

March 3, 2008

8:30AM

The meeting was called to order by Chairman Stapelman with Commissioners Hunsaker and Moore in attendance. Minutes were taken by Tonya Page

Applications for County Aid

The Board considered the following Applications for County Aid:

Approved: 100725, 2008-9 Denied: 100741, 2008-30 for bills with date of service 02/07/2008; 100477, 2008-7; 100487, 2008-43; 100726, 2008-10; 94578, 2008-44

The Board set dates for the next indigent appeal hearings of which are: April 4, 2008, May 9, 2008, and June 20, 2008.

Bills

The following bills were examined, approved and ordered paid and the warrants may be seen at the Auditor's Office.

| | Bills |
|-----------------|--------------|
| Current Expense | \$144,455.96 |
| Indigent | 7,443.70 |
| District Court | 1,855.57 |
| Justice Fund | 7,447.93 |

Executive Session

The Board unanimously approved a **MOTION** to go into Executive Session pursuant to Idaho Code Section 67-2345 (1f). The general tenor of the session was the discussion of the Harrison CAFO Appeal.

Decision on Harrison CAFO Permit Appeal

Prosecuting Attorney Nicole Cannon, Head of Community Development Paul Aston, and Mr. and Mrs. Hawley Harrison were present for the reading of the Board's decision.

Commissioner Moore read the following Findings of Facts:

- Harrison's operation has existed in excess of four (4) decades.
- That the numbers requested by the Harrison's CAFO application appear to be supported by evidence.
- That Sunridge Land Co., LLC was granted an application of a preliminary plat for a residential development adjacent to Harrison's and pre-existing the CAFO application.
- That Leonard and Kara Schenk have an appropriately permitted residential home adjacent to Harrison's and pre-existing the CAFO application.

Commissioner Moore made the following Motion:

1. Issue Permit as requested in application based on 528.5 animal units and limited to and not to exceed the maximum numbers requested in the application, by classification: 130 cows, 30 heifers, 15 bulls, 15 young bulls, 425 feeders.
2. This Permit shall be subject to all requirements of Chapter 17-4, except "Location, Separation and Setback" specifically exempted by 17-5 for existing (Grandfathered) facilities.
3. No variances or waivers requested or required per 17-5 exemption.
4. Sunridge's preliminary plat approval for residential lots adjacent to Harrison's falls within 17-5 for an exemption to location, separation and setback requirements.

5. Leonard and Kara Schenk's residential property adjacent to Harrison's falls within 17-5 for an exemption to location, separation and setback requirements.

Chairman Stapelman called for any discussion. No discussion was requested. Therefore, the Motion was put to a vote. The Board approved the Motion with a unanimous vote.

Cancellation of Taxes

Chairman Stapelman made the motion to cancel the taxes for Family Vision & Eye Care for reason of double taxation as listed PPB000161A. **Motion** carried.

Public Defender Conflict Contract

Prosecuting Attorney Cannon presented before the Board regarding the Public Defender Conflict Contract with Clayne Zollinger. Commissioners approved and signed the contract.

Update on City of Burley Airport

Mayor John Anderson, Mark Mitton, and Marty Gergen, were present before the Board for informational purposes regarding the proposed Burley Airport. Also present were Prosecuting Attorney Nicole Cannon and Assessor Max Vaughn.

Mark Mitton opened the discussion with the history of looking for a suitable site for a new airport along with speaking of airport improvements at the current airport facility. He had spoken of the following:

- Contacted FAA and started the master plan again.
- Has contacted the three (3) homeowners and diary that this airport would affect.
- Recently received permission from FAA for an environmental study.

- Current airport is good for general aviation. New airport would be safe for corporate jets, 2 engine planes, and general aviation.

Commissioner Moore questioned regarding the cost and value of land and buildings as to the land acquisition for the airport. It was stated that the budget has already been increased by four million dollars (\$ 4,000,000) due to rising costs. Mitton also stated that if the Heyburn annexation is passed and property prices increase, there may be a possibility that this project would not go through. Due to safety issues, the Burley Airport may close.

The first phase of the project would be the land acquisition and the second phase would be construction, at least enough construction to allow one airport to close and the other to open. After the new airport has opened, the rest of the construction could be phased in.

Marty Gergen offered his knowledge of the engineering of the airport with FAA rules and requirements for safety, airplanes, and airports.

Commissioner Moore questioned as to how this project impacts tax payers. Marty Gergen informed the Board that the FAA has a trust fund. Part of the costs associated with flying, go into the trust fund; basically a “You use it, you pay for it” concept.

Commissioner Hunsaker questioned on what would happen if land owners did not want to sell and what happens if current airport does not sell. Mark Mitton said that they have no intent to sell the Burley airport. They just need to come up with the dollar amount of the value of the airport and place those funds into the project. It was also stated that the City (of Burley) has the power of eminent domain.

Chairman Stapelman asked about Urban Renewal monies. Urban renewal money may be used towards buy out of the existing airport. Mayor Jon Anderson commented that the site of the current airport is a good place for a commercial site being next to both waste water facilities and the railroad. The beneficial use of the ground is currently in the planning stage.

It was stated that just having the airport is a benefit to us (as a County). However, it's not a tax revenue benefit. The disadvantage to Minidoka County is that it will lose the assessment if the City of Burley owns the airport.

The next step is the environmental study and then the property acquisition, per Mark Mitton.

Having no further business to come before the Board, the meeting was adjourned.