

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, July 14th, 2008. Present were Commissioners Vicki Meadows, Chairman, Ken Estep and Ron Funk. Also present were Power County Clerk Christine Steinlicht and Power County Deputy Prosecuting Attorney Randy Kline.

VACANCY IN OFFICE (I.C. #59-907) – PROSECUTING ATTORNEY: Power County Deputy Prosecuting Attorney Randy Kline appeared before the Commissioners to discuss the offer to allow Mr. Kline to fill the vacant position of Power County Prosecuting Attorney, to assume all duties and responsibilities required by I.C. #31-2604 at the current annual salary of \$53,258, plus a part-time secretary. Upon hearing public comment, it was moved by Commissioner Funk, seconded by Commissioner Meadows, to continue the full-time secretary position in the Power County Prosecuting Attorney's Office. Carried. Following further discussion, Mr. Kline then accepted the amended offer and will immediately begin serving as the duly appointed Power County Prosecuting Attorney.

BRIAN HAYNES D/B/A AMERICAN AIR, LLC (POWER COUNTY CASE #CV-2007-294) – DELINQUENT PROPERTY TAXES: Power County Prosecuting Attorney Randy Kline appeared before the Commissioners to report that, pursuant to stipulation of the parties, the Honorable Ronald E. Bush issued an Order on July 10th, 2008, dismissing without prejudice Power County Case #CV-2007-294, American Air vs. Power County. Following discussion, the Commissioners agreed that no settlement offer would be considered and will instruct the Power County Treasurer to proceed with a Warrant of Distraint on Parcel #RPD0872-15 if payment in full is not made within thirty (30) days. The Commissioners then instructed Prosecutor Kline to provide written notice to American Air attorney Craig Parrish and this matter was tabled until August 25th, 2008.

BRIAN HAYNES D/B/A AMERICAN AIR, LLC – COMMERCIAL AIRPORT HANGER LEASE: Following discussion and a review of the Commercial Airport Hanger Lease between Power County and American Air, LLC, it was moved by Commissioner Estep, seconded by Commissioner Funk, to increase the annual rental fee from three cents (.03) per square foot per year to the five cents (.05) per square foot as is currently being assessed on other commercial properties at the Power County Airport effective January 1st, 2009. Carried. The Commissioners instructed Prosecutor Kline to provide American Air, LLC, with formal written notice of said increase.

POWER COUNTY COURTHOUSE – SIDEWALK/SECURITY FEATURE: The Commissioners reviewed the quote submitted by Cornerstone Concrete to construct a security feature at the front entrance of the Power County Courthouse and to repair sidewalks and driveway approaches on County property adjacent to the Power County Courthouse. Following discussion, it was moved by Commissioner Estep, seconded by

Commissioner Funk, to approve and award parts 1, 2, and 5 of Cornerstone Concrete quote as submitted, for concrete repair and replacement in the amount of \$5,993 and to postpone the construction of any security feature at this time. Carried.

IDAHO DEPARTMENT OF PARKS & RECREATION – BOAT SAFETY PROGRAM/GRANT: Dave Dahms, Randy Herman and Ed Lyon of the Idaho Department of Parks & Recreation appeared before the Commissioners to discuss the Idaho Safe Boating Act and the State grant funding available. Also present were Power County Sheriff Jim Jeffries and Power County Marine Patrol Deputy Pete Williams.

POWER COUNTY SHERIFF (SEARCH & RESCUE) – SURPLUS EQUIPMENT: Following discussion with Power County Sheriff Jim Jeffries and Power County Search & Rescue Commander Pete Williams, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to declare the following equipment as surplus County property with a value in excess of \$250, to be sold, traded and/or disposed of by Power County Sheriff Jim Jeffries in accordance with Idaho Law:

1997 Polaris 500 Jet Ski (Serial #PLE03561K697)
1997 Polaris 700 Jet Ski (Serial #PLE01009J697)

Carried.

INTERIM MOSQUITO ABATEMENT DISTRICT: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to authorize Vector Disease Control, Inc., to conduct aerial spraying for mosquitoes in areas designated by the Power County Interim Mosquito Abatement District Board. Carried.

POWER COUNTY TRANSFER STATION/LANDFILL – FEE RESOLUTION: Following discussion, the Commissioners agreed to remove this matter as an agenda item and to deny the imposition of additional or increased solid waste disposal fees at this time.

POWER COUNTY TRANSFER STATION/LANDFILL – SOLID WASTE DISPOSAL AGREEMENT (IDAHO DISPOSAL SYSTEMS): Following discussion, the Commissioners agreed that Power County Transfer Station/Landfill Supervisor Craig Heward should review the County's current Agreement for disposal of solid waste with Idaho Disposal Systems, which Agreement is scheduled to expire on September 30th, 2008, and this matter was tabled until August 11th, 2008.

U.S. DEPARTMENT OF INTERIOR (BUREAU OF RECLAMATION) – BEACH USE ORDINANCE: Following discussion, the Commissioners agreed that Power County's current littering ordinance fully addresses the concerns reported by the Bureau of Reclamation and no further action will be taken at this time.

POWER COUNTY ASSESSOR – RURAL SUBDIVISIONS (AGRICULTURAL TAX VALUE): Power County Deputy Assessor Donna Thornton appeared before the

Commissioners to report on the Rural Subdivisions within Power County that have been allowed to maintain agricultural tax value pursuant to I.C. #63-602(k) until the initial improvement of building or infrastructure is commenced. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and accept the Rural Subdivision/Agricultural Tax Value report as presented. Carried.

