



POWER COUNTY BOARD OF COMMISSIONERS

Meeting Minutes
Commission Chambers
543 Bannock Ave.
American Falls, ID 83211
www.powercounty.id.us

Monday, April 3, 2023, 9:00 a.m.

I. CALL TO ORDER

The Board of County Commissioners met in special session Monday, April 3, 2023, and called the meeting to order at the hour of 9:03 am, in the Commission Chambers of the Power County Courthouse.

II. COMMISSIONERS/STAFF

PRESENT:	Commissioner Ron Funk, Chair Commissioner Delane Anderson Commissioner Bill Lasley	
ABSENT:	None	
STAFF:	Sharee Sprague, Clerk Chelsy Fehring, Chief Deputy Clerk Casey Annen, Deputy Clerk Nate Cuoio, Legal Counsel	
OTHER PARTIES PRESENT:	Andi Higgins Laura Porath Unknown Zoom Attendee	Patrick Sullivan Doug Balfour Deanna Curry

III. AGENDA

A. NOTICES/REPORTS

1. **Gateway West Transmission Corridor:** Power County Commission and Cassia County Commission discussed coming together for further discussions on the Gateway West Project. Doug Balfour will get his documents to Power County Legal Counsel Nate Cuoio for review and easy access. Commissions discussed drafting a letter for all parties involved to review notifying of participating counties established their own acceptable corridor.
2. **Legislative Impacts & Update w/Patrick Sullivan:** Patrick Sullivan reports on House Bill 292 was vetoed by the Governor and the Senate and House both voted to override the veto and passed. House Bill 374 was passed the house and senate and amends existing law to revise the definition of "abortion" and to provide that certain actions and attempts shall not be considered criminal abortions and was delivered to the Governor March 31st. Mr. Sullivan reports Senate Bill 1120 was signed by the governor. Senate Bill 1120 provides that retail liquor by the drink licenses issued ON or AFTER July 1, 2023 may NOT be sold, leased or transferred and to provide that retail liquor by the drink licenses issued BEFORE July 1, 2023 may be sold or transferred only once. Mr. Sullivan reports that Senate Bill 1205 has been passed both house and senate and was delivered to the Governor on March 31st. This bill appropriates

funding to Public Schools Educational Support Program's Division of Teachers for fiscal year 2024. Mr. Sullivan introduced John Sheldon who works in Mr. Sullivan's office. Mr. Sullivan reports the Medicaid budget passed. Mr. Sullivan reports the Governor has until Thursday at noon to act on all bills.

B. MOTIONS:

1. **Agenda:** A motion to approve the agenda for Monday, April 3, 2023, was presented by Commissioner Anderson with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried.
2. **Planning & Zoning Appeal (Cont. Deliberations):** Based upon review of the hearing process held on December 6th and January 3rd before the planning and zoning commission, and in review of standards of setbacks for Mr. Erickson's use of his property has not been denied any hardship variance as it has not met the standard for hardship and is not approved in this situation. A motion to deny the appeal and uphold the planning and zoning decision was presented by Commissioner Lasley with a second by Commissioner Anderson. Following audible call of the board, motion unanimously carried. Commissioner Anderson reports Mrs. Higgins has provided a letter for proper usage for the property of 3180 Whitnah Road to be used as an indoor shooting range allowed by Power County ordinance 10-1-6 legal use category summary to be included in the grant application for Idaho fish and game.

C. POINTS OF ORDER:

1. **Personnel:** Tabled discussion.

IV. EXECUTIVE SESSION:


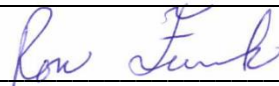
1. **Executive Legal Advice Session pursuant to I.C. §74-206(1)(f) 9:05 am:** A motion to enter into executive session pursuant to I.C. §74-206(f), to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated was presented by Commissioner Lasley with a second by Commissioner Funk. Deputy Clerk Casey Annen conducted roll call on the motion;
 - Commissioner Funk, AYE
 - Commissioner Lasley, AYE
 - Commissioner Anderson, AYEFollowing roll call of the Board, motion unanimously carried. Upon conclusion of discussion, Commissioner Funk declared the meeting open at 9:33 am.
2. **Executive Personnel Session I.C. 74-206(1)(b) 9:40 am:** A motion to enter into executive session to consider personnel actions pursuant to Idaho Code 74-206(1)(b) was presented by Commissioner Anderson with a second by Commissioner Funk. Deputy Clerk Casey Annen conducted roll call on the motion;
 - Commissioner Funk, AYE
 - Commissioner Lasley, AYE
 - Commissioner Anderson, AYEFollowing roll call of the Board, motion unanimously carried. Upon conclusion of discussion, Commissioner Funk declared the meeting open at 10:31 am.

V. ASSESSMENTS/CONCLUSIONS:

1. **Next Meeting:** The next regular session for the board to meet is slated for April 10, 2023

2. **Adjourn:** Having no further business to come before the Board, a motion to adjourn was presented by Commissioner Lasley with a second by Commissioner Anderson. Following audible call of the Board, motion carried and the meeting was adjourned at 12:30 pm.

The foregoing minutes were approved by the Board of County Commissioners during the Regular Board Meeting held May 8, 2023.

<p>ATTEST:</p> <p> SHAREE SPRAGUE, Clerk</p>	<p> COMMISSIONER FUNK, Chairman</p>
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