



POWER COUNTY BOARD OF COMMISSIONERS

Meeting Minutes
Commission Chambers
543 Bannock Ave.
American Falls, ID 83211
www.powercounty.is.us

Monday, March 28, 2016, 9:00 a.m.

I. CALL TO ORDER

The Board of County Commissioners met in regular session Monday, March 28, 2016, and called the meeting to order at the hour of 9:03 am, in the Commission Chambers of the Power County Courthouse.

II. COMMISSIONERS/STAFF

PRESENT:	Commissioner Ron Funk, Chair Commissioner Delane Anderson Commissioner Bill Lasley
ABSENT:	None
STAFF:	Sharee Sprague, Clerk Maureen Schelske, Deputy Auditor Anson Call, Legal Counsel
OTHER PARTIES PRESENT:	Sheriff Jim Jeffries Adam Anderson Adam Hanson Connie Shepherd Craig Heward Dallas Clinger Dan Hammond Darren Dahlke Dennis Crane (telephone) Di Jones Doug Balfour Jackie Yarbrough Jeremy Piersol Jerry Davis Kristen Jensen Lennart Nivegard Marla Glascock Mayor Marc Beitia Rebecca Ristrem Robert Steinlicht Rusty Sirwaitis Teri Kendell Terrell Sorensen Vernon Miller

III. AGENDA

A. NOTICES/REPORTS

1. **Juvenile Justice Update:** Lennart Nivegard , State of Idaho District 6 Liaison, and Connie Shepherd, Power County Juvenile Probation Director, appeared before the Board and provided a 2015 Annual Juvenile Justice Report.
2. **Jail Medical Services:** Power County Sheriff appeared before the Board and advised that Badger Medical Services have pulled out of their contract and will no longer be

providing services as of May 1, 2016. The Sheriff reports that he has contacted Dallas Clinger and Chris Babbs of the Power County Hospital District to inquire of interest in entering into a contact for services to the County. Dallas Clinger reports that the Hospital may be interested, but he has been unable to meet with his Board. He will be meeting with their providers and will then get back with the Board.

3. **Idaho Food Bank and SEICAA Services:** Idaho Food Bank representatives, Rebecca Ristrem, Eastern Idaho Branch Manager, and Jackie Yarbrough, Director of Partnerships and Programs, and Adam Hanson, CSFP Program Coordinator, appeared before the Board and explained their programs. The Idaho Food Bank assists with the Willow Bay Food Bank, SEICAA and the High School Pantry. Also in attendance was Adam Anderson on behalf of Willow Bay Food Bank reports that they have been taking rotations traveling to Pocatello to pick up food. The trailer is usually filled from front to back. Lyle Eliassen owns the trailer utilized for the food bank transport. Sheriff Jim Jeffries reports that SCILD availability for assistance is sporadic due to the incarceration restrictions. The Idaho Food Bank representatives explained that they Senior Center would qualify to place orders for food preparation, which would not be inclusive of set out cases. The Idaho Food Bank representatives will contact the Senior Center Board. In conclusion, the Board will continue to collaborate and improve the delivery services.
4. **UPDATE - Rockland Transfer Station:** Commissioner Lasley reports that the committee reviewed four (4) sites for relocation of the Rockland Transfer Station. The Committee will be meeting on Tuesday, March 29, 2016, and draft a proposal for the Rockland City Council. The Committee is looking at a minimum 1.5 acre location. Commissioner Lasley reports that the Committee will then report to the Rockland City Council at which time the Commission will then meet again with the Council to discuss the ongoing partnership options between the entities on behalf of the Transfer Station.
5. **UPDATE - Planning and Zoning:** Commissioner Lasley met with Mayor Beitia and reports that the city will be taking care of all city building permit applications.

B. MOTIONS:

1. **Agenda Approval:** A motion to approve the agenda was presented by Commissioner Anderson with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried, Commissioner Lasley was absent.
2. **Bureau of Reclamation:** Power County Sheriff presented a continuation for services on behalf of the Bureau of Reclamation. The Bureau has changed the administration and increased the fees reimbursed to the County for services. Upon review of the contract, a motion to renew the contract for services in the amount of \$12,500.00 was presented by Commissioner Funk with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.
3. **UPDATE: Senior Citizen Building:** Jerry Davis appeared on behalf of the Senior Center and reported that there is a crack in the foundation of the building causing the flooding. Mr. Davis reports that they have received a written bid from We Stop Leaks and provided the Board with copies of the bid and pictures of the damages. Robert Steinlicht reports that he has reviewed the bid and deems that the recommendations would, in his opinion, resolve the concerns. Following discussion a motion to approve the bid from We Stop Leaks in the amount of \$15,810.00 from the PILT Building and

Grounds Fund and authorized that \$7,905.00 of said amount be issued through a demand check as a down payment for services per the bid instructions was presented by Commissioner Lasley with a second by Commissioner Anderson. Following audible call of the Board, motion unanimously carried.

4. **Ambulance:** Director Di Jones appeared before the Board and Presented the Administration and Finance Reports on behalf of the Ambulance Department. Following discussion, a motion to accept the financial report was presented by Commissioner Anderson with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.
5. **Approval of Past Meeting Minutes:** A motion to accept minutes as printed for meetings held on March 14, 21, and 23, 2015, was presented Commissioner Lasley with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.
6. **Precinct Resolution Revision:** Clerk Sprague reports that the new voting equipment no longer requires a separate precinct for absentee and early voting. Additionally the continued use of a separate precinct would increase costs due to the number of Precinct Committeeman and School Board Bond ballots required to be printed on the larger elections to meet any absentee requests. At 12:01 pm Commissioner Funk read Power County Resolution Number 2016-01 a resolution designating precincts and polling locations. Clerk Sprague noted a typographical error in Paragraph 3, which was corrected and the Resolution was re-printed. Following correction, a motion to execute Power County Resolution Number 2016-01 was presented by Commissioner Funk with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried. Recording ended at 12:05 pm
7. **Agenda Amendment:** A motion to amend the agenda to include Gateway West Update on the grounds that legal counsel Douglas Balfour stopped by after attending a meeting with the Cassia County Commissioners needing expedited Board directives and, therefore, resetting the matter cannot be delayed until the next regular meeting of the Power County Board of Commissioners and would cause undue expenditures to the County was presented by Commissioner Funk with a second by Commissioner Lasley. Following an audible call of the board, the motion unanimously carried.
8. **UPDATE: Water Meter estimates:** Terrell Sorensen appeared before the Board and presented bids for water meter at the fairgrounds well and recommends either the Khrome or Seametrics meter. Mr. Sorensen advises that he could complete the installation and would estimate the final cost to be around \$2,300.00 plus the cost of fencing the area for protection. Following discussion, a motion to expend up to \$3,000.00 for water meter and fencing the meter area from the PILT building and grounds fund was presented by Commissioner Lasley, with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried.
9. **Cancellation of Penalty and Interest for Parcel No. RPA 1127-00:** Rusty Sirwaitis and Marla Glascock appeared before the Board and requested forgiveness of penalties and interest in the amount of \$2145.88. Chief Deputy Treasurer Teri Kendall reports that the penalty to forgive would be \$225.58 and if Mr. Sirwaitis were to pay the outstanding taxes and landfill fees in the amount of \$11,278.62, the interest would adjust off. Mr. Sirwaitis advises that he is capable of paying the taxes. Following discussion, a motion to forgive the late charge of \$225.58 was presented by Commissioner Funk with a second by Commissioner Anderson. Commissioner Lasley abstained from discussion. Following audible call of the Board, the motion unanimously carried.

10. **Treasurer Reports:** A motion to accept the Statement of Treasurer’s Cash and the Office of the State Treasurer Monthly Statement was presented by Commissioner Anderson with a second by Commissioner Lasley. Following audible call of the Board, motion carried unanimously.
11. **Investment Committee Report:** Treasurer Deanna Curry appeared on behalf of the Power County Investment Committee and reported the following changes in Investments on behalf of the County;
- On March 18, 2016 the Power County Treasurer, Deanna Curry, was informed by Chas Kipp of Multi Bank Securities that Fannie Mae #10 cussip #3136G1GE3 and Fannie Mae #8 cussip #3136G1AE9 were going to be called later this month. The investment committee placed \$150,000 into Wells Fargo Bank CD cussip #94986TYD3 to partially replace the investments being called. The Wells Fargo Bank CD is a 5 year step up with an initial rate of 1% and a maturity date of 3-31-2021. The first possible call date is 9-30-2017.
 - On March 22, 2016 the Power County Investment Committee decided to place \$150,000 into the Federal Farm Credit Bank bond cussip #3133EFS99 to replace the balance of the investments being called. The Federal Farm Credit Bank bond is a 10 year fixed bond with a rate of 2.68% and a maturity of 3-30-2026. The first possible call date is 3-30-2017.

A motion to accept the Investment Committee Report was presented by Commissioner Funk with a second by Commissioner Lasley. Following discussion an audible call of the Board was conducted and motion unanimously carried.

12. **Claims:** A motion to approve the claims was presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.

Fund	Amount Paid
0001 GENERAL FUND (CURRENT EXPENSE)	\$ 7,173.14
0003 FAIR BOARD	\$ 230.76
0004 POWER COUNTY AMBULANCE DIST.	\$ 9,472.85
0006 DISTRICT COURT	\$ 3,402.93
0008 JUSTICE FUND	\$ 7,005.03
0009 MISDEMEANOR PROB/DRUG COURT	\$ 800.00
0010 ENHANCED 911 SERVICES	\$ 46.93
0015 ELECTIONS	\$ 209.30
0016 INDIGENT	\$ 1,119.82
0020 REVALUATION	\$ 11,805.00
0023 SOLID WASTE (LANDFILL)	\$ 943.80
0024 TORT	\$ 32,643.50
0027 WEEDS	\$ 216.41
0038 WATERWAYS	\$ 27.40
0050 PAYMENT IN LIEU OF TAXES	\$ 6,346.77
TOTAL	\$ 81,443.64

13. **City spring cleanup day:** Mayor Beitia, Jeremy Piersall and Darren Dahlke appeared before the Board on behalf of the City of American Falls and advised that they would like to initiate spring cleanup once again. Mayor Beitia reports that when the cleanup day was initiated before they exhibited repeat offenders, however, they have remedied that concern. They are requesting a 2-4 week window in which the Commission would waive the dump fees.

Craig Heward reports that some items are more problematic for the Landfill than others. The parties agree to meet and develop a plan between the entities.

Darren Dahlke reports that their intent is to allocate a few trucks and sort debris as it is picked up. They intend on designating a truck for grass clippings and leaves, a truck for tree limbs, and a truck for other debris. The intent is to have the City designate 3-5 employees during the pick-up times to assist in cleaning and sorting the debris prior to delivery at the landfill. Commissioner Anderson inquired of their status on cleaning up abandoned vehicles. Mayor Beitia advised that the City is in the process or re-vamping their ordinance to allow for more enforceability. Following discussion a motion to waive landfill fees for the City of American Falls for a four (4) week window during their Spring Cleanup Project contingent upon the following factors;

1. Hazardous waste, tires and other fee imposed items shall not be included in the spring cleanup truckloads.
2. The loads shall be checked and sorted by City personnel prior to delivery to the Landfill.
3. The loads shall be sorted into Lawn, leaves, branches and weeds; Metal; and C&D pit.

Commissioner Funk provided a second to Commissioner Lasley's motion. Following audible call of the Board, motion unanimously carried.

14. **Keller Associates Contract:** Legal Counsel Anson Call appeared before the Board and advised that he has reviewed the contract for building engineering services of the Fair Board Lamb Barn and approves the same for execution. Following discussion a motion to execute the agreement for professional services with Keller Associates for the engineering of a lamb shed in the amount of \$3,000.00 was presented by Commissioner Lasley with a second by Commissioner Funk. Following audible call of the board, Commissioners Lasley and Funk voted in favor and Commissioner Anderson voted against, motion carried.

15. **Economic Development Grant Application:** Kristen Jensen and Dan Hammond appeared on behalf of Great Rift Economic Development and Rural Idaho Economic Development Professional Program. Ms. Jensen advises that the grant they usually apply for the grant on a three (3) year grant cycle. The Idaho Department of Commerce has changed the grant cycle to a one (1) year grant cycle. Ms. Jensen advised of the changes to the application requirements. Ms. Jensen requests the County to pledge \$5,000.00 toward the matching funds portion for the grant. Ms. Jensen also advises that she will be seeking matching funds from the City of American Falls in the amount of \$5,000.00 plus office space and supplies; City of Aberdeen in the amount of \$2,000.00; Idaho Power in the amount of \$1,000.00; FMC in the amount of \$1,000.00; and Simplot in the amount of \$1,000.00. Upon conclusion, a motion to support the Rural Idaho Economic Development Professional Program grant application matching

funds in the amount of \$5,000.00 with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.

C. POINTS OF ORDER:

1. **Election Canvass Clarification:** Clerk Sharee Sprague clarified the March 8, 2016, Canvass Results before the Board. Clerk Sprague advised the Board that at the time of the original Canvassing of the votes, the election day registrants were not computed. Clerk Sprague reports that there were 41 voter registrations filed at the polls on election day, thereby setting the total number of registered voters at 3,240, as previously reported there were 878 ballots cast, and the final percentage of voter turnout was 27.10%. Additionally, Clerk Sprague reports that seventy-five (75) parties affiliated for the election and twelve (12) changes affiliation after the election. By Consensus, the Board approved the clarification to the canvass.
2. **Employee Compensatory Time:** Clerk Sprague reports that the Affordable Care Act has caused additional investigation into the past reporting processes of the County for compensatory time. Legal counsel Anson Call explained that he started reviewing the reporting processes of the Sheriff's Department as they are the most unique department within the county. Legal counsel Anson Call advises that he will review reporting practices and contact the Department of Labor for clarification to determine if the process for reporting compensatory time need to be amended.
3. **Gateway West:** Legal counsel Doug Balfour appeared before the Board to report on gateway west meeting with the Cassia County Commissioners. Mr. Balfour advises that the Bureau of Land Management (BLM) had allowed for a comment period for discussions related to the sage grouse impact regarding the Gateway West and similar projects. During the comment period, the BLM had issued statements agreeing with Governor Otter's Task Force recommendations. Upon conclusion of the comment period, the BLM changed their plans directly in opposition of the Governor's recommendations, therefore, the Governor filed an extended brief with the BLM outlying the changes and concerned impact to the Counties and State. The BLM Unsympathetic to the Governor's concerns and, therefore, the Governor filed legal action against the BLM in Federal Court. Mr. Balfour advises that additional suits are pending against the BLM regarding Sage Grouse habitat. Mr. Balfour advises that counsel could file an amicus brief in the Governor's case and seeks direction from the Board.

