

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, June 22nd, 2009. 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.

POWER COUNTY PLANNING & ZONING – AREA OF CITY IMPACT (HIGHWAY JURISDICTION): The Commissioners contacted Special Power County Planning & Zoning Attorney Doug Balfour by telephone to discuss the Power County Highway District's jurisdiction within the City's area of impact. Also present was Power County Planning & Zoning Administrator Robert Steinlicht. Following discussion and a review of the letter dated June 9th, 2009, from Power County Highway District Attorney David E. Wynkoop of the firm Sherer & Wynkoop, LLP, the Commissioners and Mr. Balfour agreed that all City street and County road issues relating to existing subdivisions within the area of City impact are solely between City of American Falls and the Power County Highway District; however, all future subdivision plats within that impact area should be "signed off" by both the Power County Highway District and the City of American Falls. Mr. Balfour agreed to respond, in writing, to attorney Wynkoop's letter.

POWER COUNTY HERD DISTRICTS: Power County Prosecuting Attorney Randy Kline appeared before the Commissioners to discuss recent public inquiries regarding herd districts vs. open range areas within Power County, and specifically the Arbon Valley area. Following a review of the County's Herd District map and I.C. #24-2401, et seq., Prosecutor Kline agreed to respond those citizens requesting clarification and/or information.

POWER COUNTY SHERIFF – FEE RESOLUTION: Power County Sheriff Jim Jeffries appeared before the Commissioners to report that following reconsideration and a review of the Idaho Statutes dealing with Sheriff fees, a fee resolution will not be necessary at this time, and the Commissioners agreed to remove this matter as an agenda item.

CRYSTAL SUMMIT PARKING LOT – IDAHO DEPARTMENT OF PARKS & RECREATION (ACCESS GRANT): Commissioner Estep reported that the Pocatello Pathfinders were not awarded any additional grant funds from the Idaho Department of Parks & Recreation to further enhance accessibility at the Crystal Summit Parking Lot in the Mink Creek area of Power County.

AMERICAN FALLS RURAL FIRE DISTRICT – EXTRICATION AGREEMENT: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and execute the Agreement for Extrication Services between Power County and the American Falls Rural Fire District for fiscal year 2010. Carried.

AMERICAN FALLS YOUTH MINISTRY, INC. D/B/A GERALD FEHRINGER YOUTH CENTER – LEASE AGREEMENT: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Lease Agreement between Power County and American Falls Youth Ministry, Inc., d/b/a Gerald Fehringer Youth Center to lease of a portion of the Power County Courthouse Annex during fiscal year 2010. Carried.

POWER COUNTY CONFLICT PUBLIC DEFENDER – EXTENSION AGREEMENT: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute the Extension of Agreement between Power County and D. Scott Heide for conflict public defender services during fiscal year 2010. Carried.

POWER COUNTY PUBLIC DEFENDER – EXTENSION AGREEMENT: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to approve and execute the Extension of Agreement between Power County and Robert O. Eldredge for public defender services during fiscal year 2010. Carried.

FISCAL YEAR 2010 BUDGET: The Commissioners then reviewed and discussed the fiscal year 2010 budget requests. Clerk Steinlicht advised the Commissioners that, pursuant to I.C. #31-1603, the Clerk's proposed budget for fiscal year 2010 will be filed with the Board of Power County Commissioners on Monday, July 13th, 2009, at 4:00 p.m. and this matter was tabled until that time.

POWER COUNTY MOSQUITO ABATEMENT – VECTOR DISEASE CONTROL, INC.: Allen Loe and Tim Bennett of Vector Disease Control, Inc. (VCDI), appeared before the Commissioners to present their Mosquito Surveillance and Control Report for Power County for April and May, 2009. Mr. Loe then reported that, should the Commissioners choose to renew the Mosquito Control Services Agreement with VCDI which expires December 31st, 2009, Power County would receive a 3% decrease over the current contract amount for a fixed term of three (3) years. Following discussion, the Commissioners agreed to table further consideration of this matter until July 13th, 2009.

EXECUTIVE SESSION (I.C. #67-2345): Following discussion with Power County's special attorney Blake Hall of the firm Anderson, Nelson, Hall & Smith, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to move into executive session pursuant to I.C. #67-2345, to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Upon a call for the question, the following roll call vote was taken:

Commissioner Meadows – Aye
Commissioner Estep – Aye
Commissioner Funk – Aye

Carried.

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

General Fund (Current Expense)	\$ 40,796.21
Ambulance District	3,405.19
District Court	1,992.84
Justice Fund	43,865.10
Indigent	9,524.72
Revaluation	3,513.30
Solid Waste	3,712.27
Weeds	18,260.62
Waterways	200.01
PILT	147.43

POWER COUNTY TRANSFER STATION/LANDFILL – PERSONNEL ISSUES: Power County Transfer Station/Landfill supervisor Craig Heward appeared before the Commissioners to request that he be allowed to hire additional part-time help until August 30th, 2009, due to a short-term personnel shortage. Following discussion, the Commissioners agreed to take this matter under advisement until July 13th, 2009.

POWER COUNTY BOARD OF EQUALIZATION (I.C. #3-501): The Board of Power County Commissioner then met as the Power County Board of Equalization pursuant to I.C. #63-501. Power County resident Bob Knudsen, Jr., appeared before the Board to dispute the Power County Assessor's assessed value on the following parcels:

#RPD0843-08	#RPD0843-12
#RPD0915-00	#RPD0843-02
#RPD0843-04	#RPA1372-65
#RPA1372-01	#RPA1372-00
#RPA1093-00	#RPA0806-00
#RPD0617-05	#PPA1365-21
#PPY0082-00	#RPA1365-12
#RPA0798-00	#RPD0617-01

Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Estep, to take this matter under advisement until July 13th, 2009. Carried.

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. Upon a call for the question, the following roll call vote as taken:

Commissioner Meadows – Absent/Excused
Commissioner Estep – Aye
Commissioner Funk – Aye

Carried.

INDIGENT CASE #2009-25-I: Moved by Commissioner Estep, seconded by Commissioner Funk, to approve indigent medical application #2009-25-I. Carried.

INDIGENT CASE #2009-24-I: Moved by Commissioner Estep, seconded by Commissioner Funk, to deny indigent medical application #2009-24-I, since applicant is not a resident as defined by I.C. #31-3502(12), that Power County is not the obligated County under I.C. #31-3506(2)(a), and that applicant has other resources sufficient to pay the medical expenses incurred as set forth in I.C. #31-3502(17). Carried.

INDIGENT CASE #2009-23-I: Moved by Commissioner Estep, seconded by Commissioner Funk, to deny indigent medical application #2009-23-I, since the application was processed as incomplete as per I.C. #31-3505(A). 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 May 31st, 2009. Carried.

POWER COUNTY TREASURER – WARRANTS OF DISTRAINT: Power County Treasurer Bobbie Mauch appeared before the Commissioners to discuss the warrants of distraint that are pending on the following parcels:

#MHZ0049-06
#MHZ0072-02
#MHZ0096-00

Following discussion with Power County Prosecuting Attorney Randy Kline, the Commissioners and Treasurer Mauch agreed that these Warrants of Distraint, which are scheduled to expire on July 3rd, 2009, should be immediately reissued and extended to allow the City of American Falls additional time to proceed with criminal and/or civil charges against the owner of the unlicensed trailer park where these personal property parcels are situated, and this matter was tabled until July 27th, 2009.

Adjourned.



VICKI MEADOWS, Chairman


CHRISTINE STENLICHT, Clerk