

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, February 25th, 2008. Present were Commissioners Ken Estep and Ron Funk. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney Paul Laggis.

POWER COUNTY PROBATION DEPARTMENT – MONTHLY PROBATIONER FEES: Power County Probation Office Supervisor Connie Shepherd appeared before the Commissioners to present information on what other Idaho Counties are charging for monthly probationer fees. Also present was Idaho department of Juvenile Corrections Sixth District Liaison Bill Lasley. Following discussion, Commissioner Funk and Mr. Lasley agreed to review this matter with Sixth District Magistrate Judge Mark Beebe and this matter was tabled until March 10th, 2008.

POWER COUNTY TREASURER – MONTHLY REPORT (I.C. #31-2113): Power County Chief Deputy Treasurer Carol Whitnah appeared before the Commissioners pursuant to I.C. #31-2112 to present the Statement of Treasurer's Cash for the month ending January 31st, 2008.

POWER COUNTY SHERIFF – JAIL MASTER PLAN (ROCKY MOUNTAIN CORRECTIONS): Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss Phase II of the Power County Jail Master Plan being prepared by Rocky Mountain Corrections. Following discussion, the Commissioners agreed to schedule Rocky Mountain Corrections' Phase II presentation for Tuesday, April 1st, at 1:30 p.m. and this matter was tabled until that time.

POWER COUNTY SHERIFF – JAIL MEDICAL: Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss ambulance service for inmates at the Power County Jail, and presented the Commissioners with a chart depicting the total number of dispatch calls by each local agency, 3.97% of which are attributable to the Power County Ambulance District. Following discussion, the Commissioners agreed that dispatch services will continue to be provided to the Power County Ambulance District free of charge.

POWER COUNTY SHERIFF – POWER COUNTY PERSONNEL MANUAL: Power County Sheriff Jim Jeffries appeared before the Commissioners to review Section VIII(C)(3) of the Power County Personnel Manual regarding paid holidays. Following discussion, the Commissioners and Sheriff Jeffries agreed that Section VIII(C)(3) should be updated to confirm that Power County law enforcement personnel are subject to the

Fair Labor Standards Act 7(k) Exemption and this matter was tabled until March 10th, 2008.

POWER COUNTY TRANSFER STATION/LANDFILL – FEE RESOLUTION: Following discussion, the Commissioners agreed to table further consideration of this matter until June 9th, 2008, to allow additional time to review what other Idaho Counties transfer stations and/or landfills charge on site for solid waste demolition/disposal fees.

SIXTH DISTRICT JUVENILE DETENTION FACILITY – JOINT POWERS AGREEMENT: Seth Scott of the Sixth District Juvenile Detention Facility appeared before the Commissioners to review the updated Joint Powers Agreement between the Counties of Bannock, Caribou, Oneida, Bear Lake, Franklin and Power, to provide a facility for the detention of juveniles, with costs to be calculated on allocation rather than ownership. Also present was Power County Juvenile Probation Officer Chuck Misner. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve the Sixth District Juvenile Detention Joint Power Agreement as presented. Carried. Mr. Scott will present the original to Commissioner Meadows for her signature at the next Sixth District Juvenile Detention Board meeting.

POWER COUNTY WATERWAYS SURPLUS VEHICLE: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to declare the Power County Waterways' 1985 Chevrolet Pickup, VIN #1GBGC24M1FJ127782 as surplus County property with a value in excess of \$250 and post the same on Power County's surplus property board to accept sealed bids until April 14th, 2008, at 9:30 a.m. Carried.

POWER COUNTY GUARDIANSHIP BOARD: Moved by Commissioner Funk, seconded by Commissioner Estep, to reappoint Donna Permann, Carlene Savage and Becky Smith each to serve additional two (2) year term on the Power County Guardianship Board (January, 2010). Carried.

POWER COUNTY AIRPORT BOARD: Moved by Commissioner Funk, seconded by Commissioner Estep, to reappoint Ron Miller to serve an additional three (3) year term on Power County Airport Board (January, 2011). Carried.

AMERICAN FALLS LIBRARY DISTRICT: American Falls Library District Board Chairman Linda Morris appeared before the Commissioners to discuss issues pertinent to Power County which may be brought up during the 2008 Legislative Session. Also present was American Falls School District #381 Superintendent Ron Bollinger, Power County Assessor Doug Glascock, Power County Sheriff Jim Jeffries, and American Falls City Council Member Kristen Jensen.

BOARD OF EQUALIZATION (I.C. #63-501): The Board of Power County Commissioners then met as the Power County Board of Equalization pursuant to I.C. #63-501. There being no business to come before the Board, the Power County Board of Equalization recessed until March 24th, 2008.

2008 PRIMARY ELECTION – BALLOTS (I.C. #34-902): Pursuant to I.C. #34-902, it was moved by Commissioner Funk, seconded by Commissioner Estep, to authorize Power County Clerk Christine Steinlicht to purchase 3,850 ballots for the 2008 Primary Election to be held on Tuesday, May 27th, 2008. Carried.

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

General Fund	\$ 22,129.57
Ambulance	2,056.53
District Court	5,042.08
Justice Fund	5,233.51
Indigent	558.04
Revaluation	264.50
Solid Waste	3,924.05
Tort	113.20
Weeds	2,798.12
Waterways	94.00
PILT	25.25

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 Estep – Aye
Commissioner Funk – Aye

Carried.

INDIGENT CASE #2008-10-I: Moved by Commissioner Estep, seconded by Commissioner Funk, to deny indigent medical case #2008-10-I, since application was untimely pursuant to I.C. #31-3505(1). Carried.

INDIGENT CASE #2008-09-I: Moved by Commissioner Estep, seconded by Commissioner Funk, to approve indigent medical application #2008-09-I. Carried.

INDIGENT CASE #2008-07-I: Moved by Commissioner Estep, seconded by Commissioner Funk, to approve indigent medical application #2008-07-I. Carried.

POWER COUNTY PLANNING & ZONING – MIKE MILLWARD D/B/A M&S DEVELOPMENT, LLC (BUCKAROO ESTATES): Power County Planning & Zoning Attorney Douglas J. Balfour announced that it was the date and time scheduled for Commissioner hearing on the appeals from the Findings of Fact, Conclusions of Law and

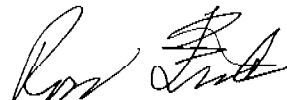
Order of the Power County Planning & Zoning Board dated January 15th, 2008, in regards to an application filed by Mike Millward d/b/a M&S Development, LLC, to re-zone approximately 120 acres located in Section 17, Township 7 South, Range 33 E.B.M. from agricultural to rural residential to allow for the future sale and construction of individual home sites, to be known as Buckaroo Estates. Appellant Shoshone-Bannock Tribes appeared through counsel Mark EchoHawk; however, appellant City of Pocatello failed to appear following due notice of these proceedings. Following arguments of Counsel Mark EchoHawk, and a review of the record submitted to the Power County Planning & Zoning Board, it was moved by Commissioner Funk, seconded by Commissioner Estep, to close public hearing and schedule deliberation and final determination for Tuesday, March 4th, 2008, at 9:00 a.m. Carried.

POWER COUNTY PLANNING & ZONING – COMPREHENSIVE PLAN: Power County Planning & Zoning Attorney Douglas J. Balfour appeared before the Commissioners to report on the status of the Power County Comprehensive Land Use Plan updates.

POWER COUNTY PLANNING & ZONING – APPEAL AND VARIANCES (POWER COUNTY ORDINANCE #2008-03): Power County Planning & Zoning Attorney Douglas J. Balfour appeared before the Commissioners to review proposed Power County Ordinance #2008-01, which is an ordinance amending Section 10-2-3 of the County Code to limit appeal hearings before the Commissioners to the record established by the Power County Planning & Zoning Board, and a determination as to whether the Planning & Zoning Board’s findings and conclusions were supported by substantial, competent evidence and are proper under the law. Following discussion, the Commissioners agreed to table further consideration of this matter until March 4th, 2008.

Adjourned.


KEN ESTEP, Commissioner


RON FUNK, Commissioner


CHRISTINE STEINLICHT, Clerk