



POWER COUNTY BOARD OF COMMISSIONERS

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

Monday, April 25, 2016, 9:00 a.m.

I. CALL TO ORDER

The Board of County Commissioners met in regular session Monday, April 25, 2016, and called the meeting to order at the hour of 9:02 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 Linda Annen, Indigent Director Jennifer Rupp, Indigent Clerk Carolyn Anderson, Deputy Clerk Maureen Schelske, Deputy Auditor Ryan Petersen, Legal Counsel Anson Call, Legal Counsel
OTHER PARTIES PRESENT:	Treasurer Deanna Curry Sheriff Jim Jeffries Bruce Olenick David Zimmerman Di Jones Jordan Cheirrett (telephone) Kari Ann Pritchett Rhonda Anderson Robert Steinlicht Terrell Sorensen

III. AGENDA

A. NOTICES/REPORTS

1. **Ambulance Administration:** EMS Director, Di Jones, appeared before the Board and explained that she has surplus property that needs to be relocated to allow for correct storage of Disaster Services property. The Board directed Ms. Jones to forward a listing to the Clerk and the matter would be placed on the Agenda for May 9, 2016 for action. Ms. Jones inquired with the new carry law going into effect in July if her Department could post signs prohibiting weapons within their buildings. Legal Counsel, Anson Call, will research the issue and report back to Ms. Jones. Ms. Jones reported that her office has been receiving concerns about Entrada and their billing processes. The Board

directed Ms. Jones to have Entrada come and meet with the board in preparation of the upcoming budgeting cycle. Mr. Jones reports that the employee designations have been determined for Affordable Care Act reporting.

2. **Update: Fairgrounds Lamb Barn:** Terrell Sorensen appeared before the Board and presented the engineered specs for the Fairgrounds lamb barn. Mr. Sorensen reports that the specifications propose more than needed and are above the requested design elements provided to Keller and Associates. Following discussion, the Board concurred and directed Mr. Sorensen to have the engineers to re-design the barn to the specifications originally requested.
3. **Dept. of Environmental Quality (DEQ):** Bruce Olenick of the Dept. of Environmental Quality (DEQ) appeared before the Board reporting concerns associated with open burning at transfer stations. Commissioner Funk reports that Power County does not have an open burn policy at any sites. Mr. Olenick states advises that there are benefits if it is done correctly, but there are certain regulations and there are some legislative interpretations that need to be considered citing only yard waste as an option and advising that crop residue is subject to different regulations (CRV). The FMC Project looks fine from DEQ standpoint. There was brief discussion regarding Magnida. Mr. Olenick advised that the DEQ is looking more into recharge issues with irrigation and ground water.
4. **Update: Highway Levy Distribution:** Clerk Sharee Sprague reported that Jeremy Piersol and Daren Dahlke contacted her on April 12, 2016, inquiring on clarification and determination as their highway apportionment funds received for tax year 2014 were substantially less than anticipated and tax year 2015 appears to be on the same projection. Clerk Sprague advised the Board that the Highway District levies funds under 40-801. Idaho Code 40-801(a) cites that two-tenths per cent (0.2%) of market value for assessment purposes for construction and maintenance of highways and bridges; provided that if the levy is made upon property within the limits of any incorporated city, fifty per cent (50%) of the funds shall be apportioned to that incorporated city. Idaho Code 40-801(b) cites that a special levy of eighty-four thousandth per cent (0.084%) of market value for assessment purposes to be used for any one (1) or all of the following purposes:
 1. bridge maintenance and construction;
 2. matching state and federal highway funds;
 3. secondary highway construction;
 4. secondary highway maintenance and improvements;
 5. maintenance during an emergency.

Clerk Sprague reports that the history reflects that in 2013 the funds were levied for incorrectly, however, the citation given to the Treasurer's Office allowed the Treasurer to set the apportionments correctly. Clerk Sprague reports that each year, the Treasurer's data base copies over from the previous year and in 2014 the language used to differentiate between the levies was replaced with just the Idaho Code sections, however, the Treasurer was not advised of the updated change and therefore, the subsequent data bases were loaded incorrectly. Clerk Sprague reports that she and Treasurer Deanna Curry have been collaboratively working on providing the entities

with the correct appropriations pursuant to taxes paid and working with Computer Arts Inc to allow for correct appropriations to be paid out going forward.

Clerk Sprague advises that she and Treasurer Curry presented the information to the Highway District Commissioners, Jeremy Piersol and Daren Dahlke representing the City of American Falls and Joe Jones representing the City of Rockland and will be presenting the same information to the Pocatello City Council when scheduled.

5. **Update: Surplus Computers:** Clerk Sharee Sprague reports that on April 11, 2016, the Board approved the donation of one (1) surplus computer and to loan a second surplus to the City of American Falls. Clerk Sprague reports that the county has need of the second computer. Clerk Sprague contacted the City of American Falls and arranged to have the donated computer reloaded and installed at the City of American Falls. The second computer causing security concerns on the system will be removed and the City will share the donated computer between the workstations pending receipt of a donated computer through the Idaho Supreme Court or upgrade of systems following the new budget implementation. The Board requested Clerk Sprague contact the hospital and senior center for any need of donated computer availability through the Idaho Supreme Court.

B. MOTIONS:

1. **Agenda:** A motion to amend the agenda for Monday, April 25, 2016, to include Investment Committee on the grounds that information was provided to the Board after the posting of the meeting and failure to act prior to the next meeting could cause a fiscal ramification to the county and then approve was presented by Commissioner Funk with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.
2. **UPDATE: Jail Medical Services:** Sheriff Jim Jeffries appeared before the Board and presented a proposed contract for jail medical services through the Power County Hospital. Sheriff Jeffries explained that the contract is very comparable to what the Badger Medical contract with the exception that the mental health component is not included within the proposed contract. Commissioner Lasley inquired if the omission of the mental health component would impact the county budget above what historically has occurred. Sheriff Jeffries also presented a proposal from New Horizons Mental Wellness Clinics, which has the mental health component. Legal Counsel, Ryan Petersen, shared the legal process that occurs in criminal matters related to mental health. Commissioner Anderson inquired if the Sheriff would anticipate the county incurring \$12,000.00 in mental charges. Following discussion a motion to approve the contract for assumption of jail medical services through Power County Hospital was presented by Commissioner Funk with a second by Commissioner Anderson. Following audible call of the Board, motion unanimously carried.
3. **Ambulance Administration Financial Report:** EMS Director, Di Jones, appeared before the Board and presented administrative financial reports. A motion to approve the financial report as submitted by Entrada was presented by Commissioner Anderson with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.
4. **Property Acquisitions:** Legal Counsel, Anson Call, reports that the Billie Palmer property has been listed at \$43,700. The Bank will be taking bids for ten (10) days at

which time they will be taking the highest bid. The Board discussed that the last appraisal was done two (2) years ago. Upon conclusion of discussion, the Board directed Ryan Petersen arrange an appraisal be completed. The Board will meet again on Friday, April 29, 2016, at 8:00 am for further discussion. A motion to retain Steward Appraisal to conduct an appraisal of 490 Pocatello Avenue, American Falls, Idaho at a rate of \$600.00 and to retain Bobbette Wright to act in the interests in the county in the acquisition of said property was presented by Commissioner Funk with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.

5. **Certificate of Residency Application for Junior College Tuition I.C. §33-2110**: A motion pursuant to I.C. §33-2110 for Junior College Tuition assistance through college of Southern Idaho to approve the Application for Certificate of Residency filed by William F Lower Jr was presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
6. **Drug Court Memorandum of Understanding (MOU)**: A motion to sign the Drug Court Memorandum of Understanding and request to receive annual evaluation from the courts, and have the same added to the MOU next year was presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
7. **Cascade Earth Sciences (CES)**: Commissioner Funk reports that he had inquired earlier about reducing the testing of the wells at the landfill and the County had received positive response from Department of Environmental Quality. Kari Anne Pritchett of Cascade Earth Sciences appeared and presented a proposed testing schedule which has been approved by the Department of Environmental Quality (DEQ) with the stipulation of a ground water monitoring plan as well. Ms. Pritchett reports that the scope of work would be to create and update a plan for ground water monitoring, based on DEQ and federal guidelines. The plan will include cost and timeline, and should be submitted within 90 days of the DEQ's April 18th letter. No major maintenance foreseeable. New monitoring schedule will cover current expenses over the course of 1-2 years, and then generate substantial savings in the future.

A motion to approve the cost of \$5,578.00 and approve CES to put together plan for DEQ and to submit that plan to the DEQ in 90 days from April 18th, 2016, with all expenses continuing from the landfill budget was presented by Commissioner Lasley, with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.

8. **Indigent Claims**: A motion to deny Indigent Claims 2016-35, 2016-42 and approve Indigent Claim 2016-55 was presented by Commissioner Anderson with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
9. **Highway District Grant**: Clerk Sharee Sprague advised that the Highway District is seeking a grant and requested a letter of support from the County. Upon discussion, a motion to approve the letter of support on behalf of the Highway District was presented by Commissioner Funk with a second by Commissioner Anderson. Following audible call of the Board, motion unanimously carried.

10. **Adjourn and reconvene as Investment Committee:** A motion to adjourn as the Board of County Commissioners and convene as the Power County Investment Committee was presented by Commissioner Anderson with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.
11. **Investment Committee:** Treasurer Deanna Curry reports she was reported that she was contacted on April 25, 2016, by Chas Kipp from Multi Bank Securities advising that Federal Home Loan Mortgage Co. cussip #3134G7HU8 in the amount of \$100,000.00 was being called on effective April 30, 2016. The County earned 1.25% per year for 9 months. It is recommended that the bond be reinvested with Federal Home Loan Mortgage Co. cussip #3134G9BC0 in the amount of \$100,000.00. The replacement bond is a step coupon with an initial rate of 1.25% and a maturity date of April 28, 2021, with a first possible call date of October 28, 2016.

A motion to reinvest the \$100,000.00 in a step coupon with an initial rate of 1.25% with Federal Home Loan Mortgage Co. cussip #3134G9BC0 as recommended was presented by Commissioner Funk with a second by Commissioner Anderson. Following discussion an audible call of the Board was conducted and motion unanimously carried.
12. **Adjourn and reconvene as Board of Commissioners:** A motion to adjourn as the Power County Investment Committee and convene as the Board of County Commissioners was presented by Commissioner Anderson with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried.
13. **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 unanimously carried.
14. **Indigent Lien:** The applicant in 2013-89 submitted paperwork indicating that she was in the process of selling her house, and was proposing that the commissioners accept \$7,500 from the proceeds of the sale of the home as payment in full. Applicant has been paying \$25 monthly since October 2013 for a total of \$750 paid. Upon consideration, a motion to accept the applicant's proposed settlement and upon sale of her house, the applicant shall pay half of the proceeds from said sale to the balance owed to the county and in receipt of said payment the remaining balance owed to the County shall be discharged and the lien released was presented by Commissioner Funk with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
15. **Approval of Past Meeting Minutes:** A motion to accept minutes as printed for meetings held on April 11, 2016, was presented Commissioner Anderson with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.
16. **Claims:** A motion to approve Anderson Auto Body Claim in the amount of \$403.00 was presented by Commissioner Funk, with a second by Commissioner Lasley. Commissioner Anderson abstained. Following audible call of the Board, motion unanimously carried. A motion to approve the claims approval report in the amount of \$93,092.74 was presented by Commissioner Lasley with a second by Commissioner

Funk. Following an audible call of the board, the motion unanimously carried. Upon approval of the Board, the summary of claims paid are as follows;

Fund	Amount Paid
0001 GENERAL FUND (CURRENT EXPENSE)	\$ 11,296.36
0003 FAIR BOARD	\$ 230.76
0004 POWER COUNTY AMBULANCE DIST.	\$ 4,991.10
0006 DISTRICT COURT	\$ 3,260.65
0008 JUSTICE FUND	\$ 59,887.00
0009 MISDEMEANOR PROB/DRUG COURT	\$ 1,317.66
0010 ENHANCED 911 SERVICES	\$ 407.31
0015 ELECTIONS	\$ 2,909.46
0016 INDIGENT	\$ 978.50
0020 REVALUATION	\$ 359.86
0023 SOLID WASTE (LANDFILL)	\$ 621.53
0027 WEEDS	\$ 398.02
0038 WATERWAYS	\$ 8.84
0050 PAYMENT IN LIEU OF TAXES	\$ 6,828.69
TOTAL	\$ 93,495.74

17. **Airport Lease:** David Zimmerman met with the Board to discuss lease options pending final agreement correction to survey boundaries at the airport farm ground. Upon conclusion of discussion an agreement to enter into a renewed addendum to the current lease was presented by Commissioner Funk with a second by Commissioner Lasley. Following an audible call of the board, the motion unanimously carried.
18. **Landfill Fee Appeal:** Rhonda Anderson appeared before the Board and reports that she went to the Rockland Landfill in January and was charged for not having a secure load. She reports that she felt as though her load was secure and two (2) other parties were not treated the same way. Mrs. Anderson reports that one person was allowed to go home secure his load and return and the other was allowed to dump his load and neither of which received any charges for failure to secure a load. Mrs. Anderson reports that they tracked back to where the signage was publicized as posted and could find no posting. Mrs. Anderson reports that signage was not installed until the end of January. Following discussion, a motion to approve Ms. Anderson's appeal and cancel the charge was presented Commissioner Funk with a second by Commissioner Lasley. Following an audible call of the board, Commissioner Anderson abstained and the motion unanimously carried.
19. **Cargo Trailer for SEICAA:** Commissioner Anderson presented a bid from Bear Lake Trailers for and enclosed Wells Fargo trailer. The Board discussed the weight and durability of the trailer. Upon conclusion, a motion to purchase the Wells Fargo enclosed trailer was presented by Commissioner Anderson with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.

C. POINTS OF ORDER:

1. **Sexual Assault Nurse Examiner (SANE):** Anson Call explained that a SANE stands for Sexual Assault Nurse Examiner. Currently the county takes victims over to Portneuf

Medical Center, which demands the officer to transport and sit with the victims. Anson Call reports that a local nurse is working toward completing the first step of the SANE training and then needs to complete the second step training and also conduct practical training for a couple of days in a large hospital for an anticipated collective cost of \$2,000.00. Ryan Petersen explains that the first step training was paid out of drug asset forfeiture funds and the Women's Advocates may be able to assist with a portion of the training. Mr. Call reports that they would approach the City for participation as well. The county routinely utilizes a SANE nursing services. The Board inquired if the Hospital is in agreement with the certification of their employee and if additional equipment and/or examination rooms would be required. Mr. Call reports that while he has not discussed the option with the Hospital, he believes that they are in agreement and does not foresee any additional equipment needs. Mr. Petersen reports that there are very few SANE nurses around the area. The Board directed the proposal be presented the City for determination of available assistance and then report back before the Board on May 23, 2016.

