

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, June 13th, 2011. Present were Commissioners Vicki Meadows, Chairman, Ron Funk and Delane Anderson. 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 Meadows, seconded by Commissioner Funk, to amend the June 13th, 2011, Commissioner Agenda to include the following items:

Power County Commissioner Minutes
Power County Cooperative Extension System – University of Idaho
(FY 2012 Budget Request Certification)

Carried.

POWER COUNTY COMMISSIONER MINUTES: Moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve the Power County Commissioner Minutes for May 23rd, 27th, June 6th, 7th, 8th, 9th and 10th, 2011, as presented. Carried.

POWER COUNTY COOPERATIVE EXTENSION SERVICE (UNIVERSITY OF IDAHO) – FISCAL YEAR 2012 BUDGET REQUEST CERTIFICATION: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and certify the fiscal year 2012 budget request for the Power County Cooperative Extension Service as presented. Carried.

POWER COUNTY BUILDINGS & GROUNDS – PROPERTY MANAGEMENT PROPOSALS (506-508 GIFFORD DUPLEX PROPERTY): The Commissioners again reviewed the property management proposals submitted by organizations or individuals to manage Power County's idle properties. Also present was Launa Snow d/b/a Snow Property Management, who presented a proposed "Property Management Agreement" for the Board's consideration. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to accept the property management proposal and Property Management Agreement submitted by Launa Snow d/b/a Snow Property Management to act as the exclusive agent of Power County to manage, operate and maintain Power County's 506-508 Gifford duplex property. Carried. Following further discussion, the Commissioners agreed that the Lease Agreement between Power County and the Pocatello Idaho Mission for rental of Power County's duplex property located at 506 Gifford, which is scheduled for further consideration by the Board of Commissioners, will be immediately referred to Ms. Snow for finalization. Commissioner Anderson then reported that following an on-site inspection of Power County's Gifford Duplex property, Kay Stilwell d/b/a Calder Street Apartments has agreed that the \$400 rental amount is adequate, fair and not competitive against the local private sector and, in fact, may be priced over and above the Pocatello area market.

POWER COUNTY AIRPORT – GRANT AGREEMENT/BUDGET: Power County Clerk Chris Steinlicht reported that the Idaho Division of Aeronautics Grant in the amount of \$19,486 has been received, which has alleviated the fiscal year 2011 negative budget balance for Power County Airport operations.

ECONOMIC DEVELOPMENT – EVENT PARK (POWER COUNTY AIRPORT): Commissioner Anderson reported that Power County Airport Board Chairman Dr. Ron Miller has expressed his disfavor with allowing the Power County Airport to be used as an event park. Also present was Great Rift Business Development Director Kristen Jensen, who suggested that any “non-aviation” use of airport runways may jeopardize future grant opportunities available through the Idaho Division of Aeronautics. Following discussion, the Commissioners agreed that unless and until the Power County Airport Board agrees that airport runways and facilities should be used for racing events, no further action will be taken by the Board of Commissioners. Commissioner Anderson reported that he will continue to pursue this matter directly with the Power County Airport Board.

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY – UNDERGROUND FUEL TANKS (COURTHOUSE): Ralph Oborn of the Idaho Department of Environmental Quality appeared before Commissioners to report that petroleum leaks from underground fuel tanks adjacent to the Power County Courthouse have resulted in recent core samples which show slightly elevated levels of petroleum vapors. Although the underground tanks have long since been removed from the Courthouse property, Mr. Oborn suggested that Power County adopt an environmental covenant to ensure that the current Power County Courthouse site is used solely for non-residential purposes, which would then allow the Department of Environmental Quality to close their file on this matter. Following discussion with Power County Prosecuting Attorney Randy Kline, the Commissioners agreed to table further consideration of this matter until June 27th, 2011.

AMERICAN CENTRAL DETECTIVE AGENCY – PROCESS SERVICE: Marilyn Halling d/b/a American Central Detective Agency appeared before the Commissioners to request that she be allowed to place business cards for her process serving business at certain locations within the Power County Courthouse. Following discussion with Power County Prosecuting Attorney Randy Kline, the Commissioners agreed that, until further notice, Marilyn Halling d/b/a American Central Detective Agency will be allowed to place business cards at appropriate places inside the Power County Courthouse.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Meadows, seconded by Commissioner Anderson, to move into executive session pursuant to I.C. #67-2345, to discuss the acquisition of interest in real property which is not currently owned by a public agency. Upon a call for the question, the following roll call vote was taken:

Commissioner Meadows – Aye
Commissioner Funk – Aye
Commissioner Anderson – Aye

Carried.

PROPERTY ACQUISITION – 507 BANNOCK AVENUE: The Commissioners reviewed the appraisal prepared by Hartley Appraisals pursuant to I.C. #31-807 and dated May 24th, 2011, on the property located at 507 Bannock Avenue, American Falls. Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Funk, to make a formal offer to purchase Power County Parcel #RPA1016-00, located at 507 Bannock Avenue, American Falls, for the amount of \$130,585. Carried. Further discussion of this matter was tabled until June 27th, 2011.

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 May 31st, 2011.

POWER COUNTY TREASURER – R. MICHAEL PARRISH D/B/A SUNBEAM WATER COMPANY (RESOLUTION #2011-11): Power County Treasurer Deanna Curry appeared before the Commissioners with Power County Prosecuting Attorney Randy Kline to discuss the delinquent property taxes owing on Power County Parcels #UR002160400300 and #UR392160400300 in the name of R. Michael Parrish d/b/a Sunbeam Water Company. Following a review of I.C. #31-828, and a finding by the Board that said parcels have little or no actual value and the possibility of Power County acquiring these parcels by way of a tax deed may create an extreme liability for the taxpayers, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute Power County Resolution #2011-11, which is a resolution to cancel the delinquent property tax and penalty owing on Power County Parcels #UR002160400300 and #UR392160400300 in the amount of \$2,725.54. Carried.

POWER COUNTY TREASURER – ORDER FOR CANCELLATION OF TAXES: Following discussion with Power County Treasurer Deanna Curry, it was moved by Commissioner Funk, seconded by Commissioner Meadows, to approve and execute the Order for Cancellation of Taxes in the amount of \$2,943.27 as presented. Carried.

POWER COUNTY TREASURER – TAX DEED (PARCEL #RPA1372-03): Power County Treasurer Deanna Curry appeared before the Commissioners to discuss Power County Parcel #RPA1372-03, which was acquired by Power County pursuant to Tax Deed and offered at public auction on May 23rd, 2011. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to accept the offer to purchase Power County Parcel #RPA1372-03 submitted by Big View Estates, LLC, in the amount of \$2,200 and to approve and execute the Quitclaim Deed to transfer ownership. Carried.

POWER COUNTY BUILDING & GROUNDS – PARKING LOTS/SIDEWALK REPAIRS: Power County Building & Grounds Supervisor Gary Thomson appeared before the Commissioners via speaker telephone to review and discuss the quotes

obtained to repair several areas of damage to sidewalks and driveway approaches on County property adjacent to the Power County Courthouse and Annex. At the outset, Power County Clerk Chris Steinlicht reported that the Idaho Counties Risk Management Program (ICRMP) has denied any claim for coverage of these repairs under Power County's liability insurance policy. Following discussion, the Commissioners and Mr. Thomson agreed that additional estimates should be obtained and further consideration of this matter was tabled until July 11th, 2011.

POWER COUNTY ADULT MISDEMEANOR PROBATION – POLICY & PROCEDURE MANUAL (SIXTH DISTRICT ADMINISTRATIVE ORDER #2011-02):

The Commissioners reviewed the draft "Power County Standards for Adult Misdemeanor Services and Professional Ethics and Responsibilities" prepared by Kim Helmandollar d/b/a Power County Misdemeanor Probation Services. Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Meadows, to approve the Power County Adult Misdemeanor policy, procedures and professional ethics and responsibilities manual as presented. Carried. Power County Clerk Chris Steinlicht reported that a copy of the manual as approved will be provided to Sixth District Administrative Judge David C. Nye as required by Administrative Order #2011-02.

COMPUTER ARTS, INC. – PROPERTY & TAX MANAGEMENT SYSTEM

(CONTRACT): Following discussion with Power County Prosecuting Attorney Randy Kline, it was moved by Commissioner Anderson, seconded by Commissioner Meadows, to approve and execute the Property Tax Management Contract prepared for Power County by Computer Arts, Inc. Carried.

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

Current Expense	\$ 28,315.62
Ambulance District	4,372.69
Mosquito Abatement District	16,060.00
District Court	5,396.86
Justice Fund	22,299.95
Misdemeanor Probation/Drug Court	2,135.00
Enhanced 911 Services	1,680.99
Elections	83.71
Indigent	12,792.03
Revaluation	559.50
Solid Waste	30,429.12
Tort	75.00
Weeds	518.19
Waterways	13,301.53
PILT	5,352.95

ECONOMIC DEVELOPMENT – GREAT RIFT BUSINESS DEVELOPMENT: Great Rift Business Development Director Kristen Jensen appeared before the Commissioners

to report on the American Wind Energy Association Conference and Trade Show that she attended in Anaheim, California, on May 21st through 26th, 2011. Ms. Jensen reported that the trade show drew some 19,000 participants from around the globe and that she was able to make significant and potentially valuable contacts for future economic development within Power County.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Funk, seconded by Commissioner Meadows, to move into executive session pursuant to I.C. #67-2345 to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. Upon a call for the question, the following roll call vote was taken:

Commissioner Meadows – Aye
Commissioner Funk – Aye
Commissioner Anderson – Aye

Carried.

POWER COUNTY TRANSFER STATION/LANDFILL – EQUIPMENT PURCHASE:
Power County Transfer Station/Landfill Supervisor Craig Heward appeared before the Commissioners with Jim Betty of Western States Equipment to present quotes for a 5-year governmental lease of a Caterpillar 826H Compactor and/or a Caterpillar 930H Wheel Loader for use at the Power County Transfer Station/Landfill. Following discussion, the Commissioners agreed to table further consideration of this matter until June 27th, 2011.

POWER COUNTY TRANSFER STATION/LANDFILL – DEMOLITION PIT:
Commissioner Anderson reported that the “scope of service” being prepared by Rodney Burch of Dioptra Geometrics for the construction of an additional demolition pit at the Power County Transfer Station/Landfill has not yet been completed; accordingly, this matter tabled until June 27th, 2011.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Meadows, seconded by Commissioner Anderson, 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 Funk – Aye
Commissioner Anderson – Aye

Carried.

INDIGENT CASE #2010-29-I: Moved by Commissioner Meadows, seconded by Commissioner Anderson, to sustain the Board’s previous denial of indigent medical

application #2010-29-I, since the medical review performed pursuant to statute found that the treatment provided was not medically necessary as defined by I.C. #31-3502(16). Carried.

INDIGENT CASE #2011-21-I: Moved by Commissioner Meadows, seconded by Commissioner Anderson, to deny indigent medical application #2011-21-I, since the application was process as incomplete as provided by I.C. #31-3505A(1) and since Power County is not the obligated County as provided by I.C. #31-3506(2)(A).

CRYSTAL SUMMIT PARKING LOT – POCATELLO PATHFINDERS SNOWMOBILE CLUB: Pocatello Pathfinder Snowmobile Club members Rozy Rosenburger, Bob Keller, Newton Hansen and Myrna Hathaway appeared before the Commissioners to discuss public access to the Crystal Summit parking lot owned by Power County and maintained through cooperative agreements between Power County, the US Forest Service and Pocatello Pathfinders Snowmobile Club. Also present was Power County Sheriff Jim Jeffries. At the outset, Mr. Keller produced photographs depicting damage and vandalism to Power County's parking lot and restroom facilities and requested that the Board of Commissioners authorize the Pocatello Pathfinders Snowmobile Club to restrict access by installing a locking mechanism on the gate with access by appointment only. Following discussion, the Commissioners instructed the Pocatello Pathfinders Snowmobile Club to work directly with Sheriff Jeffries in providing security for the Crystal Summit parking lot and restroom facilities, to include the installation of an appropriate locking device, with the understanding that keys will also be provided to the US Forest Service and the Power County Sheriff for immediate access to the area if necessary. Following discussion, the Commissioners agreed that the additional security provision should be included in any cooperative agreement between Power County, the US Forest Service and the Pocatello Pathfinders Snowmobile Club and this matter was referred to Power County Prosecuting Attorney Randy Kline to prepare addendums to those agreements. Further consideration of this matter was tabled until June 27th, 2011.

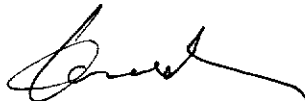
EASTERN POWER COUNTY FIRE DISTRICT – WILDLAND URBAN INTERFACE FIRE CODE: Eastern Power County Fire District Board members Connie Rowland and Paul Westwood appeared before the Commissioners to request that Power County adopt the Eastern Power County Wildland Urban Interface Fire Code as an appendix to the International Fire Code adopted in Idaho. Also present were Power County Planning & Zoning Board Chairman Jim Fitzgerald and Administrator Robert Steinlicht. Following discussion, Power County Prosecuting Attorney Randy Kline agreed to review the provisions of I.C. #31-1417 to determine whether the Board of Power County Commissioners has any authority or duty to establish or enforce fire codes or whether that is solely the function of individual fire protection districts and this matter was tabled until July 11th, 2011, at 3:30 p.m.

FISCAL YEAR 2011 – AUTHORIZED FUND TRANSFERS: Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Meadows, to approve the following budgeted fiscal year 2011 fund transfer:

\$300,000 from PILT Fund to Justice Fund

Carried.

Adjourned.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk