

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, June 25th, 2012. 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.

POWER COUNTY PROSECUTING ATTORNEY – FISCAL YEAR 2012 BUDGET (REALLOCATION OF FUNDS): Power County Prosecuting Attorney Randy Kline appeared before the Commissioners to request that the “legal service” lines contained in the Commissioners budget for Fiscal Year 2012 be reallocated as provided in the “Decision on Judicial Review” issued by the Honorable David C. Nye on June 14th, 2012, in Power County Case #CV-2011-248 and #CV-2011-249. Prosecutor Kline specifically requested that the Commissioner’s Fiscal Year 2012 “legal services” funds be reallocated to a “Prosecutor Civil” department within the General Fund, to be expended as follows:

- To increase the Prosecuting Attorney’s total salary for criminal and civil to \$65,000; and
- To secure the services of a Deputy Prosecuting Attorney

Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to take this matter under advisement. Upon a call for the questions, the following roll call vote was taken:

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

Carried.

POWER COUNTY PROSECUTING ATTORNEY – FISCAL YEAR 2013 BUDGET (AMENDED BUDGET REQUEST): Power County Prosecuting Attorney Randy Kline appeared before the Commissioners to request that any “legal service” lines contained in the Commissioners proposed and/or approved budgets for Fiscal Year 2013 be allocated as provided in the “Decision on Judicial Review” issued by the Honorable David C. Nye on June 14th, 2012, in Power County Case #CV-2011-248 and #CV-2011-249. Prosecutor Kline specifically requested that the “legal services” funds contained in the Commissioner’s proposed and/or approved Fiscal Year 2013 budget be allocated to a “Prosecutor Civil” department within the General Fund, to be expended as follows:

- To increase the Prosecuting Attorney’s total salary for criminal and civil to \$72,000; and
- To secure the services of a Deputy Prosecuting Attorney

Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to take this matter under advisement. Upon a call for the questions, the following roll call vote was taken:

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

Carried.

POWER COUNTY AIRPORT – RALPH BREADING (NON-COMMERCIAL AIRPORT LEASE): Following discussion with Power County Prosecuting Attorney Randy Kline, Commissioner Anderson presented the Certificate of Insurance for Ralph Breeding’s Non-Commercial Airport Lease.

POWER COUNTY HISTORIC PRESERVATION BOARD – CENTENNIAL SUB-COMMITTEE: Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Funk, to appoint the following individuals to the Power County Centennial Committee, a sub-committee of the Power County Historic Preservation Board, to serve “as necessary” throughout the Power County Centennial Celebrations:

- Kathy Robertson – City of American Falls
- Denise Ralphs – City of Rockland
- Arnold Burgemeister – Pleasant Valley

Carried. The Commissioners agreed that three additional members will need to be appointment to represent the following areas:

- Arbon Valley
- Neeley
- Roy/Landing

Accordingly, further consideration of this matter was tabled until July 23rd, 2012.

IDEACOM ECSI – POWER COUNTY TELEPHONE SYSTEM (PARTNER PLAN AGREEMENT – MAINTENANCE): Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Meadows, to approve and execute the Partner Plan Agreement, or annual maintenance agreement, between Power County and IdeaCom ECSI as presented. Carried.

POWER COUNTY TRANSFER STATION & LANDFILL – DUMPSTER SITE DISPOSAL (IDAHO DISPOSAL SYSTEMS CONTRACT): Power County Transfer Station & Landfill Supervisor Craig Heward appeared before the Commissioners to discuss specifications for renewal of the contract to collect residential and commercial garbage at the Rockland, Big Sky and Arbon Valley dumpster sites. At the outset, Mr.

Heward reported that he and Prosecuting Attorney Kline will continue to refine the proposed specifications; accordingly, further consideration of this matter was tabled until July 23rd, 2012, at 9:00 a.m.

DEATON & COMPANY, CHARTERED – LETTER OF UNDERSTANDING:

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 audit services related to Power County's fiscal year ending September 30th, 2013, and for the subsequent years ended September 30th, 2014, 2015 and 2016. 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 period ending May 31st, 2013. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve the Treasurer's report 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 Anderson, to approve the Order for Cancellation of Taxes in the amount of \$647.86 as presented. Carried.

POWER COUNTY TREASURER – WARRANT OF DISTRAINT (PARCEL #MHZ0093-00):

Power County Treasurer Deanna Curry appeared before the Commissioners to report that all pending warrants of distraint were brought current via the June, 2012, tax drive, except Parcel #MHZ0093-00. Following discussion and a review of I.C. #63-504, the Commissioners and Treasurer Curry agreed that all delinquent taxes owing against personal property Parcel #MHZ0093-00, shall become a lien upon the real property upon which the trailer is situated, Parcel #RPC0045-00; accordingly, the Warrant of Distraint will be withdrawn.

POWER COUNTY FAIRGROUNDS – TRACTOR PURCHASE:

Commissioner Funk reported that on June 19th, 2012, he and Power County Fairboard Chairman Bill Schroeder obtained several quotes to purchase a used tractor for the Power County fairgrounds. Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Meadows, to accept the quote submitted by Madison County Implement in the amount of \$24,000 to purchase the 2005 Case IH JX75, Serial #HFJ027508, to be paid from PILT equipment funds. Carried.

POWER COUNTY BUILDINGS & GROUNDS – DOCTOR'S CLINIC:

Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve the quote submitted by Duffer Construction to prepare and paint all soffit and exterior window trim at the Doctor's Clinic in the amount of \$2,650.00. Carried.

POWER COUNTY BUILDINGS & GROUNDS – PARKING LOT (CRACK SEAL):

Following discussion, it was moved by Commissioner Meadows, seconded by

Commissioner Funk, to approve the quote submitted by Eagle Rock Excavation to crack fill the parking areas adjacent to the Power County Courthouse in the amount of \$4,030.80. Carried.

CARIBOU COUNTY BOARD OF COMMISSIONERS – IDAHO ASSOCIATION OF COMMERCE & INDUSTRY (IACI) (PERSONAL PROPERTY EXEMPTION LEGISLATION): The Power and Caribou County Boards of Commissioners met in joint session at 1:00 o'clock p.m. to discuss the Idaho Association of Commerce & Industry's (IACI) legislative attempts to exempt personal property from taxation. Present from Caribou County were the following elected officials:

Lloyd Rasmussen, Commissioner
Earl Somsen, Commissioner
Phil Christensen, Commissioner
Veda Mascarenas, Clerk
Aaron Cook, Assessor
Diane Crawford, Treasurer

Present from Power County were the following elected officials:

Vicki Meadows, Commissioner
Ron Funk, Commissioner
Christine Steinlicht, Clerk
Douglas Glascock, Assessor
Randy Kline, Prosecuting Attorney

Following discussion, the Boards of Commissioners agreed to organize an information campaign to educate legislative candidates and citizens regarding the negative impact to counties, cities and local school districts, as well as the tax shift to homeowners and other categories of real property.

BOARD OF EQUALIZATION (I.C. #63-501): The Board of Commissioners then met as the Power County Board of Equalization pursuant to I.C. #63-501.

RURAL SUBDIVISION VALUES: Power County Deputy Assessor Douglas Glascock and Deputy Assessor Donna Thornton appeared before the Commissioners to present the Assessor's report of Rural Subdivisions within Power County that have been allowed to maintain agricultural tax value pursuant to I.C. #63-602(k) until the initial improvement of building or infrastructure is commenced. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and accept the Rural Subdivision/Agricultural Tax Value report as presented. Carried.

There being no further business to come before the Board, the Power County Board of Equalization recessed until July 2nd, 2012.

POWER COUNTY AMBULANCE DISTRICT: Moved by Commissioner Funk, seconded by Commissioner Meadows, to recess as Power County Board of Commissioners and reconvene as Power County Ambulance District Board. Carried.

ENTRADA, INC. – AMBULANCE DISTRICT BILLINGS (ACCOUNTS RECEIVABLE REPORT): Power County Ambulance District Director Di Jones appeared before the Commissioners to review the Power County Ambulance District’s accounts receivable summary for the period ending May 31st, 2012. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve the accounts receivable report as presented, which includes adjustment, and to “write-off” two ambulance district billings for ambulances being dispatched to the Power County Sheriff’s office. 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.

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

Current Expense	\$ 19,714.08
Ambulance District	6,642.24
District Court	2,487.77
Justice Fund	6,706.90
Misdemeanor Probation/Drug Court	1,554.00
Enhanced 911 Services	38.72
Indigent	4,356.68
Revaluation	31.78
Solid Waste	20,668.08
Tort	625.00
Weeds	760.10
Waterways	40.34
PILT	17,536.87

ARBON VALLEY HERD DISTRICT: Arbon Valley resident Barry Williams appeared before the Commissioners to discuss the Arbon Valley Herd District, and more specifically the advisory letter issued by Idaho Deputy Attorney General Sean Costello dated May 31st and the legal Memorandum prepared by Power County Prosecuting Attorney Randy Kline dated June 5th, 2012, addressing several issues of concern to Arbon Valley residents. Mr. Williams requested that the Commissioners issue a letter to all property owners within the Arbon Herd District notifying them of the County’s intention to impose a mandatory levy unless a legal and valid Petition to dissolve said herd district is executed and presented to the Commissioners by a date certain. The Commissioners then heard public testimony from the following individuals:

Jim Guthrie -- State Representative

Ken Estep – Arbon Valley Resident
Hans Hayden – Arbon Valley Resident

Following discussion with Power County Prosecuting Attorney Randy Kline, the Commissioners agreed that any action by the Board of Commissioners, either to dissolve the Herd District or to certify a levy for the Herd District, will be accompanied by a request for action from a clear majority of Arbon Valley residents residing within the Herd District.

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 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 – ABSENT

Carried.

INDIGENT CASE #2012-55-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to deny indigent medical application #2012-56-I since the application was processed as incomplete as provided by I.C. #31-3505A(1). Carried.

INDIGENT CASE #2012-53-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2012-53-I. Carried.

INDIGENT CASE #2012-56-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to deny indigent medical application #2012-56-I, since applicant is not a resident as provided by I.C. #31-3502(24), since the application was not filed in a timely manner as provided by I.C. #31-3505(1), and since applicant is not a citizen of the United States according to I.C. #69-7901(1) and the State of Idaho's legislative findings that it shall be public policy to require applicants to provide proof that they are lawfully present in the United States prior to receiving benefits. Carried.

POWER COUNTY ABATEMENT DISTRICT: Moved by Commissioner Meadows, seconded by Commissioner Anderson, to recess as Power County Board of Commissioners and reconvene as Power County Abatement District Board. Carried.

VECTOR DISEASE CONTROL INTERNATIONAL – MOSQUITO ABATEMENT: Tim Bennett of Vector Disease Control International appeared before the Commissioners to present Power County's Mosquito Surveillance and Control Report for April and May, 2012.

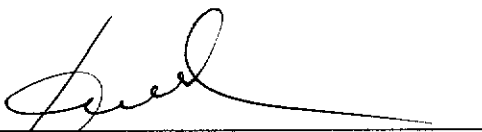
Moved by Commissioner Meadows, seconded by Commissioner Funk, to recess as Power County Abatement District Board and reconvene as Power County Board of Commissioners. Carried.

THREE RIVERS RESOURCE, CONSERVATION & DEVELOPMENT (RC&D) – GRANT WRITER: Paula Jones of Three Rivers Resource, Conservation & Development (RC&D) appeared before the Commissioners to discuss Three River's proposal to establish and administer a grant writing position for area Counties. Following discussion, the Commissioners and Ms. Jones agreed that Power County could utilize Ms. Jones' grant writing services on an "as needed" basis rather than via a "multi-county" effort. Ms. Jones agreed to stay in touch with Clerk Steinlicht as grant opportunities become available.

BUREAU OF LAND MANAGEMENT – CURLEW/DEEP CREEK (TRAVEL MANAGEMENT PLAN): Dave Pacioretty of the Bureau of Land Management appeared before the Commissioners to discuss the Pocatello office's intention to develop a travel management plan for the Curlew/Deep Creek areas, which will address the open, closed, and limited categories of travel planning. Mr. Pacioretty reported that the Bureau of Land Management will be accepting comments on the proposed closure until the end of August, 2012.

CITY OF AMERICAN FALLS – CITY/COUNTY LAW ENFORCEMENT AGREEMENT (DISPATCH): The Commissioners reviewed the written request from American Falls Mayor Amy Manning that the City of American Falls' fee for dispatch services during fiscal year 2013 be reduced to \$56,453.7, due to the City's overpayment in fiscal year 2011. Following discussion, the Commissioners agreed to refer this matter to Power County Sheriff Jim Jeffries for review and recommendation.

Adjourned.


VICKI MEADOWS, Chairman


CHRISTINE STEINLICHT, Clerk