

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Wednesday, October 10<sup>th</sup>, 2007. Present were Commissioners Vicki Meadows, Chairman, Ken Estep and Ron Funk. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney Paul Laggis.

MINUTES: Moved by Commissioner Meadows, seconded by Commissioner Estep, to approve the Power County Commissioner Minutes for September 10<sup>th</sup>, 18<sup>th</sup>, 24<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup>, 2007, as presented. Carried.

POWER COUNTY PLANNING & ZONING BOARD: Moved by Commissioner Estep, seconded by Commissioner Meadows, to accept the resignation of Power County Planning & Zoning Board member Marty Fehringer. Carried. The Commissioners agreed that the vacant position on the Power County Planning & Zoning Board should be filled as soon as possible and agreed to table further consideration of this matter until October 12<sup>th</sup>, 2007.

POWER COUNTY SHERIFF – JAIL FOOD BUDGET: Power County Sheriff Jim Jeffries appeared before the Commissioners to report that he has been contacted by the State of Idaho Jail Standards Board regarding nutritional requirements for inmates at correctional facilities. Sheriff Jeffries further reported that he has been in contact with Food Services of America to investigate the costs of contracting for the delivery of prepared jail food that meets all dietary and nutritional requirements versus hiring a certified dietician and cook to post menus and prepare jail meals on site. Sheriff Jeffries agreed to keep the Commissioners advised as additional information is received.

POWER COUNTY SHERIFF – CRIMINAL JUSTICE COUNCIL: Power County Sheriff Jim Jeffries appeared before the Commissioners to request that the Commissioners consider a resolution to form the Power County Criminal Justice Council to shoulder the responsibility of setting the overall criminal justice policy within Power County, including jail population management. Following discussion, the Commissioners and Sheriff Jeffries agreed to meet with either the Twin Falls or Bannock Criminal Justice Councils to determine how best to proceed. This matter was tabled until November 5<sup>th</sup>, 2007.

POWER COUNTY SHERIFF – JAIL MASTER PLAN (ROCKY MOUNTAIN CORRECTIONS): Power County Sheriff Jim Jeffries appeared before the Commissioners to report that Rocky Mountain Corrections is scheduled to meet with the Power County Commissioners on December 17<sup>th</sup>, 2007, to discuss the first phase of the Power County Jail Master Plan, and the Commissioners agreed to table this matter until that time.

POWER COUNTY TRANSFER STATION/LANDFILL – FEE RESOLUTION: Commissioner Estep reported that he and Power County Transfer Station/Landfill Supervisor Craig Heward are working on an updated fee schedule for the Power County Transfer Station and Landfill. Following discussion, the Commissioners agreed to table further consideration of this matter until November 26<sup>th</sup>, 2007. Carried.

CELLUAR TELEPHONE ACCOUNT – ALLTEL: Power County Clerk Chris Steinlicht reported that she been unable to make any further contact with Alltel Governmental Account Representative Stacy Lemay to discuss updating the County's cellular telephone plan to a governmental account. Following discussion, Clerk Steinlicht agreed to contact Alltel Senior Government Account Analyst Kati Patterson in Montana to discuss Power County's cellular telephone plan. The Commissioners agreed to table further discussion of this matter until November 26<sup>th</sup>, 2007.

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 and advise legal representatives in pending litigation or where there is a general public awareness where there is a general public awareness of probable litigation. 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 PLANNING & ZONING – KERRY WARD D/B/A K.J. CATTLE (CONFINED ANIMAL FEEDING OPERATION (APPEAL): Power County Prosecuting Attorney Paul Laggis reported that the mediation previously ordered by the Board of Power County Commissioners pursuant to I.C. #67-6410 is still on schedule and the Commissioners agreed to table further consideration of this matter until November 26<sup>th</sup>, 2007.

POWER COUNTY – URBAN RENEWAL: Following discussion with Power County Prosecuting Attorney Paul Laggis, the Commissioners agreed to table further consideration of this matter until November 5<sup>th</sup>, 2007.

POWER COUNTY SENIOR CITIZENS – IDAHO AREA AGENCY ON AGING: The Commissioners then attended the regional town meeting sponsored by the Idaho Area Agency on Aging at the Power County Senior Citizens Center.

POWER COUNTY TREASURER – WARRANT OF DISTRAINT (AMERICAN AIR): Power County Treasurer Bobbie Mauch appeared before the Commissioners to report that the Warrant of Distraint has been served upon American Air, with Sheriff's Sale scheduled for Friday, October 12<sup>th</sup>, 2007; however, Power County Prosecuting Attorney Paul Laggis reported that American Air has filed a Complaint for Declaratory Judgment

and Request for Preliminary Injunction with the Power County District Court, which request is scheduled for hearing before the Honorable Ronald Bush on Thursday, October 11<sup>th</sup>, 2007. Following discussion, the Commissioners agreed to table further discussion of this matter until October 12<sup>th</sup>, 2007.

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

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|-------------------|--------------|
| General Fund      | \$ 40,914.72 |
| Ambulance         | 6,605.01     |
| Interim Abatement | 26,493.33    |
| District Court    | 3,292.72     |
| Justice Fund      | 69,982.61    |
| Indigent          | 1,564.11     |
| Revaluation       | 511.99       |
| Solid Waste       | 15,446.05    |
| Tort              | 34,297.50    |
| Weeds             | 575.78       |
| Waterways         | 543.89       |
| PILT              | 102,311.37   |
| L.I.D.            | 40,000.00    |

AMBULANCE: Moved by Commissioner Meadows, 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 Funk, 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.

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

POWER COUNTY JUVENILE PROBATION – JUVENILE DETENTION: Power County Probation Office Supervisor Connie Shepherd appeared before the Commissioners to review the proposed Agreement between Power County and 3B Juvenile Detention Center to allow Power County’s “non-status” Juvenile offenders to be

temporarily housed at the 3-B Juvenile Detention Center in Idaho Falls. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute the Juvenile Detention Agreement between Power County and 3-B Juvenile Detention Center as presented. Carried. Commissioner Funk then reported that he had discussed the availability of electronic monitoring devices for "status" juvenile offenders with Idaho Department of Juvenile Corrections District Liaison Bill Lasley; and that Mr. Lasley has recommended that Power County contact Amy Cook at SecureAlert, Inc., who supplies TrackerPal electronic monitoring devices with GPS and communication capabilities. Following discussion, Commissioner Funk and Ms. Shepherd agreed to obtain additional information from SecureAlert and this matter was tabled until October 22<sup>nd</sup>, 2007.

IDAHO DEPARTMENT OF JUVENILE CORRECTIONS – JUVNILE ACCOUNTABILITY PROGRAM GRANT (PARENT PROJECT): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Juvenile Accountability Program Grant Award Project #06-JA61-06 in the amount of \$4,000 to fund the Parent Project in Power County. Carried.

POWER COUNTY TRANSFER STATION/LANDFILL – DEMOLITION PIT: Stan Harmon d/b/a M.S.C. Industrial Services, Inc., appeared before the Commissioners to request a work change order from the bid specifications to construct a demolition pit at the Power County Landfill. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to immediately cancel and revoke the Demolition Pit Excavation Agreement between Power County and Stan Harmon d/b/a M.S.C. Industrial Services, Inc., due to Mr. Harmon's non-compliance and to instruct Mr. Harmon to immediately cease any operations that he may have at the Power County Landfill. Carried. The Commissioners agreed to table further discussion of this matter until October 22<sup>nd</sup>, 2007.

POWER COUNTY PLANNING & ZONING – FEE RESOLUTION: Power County Planning & Zoning Supervisor Robert Steinlicht appeared before the Commissioners to discuss updating the fee schedule for Planning & Zoning. Also present via speaker telephone was Power County Planning & Zoning Attorney Douglas J. Balfour. At the outset, Mr. Balfour reported that Power County's current Code already allows the County to collect "actual costs" on Planning & Zoning issues that require hearing and publication. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to instruct the Power County Building Administrator to apply "actual costs" on all Planning & Zoning permits issues pursuant to County Code #8-1-2, and to collect all fees and costs prior to any final permits being issues. Carried.

POWER COUNTY PLANNING & ZONING – IDAHO DEVELOPMENT IMPACT FEE ACT: Power County Planning & Zoning Attorney Douglas J. Balfour appeared before the Commissioners via speaker telephone to discuss the Idaho Development Impact Fee Act, I.C. #67-8202, which was adopted by the Idaho Legislature to ensure that adequate public facilities are available to serve new growth and development. Also present was Power County Planning & Zoning Administrator Robert Steinlicht.

Following discussion, it was moved by Commissioner Estep, seconded by Commissioners Meadows, to review the Idaho Development Impact Fee Act with the local taxing entities and consider the adoption of an impact fee ordinance to fund a Capital Improvements Plan. Carried. This matter was tabled until November 26<sup>th</sup>, 2007.

POWER COUNTY PLANNING & ZONING – LAND APPLICATION PERMITS: Power County Planning & Zoning Attorney Douglas J. Balfour appeared before the Commissioners via speaker telephone to discuss the City of Pocatello's obligation to obtain a permit for the land application of wastewater on the City's property adjacent to the Pocatello Municipal Airport. Mr. Balfour reported that he will be contacting City of Pocatello's attorney Dean Tramner to discuss this issue, and the Commissioners agreed to table further consideration of this matter until November 26<sup>th</sup>, 2007.

IDAHO DEPARTMENT OF JUVENILE CORRECTIONS – ANNUAL FINANCIAL REPORT: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and execute Juvenile Justice Annual Financial Report prepared by Power County Clerk Chris Steinlicht. Carried.

SOUTHEASTERN DISTRICT HEALTH DEPARTMENT – FLU SHOTS: Clerk Steinlicht reported that she had been contacted by Sandy Sorrell of the Southeastern District Health Department, who has reported that flu shots will be available for Power County employees on November 7<sup>th</sup>, 2007. Following discussion, it was moved by Commissioners Estep, seconded by Commissioner Funk, to offer flu shots to County employees at County expense. Carried.

POWER COUNTY TREASURER – ORDER FOR CANCELLATION OF TAXES: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and execute the Order for Cancellation of Taxes prepared by the Power County Treasurer. Carried.

DOCTORS CLINIC – REPAIRS/MAINTENANCE (LIGHTING): Commissioner Meadows reported that Power County Building & Grounds Supervisor Gary Thomsen will review the lighting at the Doctors Clinic and replace tubes or arrange for repairs.

POWER COUNTY FISCAL YEAR 2007 – DEATON & COMPANY (AUDIT AGREEMENT): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Letter of Understanding and Audit Agreement between Power County and Deaton & Company, Chartered, for Power County's fiscal year ending September 30<sup>th</sup>, 2007. Carried.

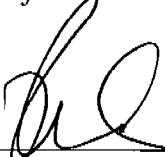
POWER COUNTY FISCAL YEAR 2008 – AUTHORIZED FUND TRANSFERS: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to approve the following fiscal year 2008 budgeted fund transfers:

1. From General Fund (01-13-447-00) to PILT Fund (50-00-397-00) in the amount of \$3,155;

2. From PILT fund (50-00-559-08) to Interim Abatement Fund (05-00-397-00) in the amount of \$100,000; and
3. From L.I.D. Fund (91-26-559-09) to PILT Fund (50-00-397-00) in the amount of \$40,000.

Carried.

Adjourned.



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VICKI MEADOWS, Chairman



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CHRISTINE STEINLICHT, Clerk