



POWER COUNTY BOARD OF COMMISSIONERS

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

Monday, April 13, 2015, 9:00 a.m.

I. CALL TO ORDER

The Board of County Commissioners met in regular session Monday, on April 13, 2015, 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
Ryan Petersen, Legal Counsel
Linda Annen, Indigent Director
Jennifer Rupp, Indigent Clerk
Maureen Schelske, Deputy Auditor

OTHER PARTIES PRESENT: Bryan Kopp
Dan Blocksom (Telephonically)
Daniel Moore
David Zimmerman
Garn Herrick
Gary Thompson
Jackie Morris
Jeff Fuss
Jennifer Rupp
Jennifer Thaxton
Jim Jeffries
Jon Henesh
Judge Paul Laggis
Kevin Ostler
Launa Snow
Linda Annen
Maureen Schelske

Max Sprague
Steve Howser
Tony Poinelli (Telephonically)

III. AGENDA

A. NOTICES/REPORTS

1. **Retirement Award:** Sheriff Jim Jeffries appeared before the Commissioners and requested the County to award Doug Ralphs his handgun and badge pursuant to IC 31-830. The Sheriff advises that a retirement party is slated for May 15, 2015 in honor of Doug Ralphs.
2. **Wireless Network Connections:** Jeff Fuss, Technology Director with Aberdeen Springfield Canal Company appeared with his manager Steve Howser and presented options for long term wireless services South of North Pleasant Valley Road. Mr. Fuss advised that they are well ahead of other areas with their technology and requested space on the lower 20 feet of the repeater on Tabletop Mountain. Site visits would be 3-5 times per year or less with a standard truck. In return, secure remote services to central services for phones and computers through the secure server and fiber optic wiring. Real time monitoring and response for any comm loss. Commissioner Funk shared that there are a couple of places where remote access would be beneficial to the County.
3. **Legislative Discussion with IAC:** Dan Blocksom and Tony Poinelli of the Idaho Association of Counties appeared telephonically and updated the Commissioners. Dan Blocksom reports that legislation left on April 11, 2015 at 1:30 am.

The Transportation bill will provide 40% of the dedicated \$95 million of transportation bill will increase funding to the highway district.

The legislation may be called back in for further discussion on the federal child support requirement.

Commissioner Funk inquired of the function March Primary. Tony Poinelli reports that the idea has been discussed for years, however, the discussion always related to an August Primary, which would be a nightmare for counties. The reason that the Republicans want the separate Primary is to bring more candidates into state, help their own candidates within the state, and become key part of decision making. A factor that would allow for joint primary/generals would be for the Legislation return to bi-annual meetings.

Be aware of public defender which will be discusses in the interim, but it would have a huge impact to the counties. There may need some contacts directly to their Senators. Recommendation to continue with current public defender contract.

Garnishment study group during interim. Ryan Petersen will report back to IAC.

The eminent domain bill by Senator Winder still needs some work. The wording of the bill is not clear, however, the intent is clear in that it would change the decision of the value of the property from a Judge to a Jury. Input regarding options would be valuable.

During the interim, the Treasurers will be working toward the tax deed process to clarify who gets paid first and what notice needs to be provided prior to payment. They will be looking at additional District appointments to be transferred from the Governor to the Commissioners and more on public records.

Hold courts abeyance and continue to look at Law Clerk's salary and capital crimes advance fund as both will impact the counties.

Commissioner Funk inquired if it would be possible to contact the Association periodically over the summer for updates.

4. **Extension Office Cross-training:** Jennifer Thaxton provided the Board of Commissioners with an update regarding cross-training in the Extension Office.
5. **Misdemeanor Probation:** Commissioner Anderson advised that he would like the County to consider bringing probation back in house. Judge Laggis reports that he would be supportive of bringing probation in house. Mike Duncan does a good job in managing the day to day operation of the office. Commissioner Lasley inquired if Adult Probation Officers would fall under the same State TORT Claim liability as Juvenile Probation Officers. Commissioner Lasley shares his support of bringing misdemeanor probation back to the County. Commissioner Anderson presented an estimated accounting for consideration. Ryan Petersen shared his thoughts on the process.
6. **Court Collection Procedure Update:** The Board directed legal counsel Ryan Petersen to review the current contract and follow up with Power County Collections for local contracting options.
7. **Farm Lease:** Commissioner Funk inquired if Mr. Zimmerman was able to secure water rights on the farm ground. David Zimmerman reports that he was able to secure water for one year advising that if a holding pond was not installed, the ongoing water usage right will not continue.
8. **Airport House - Water System:** Launa Snow advised that the watering system at the Airport rental house is failed and the cost of repair is significant and recommended installing a sprinkler system and presented two (2) bids for consideration.
9. **Fair Board:** Commissioner Lasley inquired of contracts for services at the fairgrounds.
10. **Indigent Lien Process:** Indigent director, Linda Annen, advised the Board on the process for recording indigent liens explaining if a lien is not filed within the thirty (30) day statutory time period, the County could forego any claim in the future.
11. **Federal Prosecutor Proposal:** Commissioner Funk reported on the status of the Federal Prosecutor Proposal and requested the Sheriff's input regarding participation. The Sheriff advises that there have been instances that could have been federally prosecuted and depending on the expense and procedure, the County may want to participate so long as there is an expiration and re-entry process. Ryan Petersen advises that the Federal Prosecutor proposal would primarily serve Fort Hall.

B. **MOTIONS:**

1. **Retirement Award:** A motion to award Doug Ralphs his service handgun and badge together with a retired service officer identification card per Idaho Code 310-830 in

recognition for his years of service to the citizens of Power County was presented by Commissioner Funk with a second by Commissioner Lasley. Following audible call of the Board, motion carried.

2. **Indigent:** A Motion to deny Indigent Case Nos. 2015-31, 2015-38, 2015-29, 2015-39 and 2015-32 was presented by Commissioner Funk with a second by Commissioner Lasley. Following an audible call of the board, the motion carried.
3. **Claims and Demands:** A motion to approve demands and claims as presented was made by Commissioner Anderson with a second by Commissioner Lasley. Following audible call of the Board, Motion Carried.

A motion to accept the Claims Report payable to Anderson Body and Glass in the amount of \$744.13 was presented by Commissioner Lasley with a second by Commissioner Funk. Commissioner Anderson abstained from action. Following an audible call of the board, the motion carried.

The following claims were examined, approved, and Ordered paid. A detailed report is available through the Clerk's Office.

Fund Description	Expenses
GENERAL FUND (CURRENT EXPENSE)	\$ 42,403.11
POWER COUNTY AMBULANCE DIST.	\$ 2,223.77
POWER COUNTY ABATEMENT	\$ 16,060.00
DISTRICT COURT	\$ 3,116.00
JUSTICE FUND	\$ 39,130.42
ENHANCED 911 SERVICES	\$ 1,871.71
ELECTIONS	\$ 1,214.95
INDIGENT	\$ 2,096.58
REVALUATION	\$ 12,608.05
SOLID WASTE (LANDFILL)	\$ 26,594.90
TORT	\$ 32,320.50
WEEDS	\$ 452.59
WATERWAYS	\$ 125.32
PAYMENT IN LIEU OF TAXES	\$ 23,556.48
TOTAL	\$ 203,774.38

4. **Airport House - Water System:** A motion to accept the sprinkler bid from Ryan's Sprinklers in the amount of \$2,800.00 was presented by Commissioner Lasley with a second by Commissioner Anderson. Following audible call of the Board, motion carried.
5. **Airport Board:** Following inquiry of Commissioner Funk regarding status of sale of the fuel tanks. A motion to consign sale of the airport fuel tanks, scrap from the irrigation system at the Airport and remaining tools and equipment abandoned by the previous Airport tenant was presented by Commissioner Anderson with a second by Commissioner Lasley. Following audible call of the Board, motion carried.
6. **Approval of March 23, 2015 Meeting Minutes:** A motion to approve the meeting minutes for approve March 23, 2015 was presented by Commissioner Lasley with a

second by Commissioner Anderson. Following audible call motion carried unanimously.

7. **Approval of April 1, 2015 Meeting Minutes:** A motion to approve the meeting minutes for approve April 1, 2015 was presented by Commissioner Anderson with a second by Commissioner Lasley. Following audible call motion carried unanimously.
8. **Approval of April 2, 2015 Meeting Minutes:** A motion to approve the meeting minutes for approve April 2, 2015 was presented by Commissioner Lasley with a second by Commissioner Anderson. Following audible call motion carried unanimously.
9. **Bureau of Reclamation Request for Bid and Dept. of Agriculture Award of Funds:** A motion to approve CWMA grant in the amount of \$38,325.00 was presented by Commissioner Anderson with a second by Commissioner Lasley. Following audible call of the Board, Motion carried unanimously.

C. POINTS OF ORDER:

1. **Airport Grounds:** Jon Henesh appeared before the Commissioners to discuss payment and expressed concern about setting forth good documentation of ground maintenance to protect the county from liability. Commissioner Funk explained the Open Meeting Laws. Commissioner Anderson explained the history of the maintenance and agreement for ground repairs. Commissioner Funk suggests that all ground maintenance and repairs be reported to the Airport Manager, Jared Turner. Jon Henesh presented options for reimbursement of services rendered at the Airport. Commissioner Lasley inquired of the original agreement and explained difference between contract employee and an hourly employee. Commissioner Anderson advises that he and Mr. Henesh had verbally agreed on \$18.00 per hour, which per legal counsel would be legally binding. Mr. Henesh agreed with the hourly rate and furnished the Commissioners with receipts for materials purchased by Mr. Henesh. The Board of Commissioners will enter into a contractual agreement at \$18.00 per hour plus materials with directives from the Airport Manager and the Board.

IV. EXECUTIVE SESSION:

1. **Personnel pursuant to I.C. §67-2345(1)(a) 10:28 am:** A Motion to enter into executive session pursuant to I.C. §67-2345(1)(a) to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need, was made by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion carried unanimously.
2. **Personnel pursuant to I.C. §67-2345(1)(a) 11:37 am:** A Motion to exit executive session pursuant to I.C. §67-2345(1)(a) was made by Commissioner Lasley with a second by Commissioner Funk. Following an audible call of the board, the motion carried unanimously.

3. **Indigent pursuant to I.C. §67-2345 1:54 pm:** A Motion to enter 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 was made by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion carried unanimously.
4. **Indigent pursuant to I.C. §67-2345 2:29 PM:** A Motion to exit executive session pursuant to I.C. 67-2345 was made by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion carried unanimously.
5. **Personnel pursuant to I.C. §67-2345(1)(a) 4:56 pm:** A Motion to enter into executive session pursuant to I.C. §67-2345(1)(a) to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need, was made by Commissioner Anderson with a second by Commissioner Funk. Following an audible call of the board, the motion carried unanimously.
6. **Personnel pursuant to I.C. §67-2345(1)(a) 5:40 pm:** A Motion to exit executive session pursuant to I.C. §67-2345(1)(a) was made by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion carried unanimously.

V. ASSESSMENTS/CONCLUSIONS:

1. **Next Meeting:** The next regular session for the board to meet is slated for April 27, 2015.
2. **Adjourn:** Having no further business to come before the Board, a motion to adjourn was presented by Commissioner Anderson with a second by Commissioner Anderson. Following audible call of the Board, motion carried and the meeting was adjourned at 6:15 pm.

The foregoing minutes were approved by the Board of County Commissioners during the Regular Board Meeting held April 27, 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, April 13, 2015

ARRIVED	APPEARED	LEFT
8:58 am	Sharee Sprague	6:15 pm
8:58 am	Bill Lasley	6:15 pm
8:58 am	Ron Funk	6:15 pm
8:58 am	Delane Anderson	6:15 pm
8:58 am	Jon Henesh	9:43 am
9:30 am	Jim Jeffries	9:56 am
9:33 am	Daniel (the Press)	9:56 am
9:57 am	Ryan Petersen	11:43 am
9:57 am	Dan Blocksom (Telephonically)	10:23 am
9:57 am	Tony Poinelli (Telephonically)	10:23 am
10:07 am	Gary Thompson	10:28 am
11:00 am	Jeff Fuss	12:35 pm
11:00 am	Steve Howser	12:35 pm
11:00 am	Garn Herrick	12:35 pm
11:00 am	Bryan Kopp	12:35 pm
11:46 am	Kevin Ostler	12:35 pm
1:55 pm	Jennifer Rupp	2:15 pm
1:55 pm	Linda Annen	2:30 pm
2:31 pm	Maureen Schelske	3:16 pm
2:33 pm	Jennifer Thaxton	2:40 pm
3:09 pm	Ryan Petersen	5:10 pm
3:10 pm	Judge Laggis	3:45 pm
3:35 pm	Jackie Morris	3:45 pm
4:08 pm	David Zimmerman	4:26 pm
4:46 pm	Max Sprague	4:48 pm
4:19 pm	Launa Snow	4:46 pm