

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, July 13<sup>th</sup>, 2009. Present were Commissioners Vicki Meadows, Chairman, Ken Estep and Ron Funk. Also present was Power County Clerk Christine Steinlicht.

MOUNTAIN STATES TRANSMISSION INTERTIE – UTILITY CORRIDOR: Dan Rapkoch and Ron Olson of Mountain States Transmission Intertie (MSTI) appeared before the Commissioners to report that an Environmental Impact Statement is being prepared to determine the optimum route for a transmission and/or utility corridor through Power County. Mr. Olson reported that MSTI will be scheduling a public meeting, as well as contacting landowners directly, to discuss project options and impact mitigation. The Commissioners suggested that Mr. Rapkoch also contact the Power County Energy and Utility Task Force.

MINUTES: Moved by Commissioner Estep, seconded by Commissioner Meadows, to approve and execute the Power County Commissioner Minutes for June 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 22<sup>nd</sup> and 25<sup>th</sup>, 2009, as presented. Carried.

POWER COUNTY ELECTED OFFICIALS/DEPARTMENT HEADS MEETING: The following individuals appeared for the Power County Elected Officials and Department Heads meeting:

Vicki Meadows – Commissioner Chairman  
Ken Estep – Commissioner  
Ron Funk – Commissioner  
Chris Steinlicht – Clerk  
Doug Glascock – Assessor  
Bobbie Mauch – Treasurer  
Jim Jeffries – Sheriff  
Jackie Morris – Chief Deputy Sheriff  
Kevin Ostler – Deputy Sheriff  
Connie Shepherd – Probation Office Supervisor  
Robert Steinlicht – Building Administrator  
Stan Gortsema – Extension Department  
Di Jones – Ambulance/Disaster Services Director  
Curtis Munk – Weed Department Supervisor

POWER COUNTY CELLULAR TELEPHONE PLAN – ALLTEL: The Power County Elected Officials and Department Heads reviewed the equipment and accessories available through Alltel at little or no cost to government subscribers. Following discussion, the Commissioners suggested that each office/department make a list of the cellular telephones or accessories that need replaced or upgraded and provide the same to the Power County Clerk by 5:00 p.m. on Friday, July 17<sup>th</sup>, 2009.

POWER COUNTY WEB PAGE – RAVE COMMUNICATIONS: Following discussions with the Power County Elected Officials and Department Heads and a review of the progress being made to the Power County Website, the Commissioners agreed that Rave Communications should meet individually with each official and department head to review the information pertinent to their office/department.

IDAHO STATE HISTORICAL SOCIETY – STATE ARCHIVES: Clerk Steinlicht reported to the Power County Elected Officials and Department Heads that, due to budget cuts, the Idaho State Historical Society's State Archives will no longer pick up records from Counties for transport to Boise. The Commissioners and elected officials agreed to deliver Power County's archival records directly to the State Archives each February in conjunction with Idaho Association of Counties Mid-Winter Legislative Conference.

POWER COUNTY EMPLOYEE MEDICAL INSURANCE BENEFIT PLAN – GEM PLAN: Commissioner Estep then reported to the Power County Elected Officials and Department Heads that the Gem Plan agents at Mutual Insurance anticipate that Power County's premiums for fiscal year 2010 will increase by approximately 12.5% over fiscal year 2009.

WHISPER MOUNTAIN – MAPPING PROGRAM: The Power County Elected Officials and Department Heads then reviewed the proposal submitted by Whisper Mountain to develop a GIS addressing system and accompanying 911 data layer development for Power County in the amount of \$9,200 for data development, \$3,100 for initial set-up costs, and on-going maintenance of \$350 per month. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and accept the quote submitted by Whisper Mountain, with the understanding that other Power County taxing entities could utilize the County's mapping programs and services under a negotiated fee arrangement. Carried.

EXECUTIVE SESSION (I.C. #67-2345): At the request of Power County's Special Attorney Blake Hall of the firm Anderson, Nelson, Hall & Smith, PA, 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.

POWER COUNTY SHERIFF – COMMUNICATIONS: Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss the anticipated increases for communication/radio fees that will be assessed by Clark Radio and the State of Idaho.

Sheriff Jeffries requested Commissioner assistance in gathering information to determine the proper amount to be budgeted for communications during fiscal year 2010.

POWER COUNTY PLANNING & ZONING – HEAVY INDUSTRIAL ZONES (PERMITTED USES) – RESOLUTION #2009-07: Power County Planning & Zoning Attorney Douglas J. Balfour appeared before the Commissioners to present proposed Power County Resolution #2009-07, amending the Power County Development Code regarding permitted uses within heavy industrial zones. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute Power County Resolution #2009-07 as presented. Carried.

POWER COUNTY PLANNING & ZONING – UTILITY TRANSMISSION CORRIDORS (ORDINANCE #2009-04): Power County Planning & Zoning Attorney Douglas J. Balfour appeared before the Commissioners to discuss utility transmission corridors within Power County. Upon a unanimous recommendation from the Power County Planning & Zoning Board, and good cause appearing therefore, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute Power County Ordinance #2009-04 adopting a utility transmission corridor code at Chapter 19, Title 10 of the Power County Code, as being in the best interests of the health, safety and welfare of Power County and its citizens. Carried. The Commissioners instructed Clerk Steinlicht to publish the “Summary of Ordinance” prepared by Attorney Balfour in the July 22<sup>nd</sup>, 2009, edition of the Power County Press.

POWER COUNTY PLANNING & ZONING – FISCAL YEAR 2010 (ATTORNEY CONTRACT): Power County Planning & Zoning Attorney Douglas J. Balfour appeared before the Commissioners to report that he has prepared a proposed contract for attorney services during fiscal year 2010 and will provide a copy to the Commissioners. The Commissioner agreed to table further consideration of this matter until July 27<sup>th</sup>, 2009.

ALCOHOL BEVERAGE LICENSES (I.C. #23-903): Commissioner Estep 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 Funk, seconded by Commissioner Estep, to approve the following alcohol beverage licenses:

1. AE Sales LLC d/b/a Jet Stop for the sale of bottled or canned beer not to be consumed on the premises.
2. 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.
3. 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.
4. Jackson’s Food Stores, Inc. d/b/a Jackson’s for the sale of bottled or canned beer not to be consumed on the premises and retail wine.

5. 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.
6. CHS, Inc. d/b/a Bingham Cooperative for the sale of bottled or canned beer not to be consume on the premises.
7. 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.
8. Stanley & Floreen Thyberg d/b/a Idaho Unlimited for the sale of bottled or canned beer to be consumed on the premises.
9. 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.
10. Randy L. Adams d/b/a Pocatello Trap Club for the sale of bottled or canned beer to be consumed on the premises.
11. Eric Morris 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.
12. NPC International, Inc. d/b/a Pizza Hut for the sale of bottled or canned beer to be consumed on the premises.
13. Lonnie or Tina Lowder d/b/a Casey's Restaurant & Lounge for the sale of draught and bottled or canned beer to be consumed on the premises and retail liquor.
14. Vernessa Rupe & Trent Rupe d/b/a Rupe's Rockland Café for the sale of draught and bottled or canned beer to be consumed on the premises, bottled or canned beer not to be consumed on the premises and wine by the drink.

Carried.

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

Current Expense	\$ 26,669.41
Ambulance District	2,773.72
Mosquito Abatement District	16,558.33
District Court	6,597.09
Justice Fund	30,938.31
Indigent	2,588.18
Revaluation	446.22

Solid Waste	24,757.44
Tort	1,000.00
Weeds	2,686.36
Waterways	1,528.22
PILT	5,124.77

POWER COUNTY BOARD OF EQUALIZATION (I.C. #63-501): The Commissioners then met as the Power County Board of Equalization pursuant to I.C. #63-501. Also present were Power County Assessor Doug Glascock and the County's independent contract appraiser Richard Hartley.

At the outset, Power County Clerk Chris Steinlicht reported that applicant Teresa Bowman had withdrawn her Notice of Appeal before the Power County Board of Equalization on Parcel #RPB0127-00; accordingly, it was moved by Commissioner Estep, seconded by Commissioner Funk, to sustain the Power County Assessor's value on Power County Parcel #RPB0127-00. Carried.

Power County resident Amanda Blair appeared before the Board of Equalization to dispute the Power County Assessor's assessed value on Power County Parcel #RPC0247-00. Following an additional on-site visit to the premises by the Power County Assessor, it was moved by Commissioner Estep, seconded by Commissioner Funk, to amend the market value on Parcel #RPC0247-00 to \$88,935 (\$22,050 Land -- \$66,885 Buildings). Carried.

Power County resident Randy Phythian appeared before the Board of Equalization to dispute the Power County Assessor's assessed value on Power County Parcel #RPA0187-00. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to sustain the Power County Assessor's value on Power County Parcel #RPA0187-00. Carried.

Following a review of the application submitted and the testimony presented to the Board of Equalization by Power County resident Bob Knudsen on June 22<sup>nd</sup>, 2009, it was moved by Commissioner Funk, seconded by Commissioner Estep, to sustain the Power County Assessor's values 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

Carried.

There being no further business to come before the Board of Equalization, it was moved by Commissioner Funk, seconded by Commissioner Estep, to adjourn the Power County Board of Equalization and to sustain all remaining values set by Power County Assessor Douglas Glascock for the 2009 tax year. Carried.

APPLICATION FOR TAX EXEMPTION (I.C. #63-602(B)): Sister Janice Otis of the Roman Catholic Churches d/b/a Advocate Community, Inc., appeared before the Commissioners to present her application for the property tax exemption allowed under I.C. #63-602(B). Following discussions with Sister Otis and Power County Assessor Doug Glascock, it was moved by Commissioner Estep, seconded by Commissioner Funk, to grant property exempt status on Power County Parcels #RPD0315-00 and #MHZ0396-03 to the Roman Catholic Advocate Community, Inc. Carried.

POWER COUNTY TRANSFER STATION/LANDFILL: The Commissioners discussed Power County Transfer Station/Landfill Supervisor Craig Heward's request for additional part-time help. Following discussion, the Commissioners agreed that no additional part-time or temporary employees will be considered at this time.

CITY OF AMERICAN FALLS – I-86, EXIT 40 INTERCHANGE UPGRADE: The Commissioners discussed the request of American Falls City Council President Norm Wright for County assistance in securing proper sidewalks and/or other pedestrian safety options on the I-86 Exit 40 interchange upgrade. Following discussion with Ed Bala at the Idaho Department of Transportation, the Commissioners agreed that the pedestrian issues may have been resolved; however, this matter was tabled until July 27<sup>th</sup>, 2009.

POWER COUNTY BUILDING & GROUNDS – PARKING LOT REPAIRS: Following discussion with Power County Building & Grounds supervisor Gary Thomsen, it was moved by Commissioner Estep, seconded by Commissioner Funk, to accept the quote submitted by Klinger Asphalt & Maintenance in the amount of \$12,616 to repair and re-seal the County's parking areas. Carried.

FISCAL YEAR 2009 BUDGET – AUTHORIZED FUND TRANSFER: Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Estep, to authorize the transfer of \$150,000 from the Mosquito Abatement District Fund to the PILT Fund and \$1,300 from the LID Fund to the PILT Fund. Carried.

POWER COUNTY CLERK – FISCAL YEAR 2010 BALANCED BUDGET (I.C. #31-1603): Power County Clerk Chris Steinlicht appeared before the Commissioners to present the Clerk's balanced budget for fiscal year 2010. Following discussion, the Commissioners agreed to review the proposed budget and this matter was tabled until July 27<sup>th</sup>, 2009.

POWER COUNTY PROBATION – ADULT MISDEMEANOR SERVICES (I.C. #31-878): Following discussions with Power County Magistrate Judge Paul Laggis and Jim McNall of the Idaho Counties Risk Management Program (ICRMP), the Commissioners


agreed to pursue a contract for Power County Adult Misdemeanor Probation services beginning October 1<sup>st</sup>, 2009, and this matter was tabled until July 27<sup>th</sup>, 2009.

POWER COUNTY CLERK – COLLECTION OF COURT DEBT (I.C. #19-4708, #67-2358): Power County Clerk Chris Steinlicht presented the commissioners with a copy of the Administrative Order signed by District Judge Peter D. McDermott on June 25<sup>th</sup>, 2009, authorizing the collection of Court debt as set forth in Idaho Code #19-4708 and #67-2358. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute the Contract for collection of debts owed to Power County Courts with Idaho Billing Services, Inc. d/b/a Advanced Collection Technology, which contract has also been signed by Sixth District Administrative Judge Peter D. McDermott. Carried.

MOSQUITO ABATEMENT – VECTOR DISEASE CONTROL, INC.: Tim Bennett and Allen Loe of Vector Disease Control, Inc., appeared before the Commissioners to present the Mosquito Surveillance and Control Report for Power County for June, 2009. Mr. Bennett then inquired as to Power County's intentions for renewing the Mosquito Control Professional Services Agreement, which expires December 31<sup>st</sup>, 2009, with the assurance that 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 August 10<sup>th</sup>, 2009.

WESTERN AERIAL APPLICATORS – AIRPORT USE AGREEMENT: Allen Loe and Willis Coco of Western Aerial Applicators appeared before the Commissioners to discuss their aerial application business and possible use of the preparation and fuel pad at the Power County Airport. Following discussion, the Commissioners agreed that they may need to develop a written agreement or protocol for use of the fuel and preparation pad by multiple applicators/users. Commissioner Funk reported that Airport Board member Brian Fayhe is gathering information on upgrading the water pump and water line to the pad and this matter was tabled until August 10<sup>th</sup>, 2009.

Adjourned.

  
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VICKI MEADOWS, Chairman

  
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CHRISTINE STEINLICHT, Clerk