

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, November 24th, 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 F. Randall Kline.

JUNIOR COLLEGE – CERTIFICATES OF RESIDENCY: Moved by Commissioner Estep, seconded by Commissioner Funk, to approve the Certificate of Residency presented by the College of Southern Idaho. Carried.

IDAHO CATASTROPHIC HEALTH CARE COST PROGRAM – BOARD OF ADMINISTRATORS (BALLOTS): Moved by Commissioner Estep, seconded by Commissioner Meadows, to vote for Bannock County Commissioner Steve Hadley to represent Region V on the Idaho Catastrophic Health Care Cost Program Board of Administrators. Carried.

IDAHO COUNTIES RISK MANAGEMENT PROGRAM (ICRMP) – BOARD OF TRUSTEES (BALLOT): Moved by Commissioner Meadows, seconded by Commissioner Funk, to vote for Power County Commissioner Ken Estep to represent Region 5 on the ICRMP Board of Trustees. Carried. Moved by Commissioner Meadows, seconded by Commissioner Funk, to vote for Bingham County Commissioner Cleone Jolley to serve as Member-at-Large on the ICRMP Board of Trustees. Carried.

DELINQUENT PERSONAL PROPERTY TAXES – WARRANT OF DISTRAINT (AMERICAN AIR VS. POWER COUNTY): Power County Prosecuting Attorney F. Randall Kline appeared before the Commissioners with Power County Treasurer Bobbie Mauch and Power County Sheriff Civil Deputies Bobbie Morris and Gaylene Cardona to report that American Air filed a Complaint for Declaratory Judgment and Request for Restraining Order and Preliminary Injunction with the Power County District Court (Case #CV-2008-352) on November 19th, 2008; thereby vacating the Sheriff's Sale scheduled for November 21st, 2008. Prosecutor Kline further reported that Honorable Peter D. McDermott has scheduled hearing of this matter on Thursday, December 11th, 2008, and the Commissioners agreed to table further discussion of this matter until Monday, December 22nd, 2008.

POWER COUNTY ORDINANCE #2009-01 – BEACH USE ORDINANCE (WATERWAYS): The Commissioner reviewed proposed Power County Ordinance #2009-01 prepared by Power County Prosecuting Attorney F. Randall Kline, which is an ordinance regulating the use and enjoyment of public beaches and land surrounding the American Falls Reservoir and providing penalties for violation of such regulations. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to schedule public hearing on proposed Power County Ordinance #2009-01 for Monday, December 22nd, 2008, at 11:00 o'clock a.m., and to properly

publish notice of public hearing and the proposed ordinance in the December 10th and 17th, 2008, editions of the Power County Press. Carried.

SOUTHEASTERN DISTRICT HEALTH DEPARTMENT – ANNUAL REPORT: Director Ed Marugg of the Southeastern District Health Department appeared before the Commissioners to present the District's Annual Report for Fiscal Year 2008.

POWER COUNTY MOSQUITO ABATEMENT DISTRICT – RESOLUTION #2009-02: Power County Prosecuting Attorney F. Randall Kline appeared before the Commissioners to present Power County Resolution #2009-02, which is a resolution to certify the Power County Mosquito Abatement District as a permanent taxing entity within Power County. Following discussion it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute Power County Resolution #2009-02 as presented. Carried. Following a review of I.C. #63-215, the original Resolution will be immediately recorded, and copies will be provided to the Power County Assessor and the Idaho State Tax Commission.

DEATON & COMPANY – FISCAL YEAR 2008 AUDIT (I.C. #31-1701): Charles Clark and Brandi Young of Deaton & Company, Chartered, appeared before the Commissioners to discuss Power County's 2008 Fiscal Year audit, which will be completed by Deaton & Company pursuant to I.C. #31-1701.

SUPERIOR PHYSICAL THERAPY – DOCTORS CLINIC LEASE: Bart McDonald and Richard Lemon of Superior Physical Therapy appeared before the Commissioners to discuss the availability of space at the Doctors Clinic, which they would like to utilize for part-time physical therapy services. Following discussion, the Commissioners agreed that the current facility would need to be remodeled to accommodate another service provider, and further agreed that limited parking may pose a problem. Following discussion, the Commissioners agreed to take this matter under advisement until December 8th, 2008.

MOSQUITO ABATEMENT DISTRICT – VECTOR DISEASE CONTROL, INC. (ANNUAL REPORT): Tim Bennett of Vector Disease Control, Inc., appeared before the Commissioners to review the Professional Services Agreement with Power County, which Agreement expires December 31st, 2009. Mr. Bennett then presented the Commissioners with a copy of the 2008 Year End Mosquito Surveillance and Control Report for Power County.

CHRISTMAS EVE COURTHOUSE CLOSURE: Following discussion, it was moved by Commissioner Estep, seconded by Funk, to authorize closure of the Power County Courthouse and related offices on Wednesday, December 24th, 2008, at 12:00 o'clock noon. Carried.

POWER COUNTY EMPLOYEES – CHRISTMAS RECOGNITION: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep,

to give local merchant gift certificates of \$20.00 to Power County employees in lieu of a County Christmas party. Carried.

POWER COUNTY BOARD OF EQUALIZATION (I.C. #63-501(2)): The Board of Power County Commissioners then met as the Power County Board of Equalization pursuant to I.C. #63-501(2). Also present was Power County Deputy Assessor Becky Smith. There being no business to come before the Board, it was moved by Commissioner Funk, seconded by Commissioner Estep, to approve the Power County Assessor's Subsequent Property Roll as presented and recess the Power County Board of Equalization until January 26th, 2009. Carried.

HARDSHIP EXEMPTION (I.C. #63-711): Power County Deputy Assessor Becky Smith appeared before the Commissioners with applicant to present an Application for Hardship Exemption on Parcel #RPA0365-00. Following discussion and a review of the evidence and testimony submitted, it was moved by Commissioner Estep, seconded by Commissioner Funk, to forgive a portion of the 2008 property taxes owing in the amount of \$820 and solid waste disposal fees owing in the amount of \$40 on Parcel #RPA0365-00. Carried.

HARDSHIP EXEMPTION (I.C. #63-711): Power County Deputy Assessor Becky Smith appeared before the Commissioners with applicant to present an Application for Hardship Exemption on Parcel #RPA0336-03. Following discussion and a review of the evidence and testimony submitted, it was moved by Commissioner Estep, seconded by Commissioner Funk, to forgive all 2008 property taxes and fees owing on Parcel #RPA0336-03 in the amount of \$612.30. Carried.

ARBON DUMPSTER SITE – TAX CANCELLATION REQUEST: Clerk Steinlicht reported that Power County resident Barry Williams has requested that the \$60 solid waste disposal fees 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 Estep, seconded by Commissioner Funk, to cancel the solid waste disposal fees on Power County Parcels #RPD2246-01 and #RPD2246-00. Carried.

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

General Fund	\$ 31,027.03
Ambulance District	18,015.43
Interim Abatement District	16,558.33
District Court	5,079.97
Justice Fund	20,938.80
Indigent	813.74
Revaluation	540.00
Solid Waste	71.54
Weeds	29.56

Waterways	1,950.00
PILT	1,543.08

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 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 #2009-01-I: Moved by Commissioner Estep, seconded by Commissioner Meadows, to approve Indigent Case #2009-01-I. Carried.


POWER COUNTY JUVENILE PROBATION – ANNUAL JUVENILE JUSTICE REPORT: Power County Juvenile Probation Office Supervisor Connie Shepherd appeared before the Commissioners to present a copy of Power County's Annual Juvenile Justice Report to the Idaho Department of Juvenile Corrections. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve the Annual Juvenile Justice Report as presented. Carried.

POWER COUNTY TREASURER – MONTHLY REPORT (I.C. #31-2113): Power County Treasurer Bobbie Mauch appeared before the Commissioners pursuant to I.C. #31-2113 to present her Statement of Treasurer's Cash for the month ending October 31st, 2008.

Adjourned.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk