



POWER COUNTY BOARD OF COMMISSIONERS

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

Wednesday, September 21, 2016, 9:00 a.m.

I. CALL TO ORDER

The Board of County Commissioners met in special session Wednesday, September 21, 2016, and called the meeting to order at the hour of 12:09 pm, 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
Ryan Petersen, Legal Counsel

OTHER PARTIES PRESENT: Mike O'Donnell
John Simpson, Esq.
Brian Reynolds
Mark Rose

III. AGENDA

A. MOTIONS:

1. **Agenda:** A motion to approve the agenda for Wednesday, September 21, 2016, was presented by Commissioner Anderson with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.
2. **Indigent Services:** A motion to fund public defender out of Indigent funding as supported by statute was presented by Commissioner Anderson with a second by Commissioner Funk. Commissioner Lasley was absent. Following audible call of the Board, motion unanimously carried.
3. **Ada County Pathology Agreement:** Legal counsel Ryan Petersen reports that he has reviewed the agreement for pathology services with Ada County and would recommend the Board accept the same. A motion to execute the Ada County pathology Agreement was presented by Commissioner Anderson with a second by Commissioner Funk.

Commissioner Lasley was absent. Following audible call of the Board, motion unanimously carried.

B. POINTS OF ORDER:

1. **County Bond Ballot Discussions/Clarifications:** Commissioner Funk advised parties present of the historical discussions and negotiations. John Simpson, legal counsel for Magnolia, reported that they are unable to move forward with the fertilizer plant and, therefore, are in the process of liquidating their assets. Mr. Simpson explained his client's viewpoint regarding accessibility of the water right appraisal and receipt of offers. Legal Counsel Ryan Petersen offered offer suggestions for consideration. By consensus, the Board continued discussion to Monday, September 26, 2016.
2. **Public Defender Services:** The Board discussed conflict indigent defense services and directed the Clerk to draft and circulate a notice requesting proposals for conflict public defense services in Power County.

IV. EXECUTIVE SESSION:

1. **Real Property pursuant to I.C. §74-206(c) 12:42 pm:** A Motion to enter into executive session pursuant to I.C. §74-206(c), to acquire an interest in real property which is not owned by a public agency was presented by Commissioner Lasley with a second by Commissioner Anderson. Following audible call of the Board, motion unanimously carried.
2. **Real Property pursuant to I.C. §74-206(c) 1:32 pm:** A Motion to exit executive session pursuant to I.C. §74-206(c), was presented by Commissioner Funk with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.
3. **Executive Indigent Session pursuant to I.C. §74-206 2:22 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 2:46 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 made by Commissioner Anderson 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 September 26, 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 Anderson.

