

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, October 25<sup>th</sup>, 2010. Present were Commissioners Vicki Meadows, Chairman, Ken Estep and Ron Funk. Also present was Power County Clerk Christine Steinlicht.

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 October 25<sup>th</sup>, 2010, Commissioner Agenda to include the following items:

Power County Transfer Station/Landfill – Cascade Earth Sciences (EPA Monitoring)  
Shoshone-Bannock Tribes – Jurisdictional Issues (Law Enforcement)

Carried.

POWER COUNTY BUILDING & GROUNDS – 528 GIFFORD (PROBATION/SCILD): Power County Building & Grounds Supervisor Gary Thomsen appeared before the Commissioners to report that he had performed a walk through of the County's building located at 528 Gifford, specifically to determine electrical and plumbing upgrades that may need to be done; however, the electrical and plumbing systems appear sound at this time.

POWER COUNTY BUILDING & GROUNDS – 506-508 GIFFORD (DUPLEX PROPERTY): Power County Building & Grounds Supervisor Gary Thomsen appeared before the Commissioners to report that he had preformed a walk through of the County's duplex property located at 506-508 Gifford, specifically to inspect water heaters. Following discussion, the Commissioners instructed Mr. Thomsen to arrange for the purchase and installation of a forty gallon water heater with shut off valves for each unit.

POWER COUNTY BUILDING & GROUNDS – PARKING LOT (WATER BILL): Power County Building & Grounds Supervisor Gary Thomsen appeared before the Commissioners to report that he has arranged for the City of American Falls to shut off water services to the northwest corner of the Courthouse parking lot for the upcoming winter season.

ECONOMIC DEVELOPMENT (CITY OF POCATELLO) – POCATELLO MUNICIPAL AIRPORT (URBAN RENEWAL PLAN/REVENUE ALLOCATION DISTRICT): The Commissioners reviewed the City of Pocatello's draft Regional Airport Urban Renewal Plan and Revenue Allocation District. Following discussion, the Commissioners instructed Power County Clerk Chris Steinlicht to prepare and post an agenda for the Board's attendance at the public hearing on November 4<sup>th</sup>, 2010, at 6:00 p.m. at the Pocatello City Council Chambers, for the final reading of an ordinance to

establish an Urban Renewal Area and Revenue Allocation District within the common boundaries of the City of Pocatello and Power County.

POWER COUNTY LAW ENFORCEMENT – FAMILY SERVICE ALLIANCE (WOMEN’S ADVOCACY): Power County Sheriff Jim Jeffries, Deputy Sheriff Max Sprague and American Falls Police Chief Brandon Wilkinson appeared before the Commissioner to discuss the Family Service Alliance grant to re-establish a women’s advocacy office in American Falls. Also present was Sarah O’Banion of the Family Service Alliance, who reported that they intend to be up and going sometime in January, 2011, and will be providing 25 hours of service per week. Following discussion, the Commissioners and Sheriff Jeffries agreed to offer Family Service Alliance office space at the 506-508 Gifford Duplex property, with the understanding that the area would be shared with Sheriff Jeffries (interview room). Sheriff Jeffries and Chief Wilkinson agreed to track all costs for this program beginning today, and review a possible arrangement for shared funding at the next joint meeting of the City of American Falls and Power County.

POWER COUNTY SEARCH & RESCUE (DIVE TEAM) – IDAHO COMMUNITY FOUNDATION (COMGEAR GRANT): Power County Sheriff Jim Jeffries appeared before the Commissioners with Deputy Sheriff Max Sprague to discuss the Power County Search & Rescue Dive Team’s grant award through the Idaho Community Foundation to purchase ComGear communication masks which Dive Rescue International now requires in order for dive teams to meet safety standards. At the outset, Sheriff Jeffries reported that the amount not covered by grant funding totals \$3,780.73. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to contribute \$1,000 from PILT contingency funds toward the purchase of ComGear communications masks, upon the condition that the Power County Search & Rescue secure donations and/or other funding to fully pay the balance. Carried.

LANCE FUNK D/B/A PLEASANT VALLEY AVIATION – DELINQUENT PROPERTY TAXES: The Commissioners then reviewed the ten (10) day letter of demand dated October 8<sup>th</sup>, 2010, prepared by Power County Prosecuting Attorney Randy Kline to Lance Funk d/b/a Pleasant Valley Aviation. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to immediately seek alternate legal counsel on this issue if Power County Prosecutor Randy Kline fails or refuses to report further to the Commissioners by 5:00 p.m. on November 8<sup>th</sup>, 2010, or if payment in full has not been made by said date. Carried.

U.S. DEPARTMENT OF ENERGY (EFFICIENCY AND CONSERVATION BLOCK GRANT): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Energy Efficiency and Conservation Block Grant Contract Amendment and the Waste Stream Management Plan as presented. Carried.

POWER COUNTY ADULT MISDEMEANOR PROBATION: Commissioner Meadows reported that she has been in contact with Kim Hellmendorlar d/b/a Ada County

Probation Services, who reported that Power County's current contracted adult misdemeanor probation officer, Davey Burrell has resigned effective November 1<sup>st</sup>, 2010. Mr. Hellmendorff further reported that he has hired a new Power County Adult Misdemeanor Probation Officer, Courtnee Brazelton who will start training today.

POWER COUNTY TRANSFER STATION/LANDFILL – WOOD GRINDING CONTRACT: The Commissioners again reviewed the proposed Contract for Services between Power County and Backatcha, LLC, for wood grinding and hauling services at the Power County Transfer Station/Landfill, which Contract was reviewed and approved by Power County Prosecuting Attorney Randy Kline on or before September 27<sup>th</sup>, 2010. Following discussion, however, the Commissioners have agreed that several terms and/or conditions of the proposed Contract are cause for concern and may have been overlooked by the Prosecutor. Following further discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to table further consideration of any wood grinding contract until Spring, 2010, and to contact on a one-time basis with Southern Idaho Solid Waste to grind and haul all wood currently on site at the Power County Transfer Station/Landfill. Carried.

POWER COUNTY TRANSFER STATION/LANDFILL – SPACE HEATER: The Commissioners then reviewed Power County Transfer Station/Landfill Supervisor Craig Heward's previous request to purchase a portable space heater for the Power County Transfer Station before the upcoming winter season. Following discussion, the Commissioners agreed that alternative options should be implemented, i.e. protective clothing or gear, since placing space heaters in large, open areas is cost prohibitive.

POWER COUNTY TRANSFER STATION/LANDFILL – CASCADE EARTH SCIENCES (ENVIRONMENTAL PROTECTION AGENCY): Commissioner Estep reported that the Environmental Protection Agency will be implementing new rules requiring Counties to file quarterly and/or semi-annual reports detailing episodes of storm water runoff and to test for the possible emission of CO2 and other noxious contaminants at landfills. Commissioner Estep reported that Cascade Earth Sciences, who currently monitors the wells at the Power County Landfill, has offered to assist Power County with any and all EPA required testing and paperwork for a one-time fee of \$5,000. Following discussion, the Commissioners agreed to table further consideration of this matter until November 22<sup>nd</sup>, 2010.

SHOSHONE-BANNOCK TRIBES – JURISDICTIONAL ISSUES (LAW ENFORCEMENT): Following discussion, the Commissioners agreed that Power County Prosecuting Attorney Randy Kline has failed and/or refused to dedicate further efforts toward Power County's current and ongoing position regarding law enforcement and jurisdictional issues within the common boundaries of Power County and the Fort Hall Indian Reservation; accordingly, it was moved by Commissioner Funk, seconded by Commissioner Estep, to seek the legal counsel of Power County Planning & Zoning Attorney Douglas J. Balfour, and request that he immediately provide written notice to the Shoshone-Bannock Tribes of Power County's position that the Tribe has no

jurisdiction or authority to issue citations to non-tribal members on any State or County roadways. Carried.

POWER COUNTY JUVENILE DETENTION – MINI-CASSIA JUVENILE DETENTION CENTER: Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Estep, to approve and execute the original Memorandum of Agreement between Minidoka County and Power County for the housing of Power County youth at the Mini-Cassia Juvenile Detention Facility during fiscal year 2011. Carried.

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

Current Expense	\$ 66,658.32
Ambulance District	8,229.22
District Court	1,732.50
Justice Fund	1,648.76
Misdemeanor Probation/Drug Court	2,682.76
Enhanced 911 Services	180.90
Elections	2,586.67
Indigent	109.84
Junior College	5,250.00
Revaluation	353.34
Solid Waste	4,351.83
Tort	2,431.00
Weeds	156.57
Waterways	37.28
PILT	3,421.28

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 pursuant to 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.

POWER COUNTY CLERK – QUARTERLY REPORT (I.C. #31-1611): Power County Clerk Christine Steinlicht appeared before the Commissioners pursuant to I.C. #31-1611 to present her Quarterly Financial Reports for the period ending September 30<sup>th</sup>, 2010. Following discussion, it was moved by Commissioner Meadows, seconded by

Commissioner Estep, to approve the Clerk's Quarterly Financial Report as presented. Carried.

POWER COUNTY CLERK – FISCAL YEAR 2010 AUDIT (DEATON & COMPANY): Power County Clerk Christine Steinlicht appeared before the Commissioners to report that Power County Fiscal Year 2010 has been fully balanced and formally closed and that the initial audit information has been sent to Charles Clark and Brandy Young at Deaton & Company.

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 September 30<sup>th</sup>, 2010. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve the Clerk/Treasurer Joint Quarterly Report as presented. Carried.

POWER COUNTY TREASURER – ANNUAL REPORT (I.C. #31-2112): Power County Treasurer Deanna Curry appeared before the Commissioners pursuant to I.C. #31-2112, to present her Annual Report for the year ending September 30<sup>th</sup>, 2010. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve the Treasurer's Annual Report as presented. Carried.

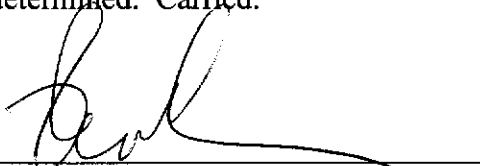
POWER COUNTY TREASURER – TAX DEEDS: Power County Treasurer Deanna Curry appeared before the Commissioners to present proposed Tax Deeds on the following parcels:

Parcel #RPA1372-03  
Block 1, Tax #16, Carter Jahnke Subdivision, American Falls

Parcel #RPB0106-00  
Lots 7 thru 10, Block 3, Houtz Addition, Rockland  
Lot 3, Block 2, Sunbeam Creek Estates West

Parcel #RPA0812-00  
Lots 1 thru 3, Block 35, Reclamation Addition, American Falls

Following discussion it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve the proposed tax deeds and authorize the Power County Treasurer to schedule public auctions on said parcels at an appropriate time, yet to be determined. Carried.

  
VICKI MEADOWS, Chairman

  
CHRISTINE STEINLICHT, Clerk