

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, December 8th, 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.

MINUTES: Moved by Commissioner Estep, seconded by Commissioner Funk, to approve the Power County Commissioner Minutes for November 10th, 17th and 24th, 2008, as presented. Carried.

INDUSTRIAL DEVELOPMENT BOARD: Moved by Commissioner Estep, seconded by Commissioner Funk, to reappoint Bob Cox and Bob Schutte each to serve an additional three (3) year term on the Power County Industrial Development Board (January, 2012). Carried.

SNOWMOBILE BOARD: Moved by Commissioner Meadows, seconded by Commissioner Estep, to reappoint Linda Morris to serve an additional three (3) year term on the Power County Snowmobile Board (January, 2012). Carried.

FAIRBOARD: Moved by Commissioner Meadows, seconded by Commissioner Estep, to reappoint R.D. Kuttler and Bill Schroeder each to serve an additional three (3) year term on the Power County Fairboard (January, 2012). Carried.

POWER COUNTY PLANNING & ZONING BOARD: Moved by Commissioner Funk, seconded by Commissioner Meadows, to reappoint Bill Lasley and Gary Gehring each to serve an additional three (3) year term on the Power County Planning & Zoning Board (January, 2012). Carried.

THREE RIVERS RESOURCE, CONSERVATION & DEVELOPMENT (RC&D): Richard Wolfe of Three Rivers RC&D appeared before the Commissioners to report that the Federal Fire Code has now been adopted in Idaho and is enforceable Statewide; however, each jurisdiction must adopt appropriate wildland urban interface fire codes. Mr. Wolfe then requested that the Board of Power County Commissioners schedule a meeting with the various fire district commissioners within Power County to discuss code enforcement within interface areas and the possibility of increasing permit fees on new construction within those fire districts to fund enforcement. Also present to register full support for wildland urban interface enforcement were Idaho Bureau of Disaster Services Regional Director Ken Fagnet, Bureau of Land Management Administrator Kevin

Conrad, Gary Bishop with the U.S. Forest Service and Power County resident Kent Rudeen. Following discussion, Mr. Wolfe agreed to provide the Commissioners with a copy of the Bannock County codes that apply to new construction or structures moved into designated wildland urban interface areas. The Commissioners then advised Mr. Wolfe that the Power County Planning & Zoning Board is currently in the process of updating the County's building and development codes and suggested that Mr. Wolfe contact Power County Planning & Zoning Administrator Robert Steinlicht to intervene in that process.

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 period ending September 30th, 2008.

SOUTHEASTERN DISTRICT HEALTH DEPARTMENT – EMPLOYEE SHOTS: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to offer the one-time series of Hepatitis A/B shots and annual TB tests, which are available through the Southeastern District Health Department, to all Power County employees at County expense. Carried.

PROPERTY ACQUISITION – OFFER TO PURCHASE: The Commissioner then discussed the duplex property for sale located at 506 and 508 Gifford Avenue in American Falls. Following discussions with Gate City Realtor Bobette Wright, and a review of I.C. # 31-807, it was moved by Commissioner Estep, seconded by Commissioner Funk, to obtain an independent appraisal on the property located at 506-508 Gifford Avenue, and to execute the standard Real Estate Purchase and Sale Agreement between Power County and Harley Mauch in the amount of \$103,900 as presented. Carried. Following further discussion, the Commissioners agreed to tentatively schedule sale closing on Monday, December 22nd, 2008, at 1:30 o'clock p.m. in the Commissioners meeting room at the Power County Courthouse and this matter was tabled until that time.

POWER COUNTY PLANNING & ZONING – ABATEMENT OF DANGEROUS BUILDINGS (ORDINANCE #2009-02): The Commissioners reviewed proposed Power County Ordinance #2009-02, which is an ordinance to adopt the Uniform Code for the abatement of dangerous buildings, prepared by Power County Planning & Zoning Attorney Douglas J. Balfour. Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Meadows, to schedule public hearing on proposed Power County Ordinance #2009-02 for Monday, January 12th, 2009, at 3:00 o'clock p.m., and to properly publish notice of public hearing and the proposed ordinance in the December 31st, 2007, and January 7th, 2009, editions of the Power County Press. Carried.

POWER COUNTY PLANNING & ZONING – SHOSHONE BANNOCK TRIBES (PUBLIC SAFETY/LAND USE ORDINANCE): Following discussion with Power County Planning & Zoning Attorney Douglas J. Balfour, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to submit written opposition to the

Shoshone-Bannock Tribes Land Use Policy Commission concerning the Tribe's proposed Land Use Policy Ordinance. Carried. Mr. Balfour will prepare the appropriate opposition documents for the Commissioners signatures.

POWER COUNTY AIRPORT – POWER COUNTY RESOLUTION #2009-01 (IDAHO TRANSPORTATION AERONAUTICS GRANT): Moved by Commissioner Estep, seconded by Commissioner Meadows, to approve and adopt Power County Resolution #2009-01 accepting the grant offer of the State of Idaho through the Idaho Transportation Department, Division of Aeronautics, in the maximum amount of \$20,250 for the purpose of obtaining State aid under Program #LNS8U01 and Project #SP-0413f.A-11 in the development of the American Falls/Power County Airport. Carried.

SUPERIOR PHYSICAL THERAPY – DOCTORS CLINIC LEASE: The Commissioners reported that there has been no further contact by Bart McDonald or Richard Lemon of Superior Physical Therapy regarding their interest in obtaining a Lease Agreement for a portion of the Doctors Clinic. Following discussion, the Commissioners agreed to remove this matter as an agenda item.

HARDSHIP EXEMPTION APPLICATION (I.C. #63-711): Power County Chief Deputy Assessor Mary Annen appeared before the Commissioners with applicant to present an Application for Hardship Exemption on Parcel #RPA0321-00. Following discussion and a review of the evidence and testimony submitted, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to deny the hardship exemption application. Carried. Upon further consideration; however, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to cancel that portion of the 2008 taxes owing on Parcel #RPA0321-00 that would have been exempt under a properly filed Homeowners Exemption, in the amount of \$418.33. Carried.

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

General Fund	\$ 14,846.72
Ambulance District	4,420.35
District Court	4,479.86
Justice Fund	60,522.15
Indigent	847.00
Revaluation	3,963.00
Solid Waste	19,303.15
Weeds	690.47
Waterways	73.97
PILT	972.34

AMERICAN AIR VS. POWER COUNTY (#CV-2008-352) – WARRANT OF DISTRAINT (PERSONAL PROPERTY): Counsel for American Air, Craig Parrish and Don Marler, appeared before the Commissioners via speaker telephone to discuss the case of American Air vs. Power County (Case #CV-2008-352). Also present was Power

County Prosecuting Attorney F. Randall Kline. At the outset, Mr. Parrish requested that the Commissioners stipulate to continue the Court hearing scheduled for December 11th, 2008, and allow American Air additional time to prepare and present an offer of settlement. Following discussion, the Commissioners agreed that no further settlement options will be considered and this matter should proceed to hearing before Sixth District Judge Peter D. McDermott as scheduled. This matter was tabled until December 22nd, 2008.

Adjourned.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk