

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, July 26th, 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 AGENDA (I.C. #67-2343): Following a review of I.C. #67-2343, and good cause appearing therefore, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to amend the July 26th, 2010, Commissioner Agenda to include the following items:

Shoshone-Bannock Tribes – Soil Clean Up Standards Regulations
Power County Treasurer – Order for Cancellation of Taxes
Power County Planning & Zoning Resolution #2010-14 – Ridgeline Energy's
Special Use Permit

Carried.

EXECUTIVE SESSION (I.C. #67-2345): At the request of Idaho Counties Risk Management Program (ICRMP) attorney Dave Sasser, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to move into executive session pursuant to I.C. #67-2345 to engage in communications regarding the adjustment of a pending claim or prevention of a claim imminently likely to be filed. Upon a call for the question, the following roll call vote was taken:

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

Carried.

IDAHO COUNTIES RISK MANAGEMENT PROGRAM (ICRMP) – POWER COUNTY RESOLUTION #2010-11 (WORK FORCE REDUCTION): Following discussion with Idaho Counties Risk Management Program (ICRMP) attorney Lynette McHenry, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute Power County Resolution #2010-11 as amended, which is a resolution declaring financial necessity and authorizing a reduction in Power County's work force for Fiscal Year 2011. Carried.

LANCE FUNK D/B/A PLEASANT VALLEY AVIATION – AIRPORT LEASE/DELINQUENT PERSONAL PROPERTY TAXES: Power County Prosecuting Attorney Randy Kline appeared before the Commissioners to report that Lance Funk d/b/a Pleasant Valley Aviation has returned the original executed Commercial Airport

Hanger Lease along with payment in full of the 2010 Lease payment; however, personal property taxes in the amount of \$3,507.02 remain delinquent and owing. Prosecuting Attorney Kline further reported that Mr. Funk is asserting that the past due taxes should have been paid by the former owner, Brian Haynes d/b/a American Air. Following discussion, Prosecuting Attorney Kline and the Commissioners agreed that any taxes owing are the responsibility of the current owner and Mr. Funk would need to resolve any financial disputes directly with Mr. Haynes or any title company involved in the sale. Following discussion, the Commissioners authorized Prosecutor Kline to provide Mr. Funk with written notice that delinquent personal property taxes are now due and owing and this matter was tabled until August 23rd, 2010.

FISCAL YEAR 2011 BUDGET – PUBLICATION: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to publish Notice of Public Hearing and the Commissioners' final proposed budget for fiscal year 2011 in the August 11th and 18th, 2010, editions of the Power County Press. Carried. Further consideration of this matter was tabled until the public budget hearing scheduled for August 23rd, 2010, at 5:00 p.m.

POWER COUNTY WEED DEPARTMENT – SURPLUS VEHICLE: Commissioner Meadows announced that it was the date and time scheduled to open the sealed bids submitted to purchase the Power County Weed Department's 1964 International 1300 Series 4X4 (VIN #SB403266B) which was declared surplus County property on May 28th, 2010. Following a review of the two sealed bids submitted, it was moved by Commissioner Estep, seconded by Commissioner Funk, to accept the bid submitted by Nancy Hall Clay in the amount of \$1,528.22 and execute the original title to transfer ownership. Carried.

ALCOHOL BEVERAGE LICENSE (I.C. #23-903): Commissioner Meadows announced that it was the date and time scheduled to consider 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 2010-2011 alcohol beverage licenses:

#13. Bill 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.

#14. Stanley & Floreen Thyberg d/b/a Idaho Unlimited for the sale of bottled or canned beer to be consumed on the premises.

#15. Lonnie & 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.

#16. Randy L. Adams d/b/a Pocatello Trap Club, Inc., for the sale of bottled or canned beer to be consumed on the premises.

Carried.

SHOSHONE-BANNOCK TRIBES – ENVIRONMENTAL WASTE MANAGEMENT PROGRAM (SOIL CLEANUP STANDARDS): Following telephone discussion with Power County Planning & Zoning Attorney Douglas J. Balfour, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to authorize Mr. Balfour to testify on behalf of Power County at the Shoshone-Bannock Tribes' public hearing scheduled for July 27th, 2010, at 5:00 p.m. at the Fort Hall Council Chambers regarding the proposed Soil Clean Up Standards Regulations. Carried.

UTILITY TRANSMISSION LINES – MEMORANDUM OF AGREEMENT: Commissioner Meadows reported that she, Power County Attorney Douglas J. Balfour and certain members of the Power Citizens Task Force will be attending a meeting of the Western Electrical Corridor Commission (WECC) in Burley, Idaho, on Wednesday, July 28th, 2010, regarding buffer zone requirement between electrical towers and lines, at which time Commissioner Meadows intends to discuss the proposed Memorandum of Agreement for shared legal services. This matter was tabled until August 9th, 2010.

SECURE RURAL SCHOOLS – POWER COUNTY RESOLUTION #2010-13 (IDAHO ASSOCIATION OF COUNTIES): Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to approve and execute Power County Resolution #2010-13 for National Forest related safety-net payments a/k/a Secure Rural Schools for Federal Fiscal Year 2010 as presented by the Idaho Association of Counties. Carried.

POWER COUNTY PLANNING & ZONING – RIDGLINE ENERGY SPECIAL USE PERMIT (POWER COUNTY RESOLUTION #2010-14): Following discussion with Power County Planning & Zoning Attorney Douglas J. Balfour and Power County Building Administrator Robert Steinlicht, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute Power County Resolution #2010-14, which is a resolution approving the Special Use Permit issued to Ridgeline Energy by the Power County Planning & Zoning Board. Carried.

EASTERN POWER COUNTY FIRE DISTRICT – WILDLAND/URBAN FIRE INTERFACE CODE: Following discussion, the Commissioner agreed that the Eastern Power County Fire District Board of Commissioners should hire independent counsel if they intend to officially adopt and pursue enforcement of a Wildland/Urban Fire Interface Code, and Commissioner Estep agreed to contact Eastern Power County Fire District Commissioner Connie Rowland and so advise.

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

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| Current Expense | \$ 19,301.66 |
| Ambulance District | 3,971.79 |
| District Court | 3,416.38 |

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| Justice Fund | 10,335.16 |
| Misdemeanor Probation/Drug Court | 1,543.00 |
| Enhanced 911 Services | 172.35 |
| Indigent | 789.97 |
| Revaluation | 4,422.56 |
| Solid Waste | 1,926.83 |
| Weeds | 21,506.19 |
| Waterways | 174.03 |
| PILT | 74.80 |

AMBULANCE DISTRICT: 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 Meadows, seconded by Commissioner Funk, 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.

POWER COUNTY AMBULANCE DISTRICT – OFFER OF SETTLEMENT: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to make an offer of settlement in the amount of \$1,128 for medical bills and \$20 in lost wages, upon the condition that claimant sign a release of all claims against the Power County Ambulance District prior to settlement payment being issued. 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.

POWER COUNTY DISASTER SERVICES – HOMELAND SECURITY GRANTS (QUARTERLY REPORTS): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to authorize Power County Disaster Services Director Di Jones to submit the 2007 and 2008 Homeland Security Quarterly Reports prior to the due date of August 1st, 2010. Carried.

U.S. DEPARTMENT OF ENERGY (EFFICIENCY AND CONSERVATION BLOCK GRANT): Gary Ferguson of BGM Builders, Inc., appeared before the Commissioners to review the Energy Efficiency Conservation Block Grant Program Contract in the total amount of \$37,667. Following discussion with Stacey Donohue of the Idaho Office of Energy Resources, the Commissioners agreed to request that the Idaho Office of Energy

amend the Grant award to exclude certain lighting replacement and to include energy efficiency upgrades to the Power County EMS Building. Following further discussion, the Commissioners agreed that Power County Clerk Christine Steinlicht and Gary Ferguson of BGM Builders, Inc., should be listed as additional points-of-contact and/or representative contacts for Power County, and this matter was tabled until August 23rd, 2010.

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 records that are exempt from disclosure under Chapter 3, Title 9, Idaho Code, specifically indigent medical applications. Upon a call for the question, the following roll call vote was taken:

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

Carried.

INDIGENT CASE #2011-01-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to deny indigent medical application #2011-01-I, since Power County is not the obligated County as set forth in I.C. #31-3506(2)(A). Carried.

INDIGENT CASE #2010-32-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2010-32-I. Carried.

INDIGENT CASE #2010-29-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to deny indigent medical application #2010-29-I, since applicant has other resources sufficient to pay the medical expenses incurred. Carried.

POWER COUNTY COMMUNICATIONS – PAPS MOUNTAIN REPEATER SITE (RAYMOND SCHERER EASEMENT): Power County Sheriff Jim Jeffries and Chief Deputy Sheriff Jackie Morris appeared before the Commissioners to discuss the Paps Mountain Repeater Site and Power County's long-term and on-going easement for ingress and egress thereto through the property of Raymond Scherer. Also present were Power County Highway District Board members Wade Povey and Bob Wetzel and Highway District Supervisor Don Haskin. Following discussion, Commissioner Funk and Highway District Supervisor Don Haskin agreed to contact Raymond Scherer to discuss a permanent easement in favor of Power County, the Power County Ambulance District and the Power County Highway District, and this matter was tabled until August 9th, 2010.

POWER COUNTY CLERK – QUARTERLY FINANCIAL REPORT (I.C. #31-1611): Power County Clerk Christine Steinlicht appeared before the Commissioners pursuant to I.C. #31-1611 to present the Clerk's quarterly report for the period ending June 30th, 2010. Following discussion, it was moved by Commissioner Meadows, seconded by

Commissioner Funk, to approve the Power County Clerk's quarterly report as presented. Carried.

POWER COUNTY CLERK/TREASURER – JOINT QUARTERLY REPORT (I.C. #31-2306): Power County Clerk Christine Steinlicht and Power County Treasurer Deanna Curry appeared before the Commissioners pursuant to I.C. #31-2306 to present their Joint Quarterly Report for the period ending June 30th, 2010. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve the Clerk/Treasurer Joint Quarterly Report as presented. Carried.

POWER COUNTY TREASURER – MONTHLY REPORT (I.C. #31-2113): Power County Treasurer Deanna Curry appeared before the Commissioners pursuant to I.C. #31-2113 to present her Statement of Treasurer's Cash for the month ending June 30th, 2010. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve the Statement of Treasurer's Cash as presented. Carried.

POWER COUNTY TREASURER – ORDER FOR CANCELLATION OF TAXES: Following discussion with Power County Treasurer Deanna Curry, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve the Treasurer's Order for Cancellation of Taxes in the amount of \$372.04 as presented. Carried.

POWER COUNTY TREASURER – INSUFFICIENT FUNDS CHECKS: Following discussion with Power County Treasurer Deanna Curry, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to write-off as uncollectible four "insufficient funds" checks, payable to Power County, in the total amount of \$194.50. Carried.

Adjourned.


VICKI E. MEADOWS, Chairman


CHRISTINE STEINLICHT, Clerk