME CARRY-OVER: The Commissioners reviewed the Power County Accrual Register showing vacation and compensatory time being carried over to calendar year 2008 by each County employee. Following discussion and a review of Sections VIII B(5), VIIIC(1)(d) and VIIIC(2)(e) of the Power County Personnel Manual, it was moved by Commissioner Estep, seconded by Commissioner Funk, to reduce vacation accrual balances on all employees to the maximum carry-over allowed under the Power County

Personnel Manual. Carried. Clerk Steinlicht will make the necessary adjustments and advise each employee accordingly.

POWER COUNTY SHERIFF – JAIL MASTER PLAN (ROCKY MOUNTAIN CORRECTIONS): Power County Sheriff Jim Jeffries appeared before the Commissioners to present the proposed Letter of Agreement between Power County and Rocky Mountain Corrections to set out the work plan and timeline for Phase II of Power County's detention center development project. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute the Letter of Agreement between Power County and Rocky Mountain Corrections as presented. 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 records that are exempt from disclosure as provided in Chapter 3, Title I, 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 CASE #2008-08-I: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to take this case under advisement pursuant to I.C. #31-3505(C). Carried. This matter was tabled until January 28th, 2008.

GREAT RIFT BUSINESS DEVELOPMENT GROUP – ECONOMIC DEVELOPMENT: Great Rift Business Development Group Director Kristen Jensen and Power County Building Administrator Robert Steinlicht appeared before the Commissioners to discuss economic development and land planning issues. Also present from the City of American Falls were the following officials:

Norman Wright – American Falls City Council President
Marc Beitia – American Falls City Council Member
Stuart Pankratz – American Falls City Council Member
Dean Weaver – American Falls City Council Member
Dan Hammond – American Falls City Council Member
Robin Herndon – American Falls City Clerk

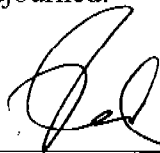
Kathleen Lewis and Susan Lorenz from the Southeast Idaho Council of Governments (SEICOG) were also present to discuss Power County's comprehensive planning process and to report on the status of the Power County Land Use Plan and Development Code updates. Also present was Power County Development Authority administrative assistant Valorie Watkins. The Commissioners and City Council then received

presentations from the following engineering firms for the development of a community land plan:

Keller Associates/Whisper Mountain
JUB Engineers, Inc.

Following the presentations, it was moved by Commissioner Estep, seconded by Commissioner Funk, to retain JUB Engineers, Inc., to serve as the engineers for the Community Land Plan. Carried. Following discussion, the Commissioners and City Council agreed to meet jointly with JUB Engineers, Inc., on Wednesday, January 16th, 2008, at 7:30 p.m. to review the proposed contract and discuss a timeline for completion of the project, and this matter was tabled until that time.

Adjourned.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk