



POWER COUNTY BOARD OF COMMISSIONERS

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

Monday, March 13, 2017, 9:00 a.m.

I. CALL TO ORDER

The Board of County Commissioners met in regular session Monday, March 13, 2017, 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 Carolyn Anderson, Deputy Clerk Maureen Schelske, Deputy Auditor Anson Call, Legal Counsel
OTHER PARTIES PRESENT:	Assessor Mary Annen Chief Deputy Assessor Kim Olson Sheriff Jim Jeffries Treasurer Deanna Curry Mrs. Castillo Alex Castillo Alex Chizewsky Craig Heward Daniel Moore Elisha Folden Di Jones, EMS Director Gary Krell Jared Turner (telephone) Joseph Smuin Melissa Kaplan (telephone) Pat Sullivan (telephone) Paul Yokum Rick Worley Robert Steinlicht Ron Miller Steve Marshall (telephone) Tim Dunn Wanda Davis

III. AGENDA

A. NOTICES/REPORTS

1. **Tribal Fee Land P&Z Permitting Concerns:** Robert Steinlicht appeared before the Board seeking status on Mr. Jenkins property after having received a letter from the Sho-Ban Tribe requiring a Special Use Permit. Anson Call explained the nature of the letter and

the Tribes standpoint. Mr. Steinlicht advises that the property is appropriately zoned, however, the Tribe has not reviewed the Silvy Culture, which would clarify their concern. Mr. Steinlicht inquired if any action has been taken from the Board to keep the Department of Building Safety and Idaho Power. Commissioner Funk reports that Prosecutor Ryan Petersen was directed at the last meeting to send written correspondence to the entities and Commissioner Anderson was going to send correspondence to our Federal Legislatures. Commissioner Anderson reports his history in working on the issue including meeting with the Sho-Ban Business Council as well Mark EchoHawk. Commissioner Anderson advises that Monty Gray, who did not attend the Business Council meeting, has presented the letter as a test to see if the County was willing to get along with the Tribe. Commissioner Anderson advises that his research does not support the need for a special use permit and letter should be directed to Mr. EchoHawk. Legal Counsel Anson Call advises that the County does not have the authority to require somebody to apply for a special use permit if they have not applied for the same not the County does not deem the need for the same. Following discussion, the Board directed Mr. Call to follow-up with Mr. Petersen and draft response correspondence to the Sho-Ban Tribe. Mr. Call advises that he will meet with Mr. Steinlicht and have correspondence sent out by the end of the week. Paul Yokum was present and provided the Board with a copy of the retro-session and highlighted several considerations

2. **Airport Planning Update:** Steve Marshall of JUB Engineer advised the Board of pending updates for the Airport. Commissioner Anderson reports safety is a major importance, such as lighting, line of sight from run-way to run-way and inquired about service cost with JUB. Mr. Marshall explained that this initial planning is funded 100% by a state-awarded grant not to exceed \$25,000 and agreed to submit a YTD expenditure breakdown for review. Mr. Marshall will apply for a grant through the state of Idaho for implementation of projects, however, the grant requires a 50% match. Implementation would be spread out over multiple years. Dr. Ron Miller advises his recommendation would be to assure the runways and taxiways are solid. Beyond that, the remainder of the recommendations appear to be cosmetic. Mr. Marshall will continue to meet with the Airport Board and report back to the Commission.
3. **BOR Grant Possibility:** Commissioner Anderson reports that he had Doug Balfour, Attorney at Law, review the details of the Bureau of Reclamation (BOR) Grant possibility and it was determined that Power County does not have authority to proceed under the grant guidelines, therefore, the matter was referred back to the State and Power County Highway District.

B. MOTIONS:

1. **Agenda:** A motion to approve the agenda for Monday, March 13, 2017, was presented by Commissioner Anderson with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried.
2. **Certificate of Residency Application for Junior College Tuition I.C. §33-2110:** A motion pursuant to I.C. §33-2110 to deny the application of Ms. Mason on the grounds that the application attempts to cover multiple years and then approve the remaining Applications for Certificate of Residency for Junior College Tuition assistance as filed

was presented by Commissioner Anderson with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried and the following certificates of residency were approved;

Applicant Name	Credit Type	Accredited College	Term Covered
Martinez, Juan Carlos	Dual Credit	College of S. Idaho	Spring 2017 Semester
Woodworth, Stockton M	Dual Credit	College of S. Idaho	Spring 2017 Semester
Yan, Ken	Dual Credit	College of S. Idaho	Spring 2017 Semester
Long, Brandon M	Dual Credit	College of S. Idaho	Spring 2017 Semester
Neibaur, Lewis D.	Dual Credit	College of S. Idaho	Spring 2017 Semester
Burry, TJ Layne	Dual Credit	College of S. Idaho	Spring 2017 Semester
Villalobos, Sofia C.	Dual Credit	College of S. Idaho	Spring 2017 Semester
Palmer, Tyler T.	Dual Credit	College of S. Idaho	Spring 2017 Semester
Marin, Joanna	Dual Credit	College of S. Idaho	Spring 2017 Semester
Henesh, Cameron J	Dual Credit	College of S. Idaho	Spring 2017 Semester
Barrett, Spencer L.	Dual Credit	College of S. Idaho	Spring 2017 Semester
Udy, Madison Ivy	Dual Credit	College of S. Idaho	Spring 2017 Semester
Walker, Andrea J	Dual Credit	College of S. Idaho	Spring 2017 Semester
Jones, Serena X	Dual Credit	College of S. Idaho	Spring 2017 Semester
Montelongo, Valena	Dual Credit	College of S. Idaho	Spring 2017 Semester
Tolman, Natalie N.	Dual Credit	College of S. Idaho	Spring 2017 Semester
Hernandez, Angelica	Dual Credit	College of S. Idaho	Spring 2017 Semester
McLean, Rayanna	Dual Credit	College of S. Idaho	Spring 2017 Semester
Freeman, Trey	Dual Credit	College of S. Idaho	Spring 2017 Semester
Parrish, Eryn M.	Dual Credit	College of S. Idaho	Spring 2017 Semester
Smith, Mayson	Dual Credit	College of S. Idaho	Spring 2017 Semester
Farr, Ridge M.	Dual Credit	College of S. Idaho	Spring 2017 Semester
Parish, Sadie	Dual Credit	College of S. Idaho	Spring 2017 Semester
Swan, Charlie	Dual Credit	College of S. Idaho	Spring 2017 Semester
Garner, Tyla	Dual Credit	College of S. Idaho	Spring 2017 Semester
Reed, Evan	Dual Credit	College of S. Idaho	Spring 2017 Semester

3. **Power County Resolution No 2017-05:** Commissioner Funk opened the hearing at 11:59 am, and conducted roll call of the following staff members;

- Commissioner Ron Funk
- Commissioner Bill Lasley
- Commissioner Delane Anderson
- Clerk Sharee Sprague
- Deputy Prosecutor Anson Call

No members of the public appeared Commissioner Funk read Power County Resolution No. 2017-05, A Resolution to accept unanticipated revenue generated by Voter Approved Funds into the record. Commissioner Anderson inquired of the anticipated values. Clerk Sharee Sprague reports that the intent when building the budget for the new fund was to transfer as much of the expenses already paid into the new fund. Therefore, the expenditure estimation is derived from expenses spent this far from PILT, the interest payment of \$159,670.00 due on September 1, 2017, and an estimated additional \$10,000.00 in attorney fees. By recommendation of Dan Chadwick of Idaho

Association of Counties, to estimate the expenses high and then mirror the same amount as anticipated revenue, the figures were rounded up to \$300,000.00. Following the reading meeting a motion to adopt Power County Resolution Number 2017-05 was presented by Commissioner Funk with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.

4. **Power County Resolution No 2017-06:** Commissioner Funk opened the hearing at 1:25 pm, and conducted roll call of the following staff members;

- Commissioner Ron Funk
- Commissioner Bill Lasley
- Commissioner Delane Anderson
- Clerk Sharee Sprague
- Deputy Prosecutor Anson Call

No members of the public appeared Commissioner Funk read Power County Resolution No. 2017-06, A Resolution authorizing destruction of records pursuant to Idaho Code § 31-871 and Idaho Court Administrative Rule 38, into the record. Following the reading meeting a motion to adopt Power County Resolution Number 2017-06 was presented by Commissioner Funk with a second by Commissioner Anderson. Following audible call of the Board, motion unanimously carried.

5. **Surplus Property:** Clerk Sharee Sprague reports Computer Arts has inventoried computer equipment that has been rotated out of service. Clerk Sprague reports that the items should be disposed of as they are inoperable and either cannot be repaired or the cost to repair is more expensive than replacement costs. Furthermore, Clerk Sprague advises that the value of any one (1) of the items is less than \$20.00. All sensitive data has been removed from the equipment and it is recommended that the following be disposed;

Type	Model	Serial/Service tag
PC	OptiPlex 755	FG83DG1
PC	OptiPlex 380	9N87PL1
PC	Optiplex 760	8GD XVK1
PC	Optiplex 760	B3L3VK1
PC	Optiplex 745	74Y6YC1
PC	Optiplex GX620	869NNB1
PC	Optiplex Gx520	28JMP81
PC	Optiplex Gx620	198JCB1
PC	Optiplex Gx620	GNFK2B1
PC	Latitude D510	3D33D81
Server	PowerVault nf100	79524J1
Server	PowerEdge 2600	2OMLB51
Printer	HPLJ 1020	CNBK675727
Printer	HPLJ 1022n	CNBC63M0WP
Printer	HP photosmart D7160	MY68FG929J
3 Monitors	DELL 17" and stands	

6. **Approval of Past Meeting Minutes:** A motion to accept minutes as printed for meetings held on February 22 and 27, 2017, was presented by Commissioner Funk with a second

by Commissioner Lasley. Following an audible call of the board, the motion unanimously carried.

7. **Chamber of Commerce Representative Appointment:** A motion to appoint Carolyn Anderson and Traci Harbart as co-representatives for the single county position on the Chamber of Commerce and pay the Chamber of Commerce the cost of lunches for one (1) representative was presented by Commissioner Funk with a second by Commissioner Lasley. Following an audible call of the board, the motion unanimously carried.
8. **Personnel Updates:** Payroll Clerk Laura Carlon reports that the Sheriff's Office has authorized a salary step increase for an employee after having completed training authorizing the employee to work alone. The budget line has been reviewed and can sustain the increase. The requested change is as follows;

- Carrie Weisenburger wage increase from \$14.42 to \$16.27 per hour for a new total annual salary of \$33,841.60

Following discussion a motion to accept personnel update as reported was presented by Commissioner Anderson with a second by Commissioner Lasley. Following an audible call of the board unanimously passed.

9. **Sixth District TCA Retirement:** A motion to purchase a \$50.00 Amazon gift card for Suzanne Johnson for recognition of her retirement as the Sixth District Trial Court Administrator (TCA) after thirty-nine (39) years of service was presented by Commissioner Anderson with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried.
10. **Power County Guardianship Board:** A motion to appoint Javier Mendez and Valarie Montelongo to the Power County Guardianship Board was presented by Commissioner Lasley with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.. Following discussion, the Commissioners conceded that the Power County Guardianship Board members and terms are as follows;

Name	Term
Annette Colton	January, 2020
Daisy Hernandez	January, 2020
Denise Ralphs	January, 2020
Javier Mendez	January, 2021
Teri Kendall	January, 2020
Debbie Swanson	January, 2019
Elna Neu	January, 2019
Leslie Ellis	January, 2019
Valarie Montelongo	January, 2021
Luiz Perez	January, 2019
Marlene Henery	January, 2019
Melissa Porath	January, 2019

11. **Power County Weeds Board:** A motion to appoint Javier Mendez and Valarie Montelongo to the Power County Weeds Board was presented by Commissioner Lasley with a second by Commissioner Funk. Following an audible call of the board, the motion

unanimously carried.. Following discussion, the Commissioners conceded that the Power County Weeds Board members and terms are as follows;

Name	Term
Chelsea Sanders	January, 2018
Burt Fehringer	January, 2019
Bill Schatz	January, 2019
Danielle Gunn	January, 2019
Rayma Cates	January, 2019
Terrell Sorensen	January, 2018
Barry Williams	January, 2018
Korey Kress	January, 2018

12. **Lease Agreement Addendums:** A motion to execute the Airport hangar lease agreement addendum with Ralph Breeding and Dave Savage was presented Commissioner Funk with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
13. **Claims:** A motion to approve Anderson Auto Body Claim in the amount of \$1,000.00 was presented by Commissioner Lasley, with a second by Commissioner Funk. Commissioner Anderson abstained. Following audible call of the Board, motion unanimously carried. A motion to process demands requested in addition to the claims approval report, correct charges between the ambulance and district court and pay claims in the total amount of \$249,678.43 was presented by Commissioner Anderson with a second by Commissioner Lasley. 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	Submitted	Adjusted	Paid
0001 GENERAL FUND (CURRENT EXPENSE)	\$ 27,619.83		\$ 27,619.83
0003 FAIR BOARD	\$ 1,725.96		\$ 1,725.96
0004 POWER COUNTY AMBULANCE DIST.	\$ 16,457.79	\$ (234.00)	\$ 16,223.79
0005 POWER COUNTY ABATEMENT DIST.	\$ 16,060.00		\$ 16,060.00
0006 DISTRICT COURT	\$ 2,225.99	\$ 234.00	\$ 2,459.99
0008 JUSTICE FUND	\$ 49,093.41		\$ 49,093.41
0009 DRUG COURT	\$ 2,648.20	\$ 25.00	\$ 2,673.20
0010 ENHANCED 911 SERVICES	\$ 1,681.04		\$ 1,681.04
0015 ELECTIONS	\$ 2,242.73		\$ 2,242.73
0016 INDIGENT	\$ 11,547.40		\$ 11,547.40
0020 REVALUATION	\$ 11,333.82		\$ 11,333.82
0023 SOLID WASTE (LANDFILL)	\$ 6,883.51		\$ 6,883.51
0027 WEEDS	\$ 9,341.52		\$ 9,341.52
0038 WATERWAYS	\$ 573.83		\$ 573.83
0050 PAYMENT IN LIEU OF TAXES	\$ 5,614.15	\$ 84,604.25	\$ 90,218.40
Totals	\$ 165,049.18	\$ 84,629.25	\$ 249,678.43

14. **Hardship Exemption Application Parcel No. RPA0341-00/MHZ0364-05:** Assessor Máry Annen advises that Applicant Timothy C Dunn was \$18.00 over the limit to qualify for circuit breaker. Mr. Dunn is also pending surgery on his leg and is requesting a cancellation of 2016 taxes. Commissioner Anderson expressed concerns that the taxes for 2013, 2014, and 2015, however, Mr. Dunn did not make any attempt to make payment on the 2016 taxes. Mr. Dunn concurred with Commissioner Anderson's concern, however, promises that moving forward the taxes will be paid. Treasurer Deanna Curry advises that a warrant of distraint has been issued against parcel MHZ0364-05. Following discussion, a motion to forgive \$237.55 on parcel MZH0364-05 on condition that additional fees related to the warrant of distraint and taxes for RPA0341-00 be satisfied in full by April 3, 2017, was presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried..
15. **Hardship Exemption Application Parcel No. RPA0438-00/MHZ0054-00:** Assessor Mary Annen advises that Marvin Castillo passed away and Marvin's son Alex Castillo is residing in the home and has become responsible for the home and the taxes. Marvin's ex-wife Claudette Castillo has relocated to Texas and does not provide any financial support. Alex is a high school student and works at Ken's. Treasurer Deanna Curry advises that a warrant of distraint has been issued against parcel MHZ0054-00. The applicant advises that the property is paid in full and that he believes his mother will sign over ownership of the property to him. He brings home around \$300.00 from his part-time job, hopes to get some roommates to assist with the financial obligations of the home and believes several members of the community will help him get financially settled. Commissioner Anderson advises that he was advised that the LDS Church was willing to help and directed the applicant to contact Adam Tiechert. Clerk Sprague directed the applicant to contact the Court Assistance Office for directives in receiving legal forms available through that program. Following discussion, a motion to forgive \$258.60 for Parcel No. MHZ0054-00 was presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried..
16. **Palmer House Remodel - Continued:** The Commission revisited the future of the Palmer House. Commissioner Lasley shared that he could see pros and cons to demolition as well as repair and rental of the residence. Commissioner Lasley argues that it makes the most sense to him to make the investment and rent out the residence to recoup as much of the investment back as possible. Commissioner Funk shared that he too could see viable options with either choice. Commissioner Anderson argues that he has other projects that he believes would be better suited for use of the funds. Following discussion, a motion to proceed with repair and rental of the house was presented by Commissioner Lasley with a second by Commissioner Funk. Commissioner Anderson requested roll call vote. Upon call of the members votes were presented as follows;
- Commissioner Bill Lasley, aye
 - Commissioner Ron Funk, aye
 - Commissioner Delane Anderson, nay

Motion passes by majority. The Board directed Clerk Sprague to contact Snow Property Management and authorize them to move forward and advise them to immediately notify the Commission of any deviation from the reported required repairs.

Post Meeting Note: Clerk Sprague spoke with Launa Snow on Tuesday, March 14, 2017, authorizing the project to move forward and Ms. Snow confirmed that any changes or additional revelations regarding repairs would be immediately reported prior to action taken.

C. POINTS OF ORDER:

1. **Landfill Scales:** Landfill Supervisor Craig Heward appeared before the board with Rick Worley of Total Scale Service. Commissioner Anderson inquired if Mr. Heward had begun the process of moving forward with changing up the entrance to allow for continual scaling of loads coming in by restricting the gate and assessing fees. Mr. Heward advises that he has not moved forward with that process at this time. Mr. Worley advises that a new scale is estimated to cost \$1,000/ft installation. The upgraded scale could be digitized and automated to allow for kiosk operation as well. Although not recommended, Mr. Worley explained options to keep the existing scale and extending the life in lieu of complete replacement at this time. Following discussion, Mr. Heward was directed to get estimation on fixing the scale and report back March 27, 2017.
2. **Landfill Personnel:** Clerk Sharee Sprague reports that Landfill Supervisor Craig Heward had Gerry Ballard cover a shift at the Big Sky site. Mr. Heward explains that he needed some coverage while his regular employee was at a court hearing, therefore, he called Mr. Ballard who had knowledge to cover the landfill. Legal counsel Anson Call inquired about amount owed and period of time Mr. Ballard had not been a county employee. Upon discussion, the Board determined that Mr. Ballard would qualify for 1099 payment processing and directed Mr. Heward to present payment information to the Auditor's Office.
3. **Indigent Claims and Service Agreement:** The Board discussed pending issues and received legal advice in Executive Session. No Action taken.
4. **County Security & Surveillance:** EMS Director Di Jones and Sheriff Jim Jeffries appeared before the Board to discuss the security upgrade through M2 Automation & Control Services. Ms. Jones made several inquiries for determination of Homeland Security Grant support. Following discussion, Ms. Jones and Sheriff Jeffries agreed to collaborate and contact M2 Automation & Control Services and report back to the Commission.
5. **Hardship Exemption Application Parcel No. RPA0043-00:** Chief Deputy Kim Olson appeared with Joseph Smuin and advises that they are seeking a cancellation of 2017 taxes upon the grounds that the applicants are still dealing with excessive medical bills, have applied for a circuit breaker, however, their \$8,000.00 over the limitation. Treasurer Deanna Curry suggests having the applicant return after taxes have been assessed so that the Board could determine actual numbers for consideration. Following discussion, the Board directed the applicant to re-apply after he receives his 2017 tax bill.
6. **Exemption Application Community Council of Idaho, Inc:** Elisha Folden and Wanda Davis appeared telephonically seeking tax exemption for the El Rancho Grande Housing