Additionally, Mr. Balfour reports that the power plants are seeking permission from the Public Utilities Commission (PUC) to recoup infrastructure costs from consumers rather than recouping costs through rate limitations. It is anticipated if the PUC approved the request, the impact to consumers would be significant.

Following discussion, the Board directed Mr. Balfour to notify the county citizens GOAL group and then coordinate a meeting with all parties and the Board at a later date. Upon conclusion of the next meeting, the county will follow-up with Cassia County for determination of any pending legal action necessities.

4. **Indigent Claims:** Clerk Sharee Sprague reported that there are no indigent claims to present today.
5. **Power County Transfer Station:** Department Head, Craig Heward appeared and provided an update of the Power County Transfer Station. The Board advised of complaints received at the Rockland Transfer Station both with County personnel and with PSI littering. Mr. Heward reports that he will follow up on the complaints and report back to the Board. Mr. Heward reports that he is scheduled to be out on medical leave beginning April 4, 2016, and in his absence, he has designated Jeff Rankin as supervisor of the Department. He anticipates some scheduling conflicts when the weather breaks. The Board encouraged Mr. Heward to discuss scheduling resolutions with Mr. Rankin and request Mr. Rankin to provide the Clerk's Office with an employee schedule.
Mr. Heward reports that the secured loads have improved the amount of trash on the roadway and requested the secured load information be placed on the Website.

IV. NO EXECUTIVE SESSION HELD

V. ASSESSMENTS/CONCLUSIONS:

1. **Next Meeting:** The next regular session for the board to meet is slated for April 11, 2016.
2. **Adjourn:** Having no further business to come before the Board, a motion to adjourn was presented by Commissioner Funk with a second by Commissioner Lasley. Following audible call of the Board, motion carried and the meeting was adjourned at 5:16 pm.

The foregoing minutes were approved by the Board of County Commissioners during the Regular Board Meeting held April 11, 2015.



COMMISSIONER FUNK, Chairman

ATTEST:



SHAREE SPRAGUE, Clerk

**The following is a record of parties that participated in the Business of the
Power County Commissioners on Monday, March 28, 2016**

ARRIVED	APPEARED	LEFT
8:50 am	Sharee Sprague	5:16 pm
9:32 am	Bill Lasley	5:16 pm
8:55 am	Ron Funk	5:16 pm
8:57 am	Delane Anderson	5:16 pm
9:00 am	Connie Shepherd	9:37 am
9:00 am	Lennart Nivegard	9:38 am
9:30 am	Sheriff Jim Jeffries	9:59 am
9:45 am	Dallas Clinger	9:59 am
9:57 am	Di Jones	10:50 am
9:57 am	Jerry Davis	10:32 am
9:57 am	Robert Steinlicht	10:28 am
9:57 am	Vernon Miller	10:32 am
11:03 am	Jackie Yarbrough	11:55 am
11:03 am	Rebecca Ristrem	11:55 am
11:03 am	Adam Anderson	11:55 am
11:03 am	Adam Hanson	11:55 am
11:38 am	Sheriff Jim Jeffries (telephone)	11:42 am
12:38 pm	Anson Call	1:16 pm
12:50 pm	Doug Balfour	1:15 pm
12:55 pm	Terrell Sorensen	1:37 pm
1:41 pm	Teri Kendell	2:10 pm
1:41 pm	Marla Glascock	2:00 pm
1:41 pm	Rusty Sirwaitis	2:00 pm
2:10 pm	Anson Call	2:38 pm
2:38pm	Maureen Schelske	2:56 pm
2:58 pm	Craig Heward	4:30 pm
3:12 pm	Dennis Crane, Cassia County Commissioner (telephone)	3:13 pm
3:28 pm	Jeremy Piersol	4:00 pm
3:32 pm	Mayor Marc Beitia	4:00 pm
3:32 pm	Darren Dahlke	4:00 pm
3:55 pm	Kristen Jensen	4:43 pm
4:01 pm	Dan Hammond	4:43 pm