APPLICATION FOR TAX EXEMPTION (I.C. #63-602AA) – CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS: Power County Deputy Assessor Donna Thornton appeared before the Commissioners to present the application of the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints, requesting that certain real property deeded to it by way of Warranty Deed dated August 13th, 2007, and duly recorded in the Office of the Power County Recorder as Instrument #192306, be exempted for property taxes under I.C. #63-602B. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to deny the application for exemption, since “for profit” farm ground does not qualify for religious exemption. Carried.

POWER COUNTY CLERK – BALANCED BUDGET (I.C. #31-1603): Pursuant to I.C. #31-1603, Power County Clerk Christine Steinlicht appeared before the Commissioners to present the Clerk’s balanced budget for fiscal year 2009. Following discussion, the Commissioners agreed to review the proposed budget and this matter was tabled until July 28th, 2008.

ALCOHOL BEVERAGE LICENSES (I.C. #63-903): 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 Meadows, seconded by Commissioner Funk, to approve the following alcohol beverage licenses:

1. Stanley & Floreen Thyberg d/b/a Idaho Unlimited for the sale of bottled or canned beer to be consumed on the premises.
2. American Legion Roland Evans Post #3 d/b/a Freddie’s Roadhouse for the sale of draught and bottled or canned beer to be consumed on the premises and retail liquor.
3. AE Sales, LLC d/b/a Jet Stop for the sale of bottled or canned beer not to be consumed on the premises.
4. CHS, Inc., d/b/a Bingham Cooperative for the sale of bottled or canned beer not to be consumed on the premises.
5. Lucky’s Grill, LLC d/b/a Lucky’s Grill for the sale of bottled or canned beer to be consumed on the premises and wine by the drink.

6. El Jaliciense, Inc. d/b/a Tres Hermanos for the sale of bottled or canned beer to be consumed on the premises.
7. Fay LaRay Correll d/b/a Willow Bay Café for the sale of bottled or canned beer to be consumed on the premises and bottled or canned beer not to be consumed on the premises.
8. 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.
9. Robert Taylor Hess for the Estate of Charles R. Hess d/b/a Sagebrush Bar for the sale of draught and bottled or canned beer to be consumed on the premises.
10. Jackson's Food Store, Inc. d/b/a Jackson's Food #70 for the sale of bottled or canned beer not to be consumed on the premises and retail wine.
11. 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.
12. Lakeside Foods, 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.
13. Randy Adams d/b/a Pocatello Trap Club for the sale of bottled or canned beer to be consumed on the premises.

Carried.

BOARD OF EQUALIZATION (I.C. #65-501): The Board of Commissioners then met as the Power County Board of Equalization pursuant to I.C. #65-501. Also present were Power County Assessor Douglas Glascock and Deputy Assessor Mary Annen.

Following discussion and a review of the evidence submitted, it was moved by Commissioner Estep, seconded by Commissioner Funk, to sustain the value of the Power County Assessor on Parcel #RPD0278-37. Carried.

Following discussion and a review of the evidence submitted, it was moved by Commissioner Estep, seconded by Commissioner Funk, to sustain the value of the Power County Assessor on Parcel #RPA0533-00. Carried.

Following discussion and a review of the evidence submitted, it was moved by Commissioner Estep, seconded by Commissioner Funk, to change the market value of subject property on Parcel #RPD0810-06 to a total of \$40,000. Carried.

There being no future business to come before the Board, it was moved by Commissioner Meadows, seconded by Commissioner Funk, adjourn the Power County Board of

Equalization and to sustain all remaining values set by the Power County Assessor Douglas Glascock for the 2008 tax year. Carried.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Funk, seconded by Commissioner Estep, to move into executive session pursuant to I.C. #67-2345 to consider records that are exempt from disclosure pursuant to 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 CASE #2008-27-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve Indigent Case #2008-27-I. Carried.

INDIGENT CASE #2008-26-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve Indigent Case #2008-26-I. Carried.

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


General Fund	\$ 21,190.67
Ambulance District	3,125.14
Interim Abatement District	16,558.33
District Court	7,590.57
Justice Fund	30,925.32
Indigent	14,720.67
Revaluation	2,506.55
Solid Waste	21,581.94
Weed	3,174.15
Waterways	1,980.63
PILT	2,578.65

COURT APPOINTED SPECIAL ADVOCATES (CASA): Power County's Court Appointed Special Advocate Patti Porath appeared before the Commissioners to discuss CASA services within Power County and funding available for these services.


POWER COUNTY PROBATION – MONTHLY PROBATION FEES: Power County Probation Officer Supervisor Connie Shepherd and Chief Deputy Clerk Linda Annen appeared before the Commissioners with Power County Magistrate Judge Paul Laggis to discuss the imposition of monthly probation fees. Following discussion, Ms. Shepherd agreed to compile a list of probationers with a recommendation for the monthly fee to be imposed on each, which fees can then be collected through the ISTARs system by the

Power County Clerk. Judge Laggis indicated that he would contact Administrative District Judge Peter McDermott to discuss how to properly impose monthly probation fees on individuals currently on probation. Following further discussion, the Commissioners and Judge Laggis agreed that the Power County Probation office should collect reimbursement for drug testing and/or home monitoring devices and turn those funds over to the Power County Clerk on a daily basis.

Adjourned.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk