

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, July 12th, 2010. 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.

COMMISSIONER MINUTES: Moved by Commissioner Estep, seconded by Commissioner Funk, to approve the Power County Commissioner Minutes for June 7th, 8th, 9th, 10th, 11th, 14th and 28th, 2010, as presented. Carried.

POWER COUNTY PLANNING & ZONING – CONTRACT FOR LEGAL SERVICES (DOUGLAS J. BALFOUR, CHARTERED) – POWER COUNTY RESOLUTION #2010-12: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute Power County Resolution #2010-12, which is a resolution to contract with Douglas J. Balfour, Chartered, for legal services to the Power County Planning & Zoning Board and the Board of County Commissioners on certain areas as they deem necessary and advisable. Carried. Following further discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Contract for Services between Power County and Douglas J. Balfour for the period October 1st, 2010, through September 30th, 2011. Carried.

POWER COUNTY COURTHOUSE SECURITY – IDEA-COM ECSI QUOTE: John Roberts of IdeaCom ECSI appeared before the Commissioners to review the quote submitted to upgrade the Power County Courthouse telephone system to allow for Caller ID on Voice T-1's, which would allow the Power County Courthouse security officer to access call information and track the flow of each call through the system if the need arises. Following discussion, the Commissioners agreed that no telephone system upgrades are required at this time.

POWER COUNTY AIRPORT – SECURITY GATE: Power County Airport Board members Ron Miller and Brian Fayhe appeared before the Commissioners to discuss security and safety issues at the Power County Airport, specifically the increased incidents of non-authorized heavy equipment and motor vehicles making their way onto the airport runways, causing damage to the asphalt. Dr. Miller and Mr. Fayhe presented the Commissioners with a quote from Haddon's Fencing, Inc., in the amount of \$11,331 to install an electric swing security gate to protect the runways. Following discussion, the Commissioners agreed to review funding options, including Homeland Security Grant Funds that may be available, and this matter was tabled until August 9th, 2010.

POWER COUNTY AMBULANCE DISTRICT: Moved by Commissioner Estep, seconded by Commissioner Funk, to recess as Power County Board of Commissioners and reconvene as Power County Ambulance District Board. Carried.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Estep, seconded by Commissioner Meadows, to move into executive session pursuant to I.C. #67-2345, to discuss the adjustment of a pending tort claim or prevention of a tort claim imminently likely to be filed. Upon a call for the question, the following roll call vote was taken:

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

Carried.

Moved by Commissioner Meadows, seconded by Commissioner Funk, to recess as Power County Ambulance District Board and reconvene as Power County Board of Commissioners. Carried.

ALCOHOL BEVERAGE LICENSE (I.C. #23-903): Commissioner Meadows announced that it was the date and time scheduled for the consideration of a number of alcohol beverage licenses. There being no public objection, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve the following 2010-2011 Alcohol Beverage Licenses:

#1. Jackson's Food Stores, Inc. d/b/a Jacksons for the sale of bottled or canned beer not to be consumed on the premises and retail wine.

#2. AE Sales LLC d/b/a Jet Stop for the sale of bottled or canned beer not to be consumed on the premises.

#3. 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.

#4. El Jaliciense, Inc. d/b/a Tres Hermanos for the sale of bottled or canned beer to be consumed on the premises.

#5. Eric and Holly Morris d/b/a Lucky's Grill LLC for the sale of bottled or canned beer to be consumed on the premises and wine by the drink. Carried.

#6. 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.

#7. Angela D. Davis d/b/a The Silver Horseshoe Bar LLC for the sale of draught and bottled or canned beer to be consumed on the premises and wine by the drink. Carried.

#8. Robert Taylor Hess d/b/a Sagebrush Bar for the sale of draught and bottled or canned beer to be consumed on the premises.

#9. CHS, Inc. d/b/a Bingham Co-op, for the sale of bottled or canned beer not to be consumed on the premises.

#10. 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.

#11. NPC International, Inc. d/b/a Pizza Hut for the sale of bottled or canned beer to be consumed on the premises.

#12. 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.

Carried.

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, Deputy Assessor Donna Thornton and the County's independent contract appraiser Richard Hartley.

At the outset, Power County Deputy Assessor Donna Thornton presented the Commissioners with the Power County Assessor's report of 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 Estep, seconded by Commissioner Meadows, to approve and accept the Rural Subdivision/Agricultural Tax Value report as presented. Carried.

Power County Assessor Douglas Glascock then reported that applicant General Mills Operation, LLC, had withdrawn the Notice of Appeal before the Power County Board of Equalization on Parcels #RPA0570-00, #RPA0690-00, #RPA0691-00, PPY0038-00, #RPA0687-00, and #RPD0184-00; accordingly, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to sustain the Power County Assessor's value on the above Parcels. Carried.

Power County Assessor Douglas Glascock then reported that applicant Premier Properties had withdrawn the Notice of Appeal before the Power County Board of Equalization on Parcel #RPA0180-00; accordingly, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to sustain the Power County Assessor's value on the above Parcel. Carried.

Power County residents Michael C. and Cheryl Reas appeared before the Board of Equalization to dispute the Power County Assessor's assessed value on Power County Parcel #RPC0383-00. Following a review of the application submitted and the testimony presented, it was moved by Commissioner Estep, seconded by Commissioner Meadows,

to authorize Assessor Glascock to transfer Power County Parcel #RPC0383-00 to the Power County Assessor's missed property roll for future consideration. Carried.

Power County resident Bob Knudsen, Jr., appeared before the Board of Equalization to dispute the Power County Assessor's assessed value on the following Power County 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	#RPA1365-21
#RPA0798-00	#RPD0617-01

Following a review of the application submitted and the testimony presented to the Board, it was moved by Commissioner Funk, seconded by Commissioner Estep, to sustain the Power County Assessor's values on the above parcels. Carried.

There being no further business to come before the Board of Equalization, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to adjourn the Power County Board of Equalization and to sustain all remaining values set by Power County Assessor Douglas Glascock for the 2010 tax year. Carried.

HARDSHIP EXEMPTION APPLICATION (I.C. #63-711): Power County Treasurer Deanna Curry appeared before the Commissioners with applicant to review the Hardship Exemption Application on Power County Parcels #PPA0698-00, #RPA0698-00, #RPA0695-00, #RPA0697-00 and #RPA0701-00. Upon a review of the testimony and evidence present, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to deny the Hardship Exemption Application. Carried.

U.S. DEPARTMENT OF ENERGY (EFFICIENCY AND CONSERVATION BLOCK GRANT): The Commissioners reviewed the Energy Efficiency Conservation Block Grant Program Contract #CON00044 in the amount of \$37,667, and agreed to review the project award with local contractors possessing a public works license and this matter was tabled until July 26th, 2010.

CLAIMS: Moved by Commissioner Estep, seconded by Commissioner Funk, to approve the claims as presented and supplemented, with the understanding that the Power County Airport Board will be given written notice of their current budget balance. Carried.

Current Expense	\$ 19,621.59
Ambulance District	1,377.87
Mosquito Abatement District	16,060.00
District Court	3,721.72

Justice Fund	21,419.72
Misdemeanor Probation/Drug Court	2,027.00
Enhanced 911 Services	35,473.69
Indigent Services	23,430.00
Revaluation	173.06
Solid Waste	19,769.27
Weeds	2,658.47
Waterways	1,612.46
PILT	4,423.40

LANCE FUNK D/B/A PLEASANT VALLEY AVIATION: Following discussion, the Commissioners instructed Power County Prosecuting Attorney Randy Kline to provide Lance Funk d/b/a Pleasant Valley Aviation with written three (3) day notice to either return the original executed Commercial Airport Hanger Lease for the period January 1st, 2010, through January 1st, 2012, with the lease payment and taxes owing, or to cease operations and remove his airport business from Power County property, and this matter was tabled until July 26th, 2010.

POWER COUNTY AIRPORT – RENTAL AGREEMENT (STAN BEARUP): Following discussion with Power County Prosecuting Attorney Randy Kline, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Airport Rental Agreement between Power County and Stan Bearup as presented for the period October 1st, 2010, through September 30th, 2012. Carried.

GERALD FEHRINGER YOUTH CENTER – LEASE AGREEMENT: Following discussion with Power County Prosecuting Attorney Randy Kline, 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 as presented for the period October 1st, 2010, through September 30th, 2011. Carried.

POWER COUNTY PUBLIC DEFENDER – AGREEMENT FOR SERVICES: Following discussion with Power County Prosecuting Attorney Randy Kline, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Agreement for Indigent Legal Services between Power County and Robert O. Eldredge, Jr., for the period October 1st, 2010, through September 30th, 2012. Carried.

POWER COUNTY CONFLICT PUBLIC DEFENDER – AGREEMENT FOR SERVICES: Following discussion with Power County Prosecuting Attorney Randy Kline, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Agreement for Conflict Indigent Legal Services between Power County and Benjamin Nielsen of the law firm Loveless, Neilsen & Loveless, for the period October 1st, 2010, through September 30th, 2012. Carried.

DOCTOR'S CLINIC – LEASE AGREEMENT (DEAN WILLIAMS, M.D.): Following discussion with Power County Prosecuting Attorney Randy Kline, it was moved by

Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Partial Power County Medical Lease Agreement between Power County and Dean Williams, M.D., for the period October 1st, 2010, through September 30th, 2012. Carried.

AMERICAN FALLS RURAL FIRE DISTRICT – EXTRICATION AGREEMENT: Following discussion with Power County Prosecuting Attorney Randy Kline, 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 extrication services during the period October 1st, 2010, through September 30th, 2011. Carried.

POWER COUNTY TRANSFER STATION/LANDFILL – IDAHO DISPOSAL SYSTEMS (AGREEMENT FOR DISPOSAL OF SOLID WASTE): Following discussion with Power County Prosecuting Attorney Randy Kline, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to approve and execute the Agreement for Disposal of Solid Waste between Power County and Idaho Disposal Systems for the period October 1st, 2009, through September 30th, 2012. Carried.

POWER COUNTY RESOLUTION #2010-11 – FISCAL YEAR 2011 BUDGET (REDUCTION IN WORKFORCE): Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss proposed Power County Resolution #2010-11, which is a resolution declaring financial necessity and authorizing reduction in force for fiscal year 2011. Also present were Chief Deputy Sheriff Jackie Morris, Deputy Sheriff Max Sprague and Dispatcher Kris Turner. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and execute Power County Resolution #2010-11 as presented by Power County Prosecuting Attorney Randy Kline, upon the condition that the same is also approved by the Idaho Counties Risk Management Program (ICRMP). Carried.

POWER COUNTY SHERIFF – POWER COUNTY RESOLUTION #2010-10 (K-9 OFFICER): Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss proposed Power County Resolution #2010-10, which is a resolution transferring the ownership of Power County K-9 officer, Spike, to Deputy Sheriff Jared Beck. Also present were Chief Deputy Sheriff Jackie Morris, Deputy Sheriff Max Sprague, and Dispatcher Kris Turner. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and execute Power County Resolution #2010-10 as presented. Carried.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Meadows, seconded by Commissioner Estep, to move into executive session pursuant to I.C. #67-2345, to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent. 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 CLERK – FISCAL YEAR 2011 BALANCED BUDGET (I.C. #31-1603): Power County Clerk Chris Steinlicht appeared before the Commissioners pursuant to I.C. #31-1603, to present the Clerk's balanced budget for fiscal year 2011. Following discussion, the Commissioners agreed to review the Clerk's proposed budget and this matter was tabled until July 26th, 2010.

Adjourned



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk