

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, July 14<sup>th</sup>, 2014. Present were Commissioners Ron Funk, Chairman, Delane Anderson and Norman Wright. Also present was Power County Clerk Christine Steinlicht.

POWER COUNTY SHERIFF – JAIL (IN-MATE MEDICAL): Power County Sheriff Jim Jeffries appeared before the Commissioners to present a copy of the billing from Portneuf Medical Center in the amount of \$14,963.46 for emergency medical treatment of an inmate at the Power County Jail. Following discussion, it was moved by Commissioner Wright, seconded by Commissioner Anderson, to approve the payment of \$14,963.46 to Portneuf Medical Center for emergency medical services rendered to an inmate at the Power County Jail, to be paid from Power County's indigent hospital fund (16-00-590-00). Carried.

POWER COUNTY SHERIFF – COMMUNICATIONS (KINPORT REPEATER SITE): Power County Sheriff Jim Jeffries appeared before the Commissioners to present a copy of the invoice from Clark Wireless in the amount of \$2,975 to service and maintain the Kinport Repeater Site. Following discussion, the Commissioners and Sheriff Jeffries agreed to refer this matter to the Power County Communications Advisory Committee.

POWER COUNTY WEED DEPARTMENT – VEHICLE PURCHASE: Power County Weed Department Supervisor Curtis Munk appeared before the Commissioners to review the quotes he has solicited to purchase a new spray truck. Following discussion, the Commissioners agreed to take this matter under advisement until Monday, July 28<sup>th</sup>, 2014, to investigate other options for trade-in or sell of the current spray truck.

POWER COUNTY ABATEMENT DISTRICT: Moved by Commissioner Funk, 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, INC. – MOSQUITO ABATEMENT: Tim Bennett and Justin Huse of Vector Disease Control International, Inc. appeared before the Commissioners to present their Mosquito Surveillance and Control Report for the month of June, 2014.

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

POWER COUNTY CLERK – FISCAL YEAR 2015 BALANCED BUDGET (I.C. #31-1603): Power County Clerk Chris Steinlicht appeared before the Commissioners pursuant to I.C. #31-1603, to present the Clerk's balanced budget for fiscal year 2015. Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Funk, approve the Clerk's balanced budget as presented, and to publish Notice of Public Hearing on Power County's final proposed budget for fiscal year 2015 in the August 13<sup>th</sup> and 20<sup>th</sup>, 2014, editions of the Power

County Press. Carried. Further consideration of this matter was tabled until the public budget hearing scheduled for August 25<sup>th</sup>, 2014, at 5:30 p.m.

POWER COUNTY COMMISSIONER MINUTES: Moved by Commissioner Wright, seconded by Commissioner Anderson, to approve the Power County Commissioners Minutes for June 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 9<sup>th</sup>, 16<sup>th</sup> and 23<sup>rd</sup>, 2014, as presented. Carried.

ALCOHOL BEVERAGE LICENSE (I.C. #23-903): Commissioner Funk announced that it was the date and time scheduled for the consideration of a number of alcohol beverage licenses. There being no public objection, it was moved by Commissioner Funk, seconded by Commissioner Wright, to approve and execute the following 2014-2015 Alcohol Beverage Licenses:

#1 – Sherrie Garner d/b/a Ken’s Food Market for the sale of bottled or canned beer not to be consumed on the premises and retail wine.

#2 – Dora Machelie Stratton d/b/a 13 Bottles, for the sale of draught and bottled or canned beer to be consumed on the premises and retail wine.

#3 – Marc Richardson – MJR Investments d/b/a Dr. Unks Pour House for the sale of draught and bottled or canned beer to be consumed on the premises and retail liquor.

#4 – El Jaliciense, Inc. d/b/a Tres Hermanos for the sale of bottled or canned beer to be consumed on the premises.

#5 – El Jaliciense, Inc. d/b/a L & J Brothers for the sale of bottled or canned beer to be consumed on the premises.

#6 – Stanley & Floreen Thyberg d/b/a Idaho Unlimited Gifts & Food Service for the sale of bottled or canned beer to be consumed on the premises.

#7 – NPC International d/b/a Pizza Hut #2140, for the sale of bottled or canned beer to be consumed on the premises.

#8 – Jackson’s Food Stores, Inc. d/b/a Jackson’s Food #70, for the sale of bottled or canned beer not to be consumed on the premises and retail wine.

#9 – George & Shirley Udy d/b/a Mr. Petrol’s Pantry for the sale of bottled or canned beer not to be consumed on the premises.

#10 – Freddie Roads d/b/a Freddie’s Roadhouse for the sale of draught and bottled or canned beer to be consumed on the premises and retail liquor.

#11 – Tonna Edmo – AE Sales LLC d/b/a Jet Stop for the sale of bottled or canned beer not to be consumed on the premises.

#12 – CHS, Inc. d/b/a Bingham Coop for the sale of bottled or canned beer not to be consumed on the premises.

#13 – Bill L. Beck d/b/a Bill’s Pro Shop for the sale of bottled or canned beer to be consumed on the premises and retail wine.

Carried.

ECONOMIC DEVELOPMENT – GREAT RIFT BUSINESS DEVELOPMENT (IDAHO DEPARTMENT OF COMMERCE GRANT): Great Rift Business Development Professional Kristen Jensen appeared before the Commissioners to review the Memorandum of Understanding between Power County and Idaho Department of Commerce to provide funding for the purpose of delivering locally based, full service economic development services in Power County for the period July 1<sup>st</sup>, 2014, through June 30<sup>th</sup>, 2015, in the amount of \$30,000. Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Wright, to approve and execute the Rural Idaho Economic Development Professional Memorandum of Understanding as presented. Carried.

POWER COUNTY TRANSFER STATION & LANDFILL – ROOF QUOTES: Power County Transfer Station/Landfill Supervisor Craig Heward appeared before the Commissioners to present additional quotes to replace the roof at the Power County Transfer Station. Following discussion, the Commissioners agreed that all quotes should be based upon specific criteria so that the scope of work versus costs is comparable; accordingly, additional quotes will be obtained and further consideration of this matter was tabled until August 11<sup>th</sup>, 2014.

POWER COUNTY TRANSFER STATION & LANDFILL – SOLID WASTE DISPOSAL CONTRACT (ENVIROUSA, INC.): Power County Transfer Station & Landfill Supervisor Craig Heward appeared before the Commissioners to review the Agreement for Disposal of Solid Waste between Power County and EnviroUSA, Inc., which is scheduled to expire on September 30<sup>th</sup>, 2014. Following discussion, the Commissioners agreed that Mr. Heward and Power County Prosecuting Attorney Ryan Petersen should prepare a “Request for Proposals” for the Commissioners review; accordingly, further consideration of this matter was tabled until July 28<sup>th</sup>, 2014.

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

Current Expense	\$ 42,174.37
Ambulance District	2,798.15
Abatement District	16,060.00
District Court	5,565.00
Justice Fund	40,521.83
Misdemeanor Probation/Drug Court	300.00
Enhanced 911 Services	20,872.84
Elections	3,143.35
Indigent	6,812.98

Revaluation	542.20
Solid Waste	29,323.75
Weeds	9,457.31
Waterways	1,249.86
PILT	17,647.58

Moved by Commissioner Funk, seconded by Commissioner Wright, to approve the subsequent claims approval report as presented. Carried. Commissioner Anderson abstained.

Justice Fund \$ 402.26

HARDSHIP EXEMPTION APPLICATION (I.C. #63-711): Applicant appeared before the Commissioners via speaker telephone to review the Hardship Exemption Application on Power County Parcels #RPD2574-02 and #RPD2570-02. Also present was Power County Treasurer Deanna Curry. Following discussion, it was moved by Commissioner Wright, seconded by Commissioner Funk, to forgive the 2010 property taxes and late penalty owing on Parcels #RPD2574-02 and #RPD2570-02 in the amount of \$822.82. Carried.

POWER COUNTY 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. Also present were Power County Treasurer Deanna Curry, Chief Deputy Assessor Mary Annen and Power County's independent contracted appraiser Richard Hartley.

Applicant Susan Call's Notice of Appeal came on for hearing before the Board of Equalization on Power County Parcel #RPD1467-04. Following a review of the application, testimony and exhibits presented, it was moved by Commissioner Anderson, seconded by Commissioner Funk, to sustain the Power County Assessor's 2013 value on Parcel #RPD1467-04 at \$175,000 (\$3,125 for land/\$171,875 buildings). Carried.

Applicant Morris Lehman's Notice of Appeal came on for hearing before the Board of Equalization on Power County Parcels #RPD0355-02, #RPD0369-07 and #RPD0353-01. Following a review of the application, testimony and exhibits presented, it was moved by Commissioner Funk, seconded by Commissioner Anderson, to sustain the Power County Assessor's value on Parcel #RPD0353-01 (\$16,000 land). Carried. Moved by Commissioner Funk, seconded by Commissioner Wright, to sustain the Power County Assessor's value on Parcel #RPD0369-07 (\$7,500). Carried. Moved by Commissioner Wright, seconded by Commissioner Funk, to sustain the Power County Assessor's value on Parcel #RPD0355-02 (\$11,400 land/\$118,000 buildings). Upon a call for the question, the following roll call vote was taken:

Commissioner Funk – Aye  
 Commissioner Anderson – Nay  
 Commissioner Wright – Aye

Carried.

Applicant Pedro Medel's, Notice of Appeal came on for hearing before the Board of Equalization on Power County Parcel #MHZ0462-16. Also present was Power County's Spanish language interpreter Noe Espinoza. Following a review of the application, testimony and exhibits presented, it was moved by Commissioner Funk, seconded by Commissioner Wright, to sustain the Power County Assessor's value on Parcel #MHZ0462-16 (\$25,740 personal property building). Carried.

There being no further business to come before the Board of Equalization, it was moved by Commissioner Funk, seconded by Commissioner Anderson, to adjourn the Power County Board of Equalization and to sustain all remaining market values set by Power County Assessor Douglas Glascock for the 2014 tax year. Carried.

EXECUTIVE SESSION (I.C. #67-2345)(1)(f): Moved by Commissioner Funk, seconded by Commissioner Wright, to move into executive session pursuant to I.C. #67-2345(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Upon a call for the question, the following roll call vote was taken at 3:30 p.m.:

Commissioner Funk – Aye  
Commissioner Anderson – Aye  
Commissioner Wright – Aye

Carried. Moved by Commissioner Funk, seconded by Commissioner Anderson, to adjourn from executive session with the understanding that no decisions, determinations, actions, votes or final dispositions need be recorded as a result of this executive session. Upon a call for the question, the following roll call vote was taken at 4:00 p.m.:

Commissioner Funk – Aye  
Commissioner Anderson – Aye  
Commissioner Wright – Aye

Carried.

FORT HALL INDIAN RESERVATION – SEWAGE DISPOSAL REGULATIONS (SOUTHEASTERN DISTRICT HEALTH DEPARTMENT): Power County Prosecuting Attorney Ryan Petersen and Special Deputy Prosecutor Douglas J. Balfour appeared before the Commissioners via speaker telephone to discuss subsurface sewage disposal regulations within the Fort Hall Indian Reservation. Following discussion, the Commissioners agreed to provide the Idaho Department of Environmental Quality with written notice that Power County and/or Southeast Idaho Public Health District are the only entities authorized to permit wells and septic systems on fee land within the common boundaries of Power County and the Fort Hall Indian Reservation.

EXECUTIVE SESSION (I.C. #67-2345)(1)(b): Moved by Commissioner Funk, seconded by Commissioner Wright, to move into executive session pursuant to I.C. #67-2345(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought

against, a public officer, employee or staff member. Upon a call for the question, the following roll call vote was taken at 4:20 p.m.:

Commissioner Funk – Aye  
Commissioner Anderson – Aye  
Commissioner Wright – Aye

Carried. The Commissioners reconvened at 4:30 p.m., at which time it was moved by Commissioner Anderson, seconded by Commissioner Funk, to adjourn from executive session with the understanding that no decisions, determinations, actions, votes or final dispositions need be recorded as a result of this executive session. Upon a call for the question, the following roll call vote was taken:

Commissioner Funk – Aye  
Commissioner Anderson – Aye  
Commissioner Wright – Aye

Carried.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Funk, seconded by Commissioner Anderson, to move into executive session pursuant to I.C. #67-2345 to consider records that are exempt from disclosure pursuant to Chapter 3, Title 9, Idaho Code, specifically indigent medical applications. Upon a call for the question, the following roll call vote was taken at 4:35 p.m.:

Commissioner Funk – Aye  
Commissioner Anderson – Aye  
Commissioner Wright – Aye

Carried. Moved by Commissioner Funk, seconded by Commissioner Wright, to adjourn from executive session at 4:50 p.m. to take final action and make final decisions. Upon a call for the question, the following roll call vote was taken:

Commissioner Funk – Aye  
Commissioner Anderson – Aye  
Commissioner Wright – Aye

Carried.

INDIGENT CASE #2014-084-I: Moved by Commissioner Funk, seconded by Commissioner Wright, to deny indigent medical application #2014-084-I, since the application was processed as incomplete as provided by I.C. #31-3505A(2). Carried.

INDIGENT CASE #2014-080-I: Moved by Commissioner Funk, seconded by Commissioner Wright, to hold in suspension the Board's initial determination to deny indigent medical

application #2014-080-I as provided by I.C. #31-3505(C), since the sole basis for denial is that applicant may be eligible for another form of public assistance. Carried.

INDIGENT CASE #2014-087-I: Moved by Commissioner Funk, seconded by Commissioner Wright, to take this application under advisement for five (5) days as provided by I.C. #31-3505. Carried. Accordingly, further consideration of this matter was tabled until July 18<sup>th</sup>, 2014.

JUNIOR COLLEGE – CERTIFICATE OF RESIDENCY: Moved by Commissioner Funk, seconded by Commissioner Anderson, to approve the Certificate of Residency submitted by the College of Idaho. Carried.

POWER COUNTY PUBLIC DEFENDER: Commissioner Funk reported that he and Power County Clerk Chris Steinlicht had recently met with Sixth District Administrative Judge Stephen Dunn to review I.C. #19-860 and 2014 Legislative House Bill 542 regarding public defender services. Following discussion, and with the written approval of Judge Dunn, it was moved by Commissioner Funk, second by Commissioner Wright, to continue the current Agreement for Public Defender Services between Power County and Robert Eldredge for an additional one (1) year period, or until the “State Public Defender Commission” has established the parameters for public defense in the State of Idaho. Carried.

POWER COUNTY BUILDING & GROUNDS – COURTHOUSE STORAGE GARAGE (LIGHTING QUOTES): Following discussion, it was moved by Commissioner Wright, seconded by Commissioner Anderson, to approve the quote submitted by Mountain West Electric, Inc., to replace the three security lights mounted on the exterior of the storage garage adjacent to the Power County Courthouse, in the amount of \$1,500.00. Carried.

Adjourned.

  
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RON FUNK, Chairman

  
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CHRISTINE STEINLICHT, Clerk