2. **Ambulance Personnel Executive Session:** Following discussion, no action taken.
3. **Jail Expansion:** Sheriff Jeffries appeared before the Board and presented drafts for jail expansion. Following discussion, the Sheriff will reschedule at a time when the engineers can be present for questioning.
4. **Building & Grounds / Courthouse & Annex:** This item was tabled to May 9, 2016, to allow for the contractors to be present for further inquiries.
5. **EXECUTIVE SESSION: Medial Leave FMLA Effective Date:** Following discussion, the Board received legal direction and no action was taken.

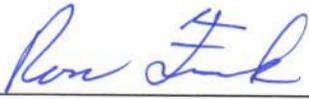
IV. EXECUTIVE SESSION:

1. **Executive Personnel Session I.C. 74-206(1)(b) 11:01 am:** A motion to enter into executive session to consider personnel actions pursuant to Idaho Code 74-206(1)(b) was presented by Commissioner Lasley with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried.
2. **Executive Personnel Session I.C. 74-206(1)(b) 11:18 am:** A motion to exit into executive session pursuant to Idaho Code 74-206(1)(b) was presented by Commissioner Lasley with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried.
3. **Executive Indigent Session pursuant to I.C. §74-206 2:29 pm:** A motion to enter into executive session pursuant to I.C. §74-206, to consider records that are exempt from disclosure under Chapter 3, Title 9, Idaho Code, specifically indigent medical applications was made by Commissioner Anderson with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.
4. **Executive Indigent Session pursuant to I.C. §74-206 3:01 pm:** A Motion to exit executive session pursuant to I.C. §74-206, to consider records that are exempt from disclosure under Chapter 3, Title 9, Idaho Code, specifically indigent medical applications was presented by Commissioner Lasley with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.

V. ASSESSMENTS/CONCLUSIONS:

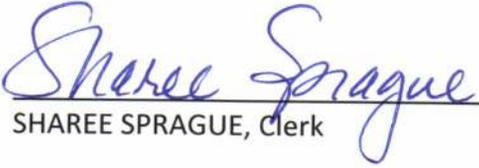
1. **Next Meeting:** The next regular session for the board to meet is slated for April 29, 2016.
2. **Adjourn:** Having no further business to come before the Board, a motion to adjourn was presented by Commissioner Funk with a second by Commissioner Lasley. Following audible call of the Board, motion carried and the meeting was adjourned at 6:12 pm.

The foregoing minutes were approved by the Board of County Commissioners during the Regular Board Meeting held May 9, 2016.



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, April 25, 2016**

ARRIVED	APPEARED	LEFT
8:45 am	Sharee Sprague	12:35 pm
8:45 am	Bill Lasley	6:12 pm
8:55 am	Ron Funk	6:12 pm
8:59 am	Delane Anderson	12:42 pm
8:59 am	Ryan Petersen	10:24 am
8:59 am	Jim Jeffries	10:05 am
9:12 am	Anson Call	11:18 am
10:26 am	Di Jones	11:48 am
10:42 am	Ryan Petersen	11:18 am
11:38 am	Anson Call	12:20 pm
11:52 am	Terrell Sorensen	12:32 pm
11:52 am	Robert Steinlicht	12:10 pm
12:54 pm	Kari Ann Pritchett	1:16 pm
1:03 pm	Delane Anderson	6:12 pm
1:26 pm	Bruce Olenick	2:20 pm
12:35 pm	Carolyn Anderson	2:15 pm
2:15 pm	Sharee Sprague	6:12 pm
2:29 pm	Linda Annen	3:01 pm
2:29 pm	Jenni Rupp	3:01 pm
3:01 pm	Jim Jeffries	3:30 pm
3:30 pm	Deanna Curry	3:45 pm
3:40 pm	Maureen Schelske	4:05 pm
4:00 pm	Ryan Petersen	5:10 pm
4:05 pm	David Zimmerman	4:26 pm
4:27 pm	Rhonda Anderson	4:50 pm
5:02 pm	Carolyn Anderson	5:10 pm
5:34 pm	Jordan Cheirrett (telephone)	5:39 pm