

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, August 22nd, 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 August 22nd, 2011. Commissioner Agenda to include the following items:

Power County Building & Grounds – 569 Bannock Avenue
Parking Area Upgrade

Carried.

COMMUNICATIONS – TABLE MOUNTAIN REPEATER SITE: Power County's Table Mountain Project Director Ken Estep appeared before the Commissioners to review the Right-of-Way Agreement (#IDI-36996) between the United States Department of Interior Bureau of Land Management and Power County for ingress and egress to the Table Mountain Repeater Site. Also present were the following individuals:

Danny K. Miller – Bureau of Land Management
Vernon Miller – Landowner
Brad Ralphs – Landowner
Paul Clark – Clark Radio
Robert Wetzel – Power County Highway District
Don Haskins – Power County Highway District
Robert Steinlicht—Power County Building Administrator

Following discussion, the Commissioners agreed that the Right-of-Way Agreement should be slightly modified to address the concerns of Power County and the adjacent landowners and Mr. Miller agreed to review the proposed modifications with BLM Resource Coordinator Blaine Newman. Following further discussion, it was moved by Commissioner Funk, seconded by Commissioner Anderson, to authorize the Power County Highway District to immediately proceed with preparing the area for the installation of power lines, including rental of a bull-dozer from Western States Equipment Company. Carried.

POWER COUNTY BUILDINGS & GROUNDS – 528 GIFFORD (PUBLIC AUCTION): The Commissioners then conducted a public auction to offer for public sale the structure situated upon Power County Parcel #RPA1021-00, also known as 528 Gifford Avenue. Following opportunity for public bids, it was moved by Commissioner Funk, seconded by Commissioner Anderson, to accept the bid submitted by Gary Thomson in the amount of \$250. Carried. Following discussion, the Commissioners and

Mr. Thomson agreed that the structure will be removed from the premises, at purchaser's expense, on or before September 30th, 2011, after which the Commissioners will entertain quotes and/or bids to remove all sidewalks and steps, demolish the foundation and back fill the hole to grade; accordingly, further consideration of this matter was tabled until September 26th, 2011.

POWER COUNTY BUILDING & GROUNDS – 569 BANNOCK AVENUE (PARKING AREA UPGRADE): Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Funk, to approve the amended quote submitted by BGM Builders to repair driveway approach and curb and gutter at the County's property located at 569 Bannock Avenue, in the amount of \$1,425.00. Carried.

POWER COUNTY 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.

AMBULANCE – WARRANTY/REPAIRS: Power County Ambulance District Director Di Jones appeared before the Commissioners to report that the Idaho Emergency Medical Services Bureau has denied Power County's application for grant funding to purchase an additional ambulance. Following discussion, the Commissioners requested that Power County Prosecutor Randy Kline make written request that the Idaho Emergency Medical Services Bureau reconsider denial, since the grant application was erroneously denied following the admittedly flawed review process of the Bureau.

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.

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 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 Funk – Aye
Commissioner Anderson – Aye

Carried.

POWER COUNTY RURAL ADDRESS SYSTEM – FORT HALL INDIAN RESERVATION: Power County Sheriff Jim Jeffries, Power County Building/Planning & Zoning Administrator Robert Steinlicht and Power County Disaster Services Director Di Jones appeared before the Commissioners to discuss the Fort Hall Tribal Council's intention to adopt a Rural Address System, which would re-address all properties within the Fort Hall Indian Reservation and would be implemented via a "phase-in" process.

Following discussion, the Commissioners agreed that any attempt to re-address properties within the common boundaries of Power County and the Fort Hall Indian Reservation would conflict with Power County's current Rural Address System and may ultimately be detrimental to the health, safety and welfare of the many non-tribal residents in that area. Following discussion, the Commissioners agreed that a planning meeting should be scheduled to discuss Power County's many concerns, and will include the following participants:

Power County Highway District
State of Idaho Enhanced 911 Director Eddie Goldsmith
Senator Denton Darrington, Legislative District #27
Representative Scott Bedke, Legislative District #27
Representative Fred Wood, Legislative District #27
Jeremy Field, Regional Director for U. S. Senator Jim Risch
Steve Brown, Regional Director for U.S. Congressman Mike Simpson
Fort Hall Tribal Council

Following discussion, the Commissioners agreed to table further consideration of this matter until August 29th, 2011.

NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AND INCIDENT COMMAND SYSTEM (ICS) – TRAINING: Power County Disaster Services Director Di Jones appeared before the Commissioners to discuss the National Incident Management System (NIMS) and Incident Command System (ICS). At the outset, Ms. Jones presented the Commissioners with copies of the "Emergency Operations Center Activation and Operations Checklist" and discussed the need for the Commissioners to determine the minimum staffing requirements of the Emergency Operations Center (EOC). Following discussion, the Commissioners agreed to table further consideration of this matter until August 29th, 2011.

INDIAN SPRINGS NATATORIUM – IDAHO POWER RIGHT-OF-WAY: Tom Henesh d/b/a Indian Springs Natatorium appeared before the Commissioners to discuss his purchase, operation and maintenance of Indian Springs Natatorium. At the outset, Mr. Henesh reported that because he believes Power County is unwilling to work cooperatively with his efforts to preserve, protect and enhance his facilities, he has decided to sell the property to the highest bidder. Following discussion and the opportunity for public input, the Commissioners and Prosecutor Randy Kline agreed that, although Power County is supportive and appreciative of Mr. Henesh's redevelopment of Indian Springs, the Board lacks any authority to intervene into the private, civil issues between Mr. Henesh and Idaho Power, which should be properly litigated through State Courts.

POWER COUNTY TRANSFER STATION/LANDFILL – SOUTHERN IDAHO REGIONAL SOLID WASTE DISTRICT (CONTRACT): Following discussion with Power County Prosecuting Attorney Randy Kline, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Solid Waste

Disposal Contract between Power County and Southern Idaho Regional Solid Waste District for the disposal of Power County's solid waste for the period October 1st, 2011, through September 30th, 2016. Carried.

POWER COUNTY JUVENILE DETENTION – MINI-CASSIA JUVENILE DETENTION CENTER: Following discussion with Power County Prosecuting Attorney Randy Kline, it was moved by Commissioner Meadows, seconded by Commissioner Funk, 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 2012. Carried.

JUNIOR COLLEGE – CERTIFICATES OF RESIDENCY: Moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve the Certificates of Residency submitted by the College of Southern Idaho. Carried.

IDAHO ASSOCIATION OF COUNTIES – FEDERAL FUNDING (SECURE RURAL SCHOOLS): The Commissioners then reviewed proposed Power County Resolution #2011-12, a resolution to elect how Power County's Federal Forest Payment, also known as Secure Rural School funds, will be allocated for federal fiscal year 2011 (Power County fiscal year 2012), which resolution was prepared and presented by the Idaho Association of Counties. The Commissioners also reviewed Power County's total secure rural school funding from federal fiscal years 2008 through 2011, which shows a decrease of 36.2%. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute Secure Rural Schools Resolution #2011-12 as presented. Carried.

IDAHO ASSOCIATION OF COUNTIES – POLICY & PROCEDURES MANUAL/ETHICAL PRACTICES FOR PUBLIC OFFICIALS: Dan Chadwick of the Idaho Association of Counties (IAC) appeared before the Commissioners via speaker telephone to discuss the IAC's Policy & Procedures Manual, which includes Ethical Practices for Public Officials. Following discussion with Mr. Chadwick, the Commissioners agreed that to circumvent any potential conflict of interest, future claims to Power County from Anderson Body & Glass should be processed and considered separate and apart from all other County claims.

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 July 31st, 2011.

POWER COUNTY TREASURER – ORDER FOR CANCELLATION OF TAXES: Following discussion with Power County Treasurer Deanna Curry, it was moved by Commissioner Meadow, seconded by Commissioner Funk, to approve and execute the Order for Cancellation of Taxes in the amount of \$95.87 as presented. Carried.

CLAIMS: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve the claims as presented and supplemented. Carried. Commissioner Anderson abstained from the vote to circumvent any potential conflict of interest.

Current Expense	\$ 14,586.22
Ambulance District	3,236.70
District Court	2,455.41
Justice Fund	10,419.15
Misdemeanor Probation/Drug Court	302.00
Enhanced 911 Services	176.25
Indigent Services	11,675.52
Solid Waste	629.00
Tort	1,000.00
Weeds	1,104.25
Waterways	1,163.95
PILT	4,207.92

ROCK CLIMBING – MASSACRE ROCKS STATE PARK (BUREU OF LAND MANAGEMENT): Rock climbing enthusiasts Troy Neu, Jack Brennan and Lisa Safford appeared before the Commissioners to report that the Bureau of Land Management is proposing to close a 600-acre portion of the Massacre Rocks State Park, also known as Cedar Field Archeological District, in order to preserve “cultural resources” and post the area as federally protected. The rock climbers requested assistance from Power County in encouraging the Bureau of Land Management to continue the unlimited and diverse uses, including rock climbing, within that area. Following discussion, the Commissioner instructed Power County Prosecuting Attorney Randy Kline to draft a letter to the Bureau of Land Management supporting the rock climbing group’s efforts to maintain the area for current uses, and further consideration of this matter was tabled until August 29th, 2011.

CITY OF AMERICAN FALLS – U.S. DEPARTMENT OF TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY (TIGER) GRANT (DOWNTOWN REVITALIZATION – LETTER OF SUPPORT): American Falls Mayor Amy Wynn appeared before the Commissioners to request that Power County issue a letter supporting the City’s U.S. Department of Transportation Investment Generating Economic Recovery (TIGER) Grant in the amount of \$4 million, which would accomplish, at a minimum, phases 1 and 2 of the City’s Downtown Revitalization Project. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to issue a letter supporting the City of American Falls’ TIGER Grant for downtown revitalization. Carried.

POWER COUNTY TRANSFER STATION/LANDFILL – EQUIPMENT PURCHASE: Commissioner Anderson reported that he and Power County Transfer Station Supervisor Craig Heward recently toured the Southern Idaho Solid Waste Landfill in Burley and the Twin Falls Transfer Station in Twin Falls to view general operations and investigate equipment needs. Following discussion regarding the equipment upgrades for the Power

County Transfer Station & Landfill, the Commissioners agreed to table further consideration of this matter until September 13th, 2011.

FISCAL YEAR 2012 BUDGET – PUBLIC HEARING: Commissioner Meadows announced that it was the date and time scheduled for public hearing on Power County’s proposed fiscal year 2012 budget as published. At the outset, Commissioner Meadows advised those in attendance that Idaho Code #31-1605 requires that the Board of Power County Commissioners fully and finally fix and determine a fiscal year 2012 budget prior to the conclusion of the public budget hearing. Power County Clerk Christine Steinlicht then reported that, in order to comply with Governmental Accounting Standards adopted for fiscal year 2012, the Board of Commissioners must designate all contingency accounts. Following public hearing and opportunity for questions, comments and/or objections, it was moved by Commissioner Anderson, seconded by Commissioner Funk, to amend Power County’s proposed Fiscal Year 2012 Budget as follows:

- 50-00-526-00 PILT Contingency Account – Reduce by \$50,000 (\$450,000)
- 50-00-807-00 PILT Capital Communications – Increase by \$50,000 (\$350,000)

Carried.

Following further discussion, it was moved by Commissioner Anderson, seconded by Commissioner Funk, to approve Power County’s Fiscal Year 2012 Budget, as amended, in the amount of \$10,597,089, which does not include any amounts to be raised from property taxes greater than the amounts advertised, with the understanding that all Contingency funds or accounts contained therein shall be designated as follows:

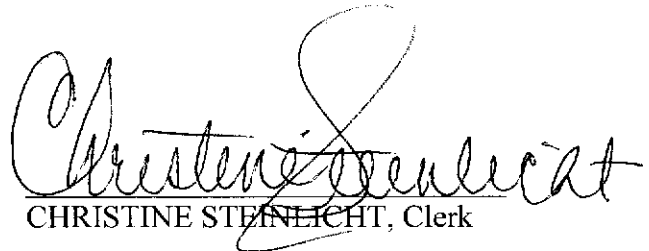
- First, as a “General Reserve Appropriation” under I.C. #31-1605, and the Board of County Commissioners shall have the right to make an appropriation of these funds in the event of any unforeseen contingency arising, which could not reasonably have been foreseen at the time of making the budget, and which shall require the expenditure of money not provided for in the budget; and
- Second, as an “Accumulated Fund Balance” sufficient to achieve or maintain the operations of Power County on a cash basis as provided by I.C. #31-1605(A).

Carried.

Adjourned.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk