



POWER COUNTY BOARD OF COMMISSIONERS

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

Monday, July 10, 2017, 9:00 a.m.

I. CALL TO ORDER

The Board of County Commissioners met in regular session Monday, July 10, 2017, and called the meeting to order at the hour of 9:07 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 Carolyn Anderson, Deputy Clerk Maureen Schelske, Deputy Auditor Ryan Petersen, Prosecutor Anson Call, Legal Counsel
OTHER PARTIES PRESENT:	Sheriff Jim Jeffries Aaron Clark Bo @ CAT Bob Schreiber Craig Heward Jared Turner (telephone) Joshua Bartlome Kathleen Ulrich Mark Scherer (telephone) Mary Annen Melvin @ Les Schwab Susan Lorenz Travis Grover (telephone)

III. AGENDA

A. NOTICES/REPORTS

1. **Prosecutor Budget Requests:** Prosecutor Ryan Petersen and Chief Deputy Prosecutor Anson Call appeared before the Board and presented budget requests for the upcoming fiscal year.

Discussed moving salaries around and incurred unanticipated equipment maintenance which has been assessed against 08-03. Clerk Sprague suggested that the line item be moved to the 01-07 fund and increased to allow for unanticipated maintenance needs.

2. **Landfill - Budget Discussion Continued:** Craig Heward talked with Joshua Bartlome of Southern Idaho Solid Waste (SISW) who advised that the County would need to purchase 3 long trailers at \$60,000.00 each. The Commission contacted Mr. Bartlome via telephone who advised of how transfer station proficiencies changes to allow for reduction in overhead. Mr. Bartlome advised that should the county decide to purchase three (3) 53' trailers, he could ask the SISW Board to purchase on behalf of the county. County would need to provide a down payment and allow the purchase to be amortized through the period of the new contract at which time SISW would own trailers. This process would also allow SISW to cover maintenance costs. Mr. Bartlome advises that the county is charged by the ton/mile ratio so there will be no large savings in waste haul. Mr. Bartlome advises the County would see the savings by efficiency from overhaul cost between SISW and the county. Current trailers are owned by SISW and manages all maintenance costs to the trailers. Current cost of 53' trailers are \$59,000.00. Mr. Bartlome advises that SISW is projected to become fully updated to the 53' trailers within the next ten (10) years at which time Power County would be upgraded to the 53' trailer. Following discussion, the Commission decided to stay with the 40' trailers and directed Mr. Heward to move forward with building projections to allow for forthcoming planning.

The Commission advised that they had discussed purchase of a 2003 950G loader for \$96,000.00 with Jim Betty from Western States Equipment to reduce rental costs to the county. The County could utilize the \$0,000.00 in this year's budget and pay the remainder over the next two (2) subsequent fiscal years. Mr. Heward expressed concerns in repair needs as there would not be any warranty and the tires would need to be foam filled. The Commission advised that the loader has been well maintained and a new loader is \$200,000.00. The Commission advised that Mr. Heward would need to monitor who would be using the equipment.

3. **AF Youth Center Budget Request:** Bob Schreiber appeared before the Commission and presented budgetary requests for the upcoming fiscal year. Mr. Schreiber updated the Commission on recent activities and reported the current board members are as follows;

- Bob Schreiber
- Art Meadows
- Debbie Skaar, Secretary
- Bobbie treasurer
- Tim mauch
- Bill Lasley
- Mary Annen
- Gerald Fehringer
- Deliah Rivas

Mr. Schreiber advises that the Youth Center is seeking a \$500.00 increase in contributions for the upcoming year to accommodate increases incurred for liability insurance and state unemployment costs. Mr. Schreiber advises that Kelly Brannock has resigned as she will be taking on more administrative duties with the Academy. The Center has received some financial support in the past, however, those funding streams have declined. The Center employees have written successful grants in the past and the Board is hopeful that they can continue to do so. The Center incurred some unemployment charges, which they are appealing, however, currently they have been billed over the past two (2) quarters. Mary Annen and Bob Schreiber advised that the Center is currently operating at \$11,500 annual income and \$13,500 annual expenses, the majority of which is related to employment costs. By consensus, the old bar stools were declared as surplus property and directed to Youth Center disbursement.

4. **Senior Center budget hearing:** Kathleen Ulrich of the Power County Senior Center and advised that their numbers are up quite a bit. Ms. Ulrich advised that the Center was recently recognized as the best luncheon for all area Senior Centers. The Center is serving more fresh fruits and vegetables. Ms. Ulrich reported that Medicaid meals on wheels program has changed and expressed gratitude for assistance the County has provided in with the food bank. Ms. Ulrich expressed gratitude for all the various support the County provides to the Center and requested that the annual contributions from the county remain the same as last year.

B. MOTIONS:

1. **Agenda:** A motion to approve the agenda for Monday, July 10, 2017, was presented by Commissioner Lasley with a second by Commissioner Anderson. Following audible call of the Board, motion unanimously carried.
2. **SICOG - Senior Center Grant Administration Contract:** Susan Lorenz presented contracts needed for the Senior Center Grant. Following discussion, a motion to execute the Sub-Recipient Agreement between Idaho Community Development Block Grant Program and Power County as grantee was presented by Commissioner Lasley with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried.
A motion to execute the Grant Administration Contract between Southeast Idaho Council of Governments, Inc. (SICOG) and Power was presented by Commissioner Anderson with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.
Clerk Sharee Sprague inquired of a \$216.00 advertising bill received from Booth Architecture on behalf of the Grant. Ms. Lorenz reports that the payment should either be paid out of the grant funds or the Senior Center's matching share.
Ms. Lorenz advises that directive for all future payments shall come from the Senior Center and suggested that SICOG track all funds and pay all charges as submitted. Ms. Lorenz will direct the contractor to change the contractual party to the Senior Center in their forthcoming contracts.
3. **Indigent Claim 2017-074:** A motion to deny claim 2017-074 on the grounds that the applicant has failed to provide the necessary documentation and that there may be

other services available was presented by Commissioner Funk with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.

4. **Indigent Claim 2017-068:** A motion to approve claim 2017-068 for dates of service April 11, 2017 through April 14, 2017 was presented by Commissioner Funk with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.
5. **Claims:** A motion to approve the claims approval report in the amount of \$265,804.00 was presented by Commissioner Anderson 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	Paid
0001 GENERAL FUND (CURRENT EXPENSE)	\$ 21,953.09
0002 SICK BANK COMPENSATION	\$ -
0003 FAIR BOARD	\$ 326.92
0004 POWER COUNTY AMBULANCE DIST.	\$ 2,731.43
0005 POWER COUNTY ABATEMENT DIST.	\$ 16,060.00
0006 DISTRICT COURT	\$ 3,490.55
0008 JUSTICE FUND	\$ 13,071.87
0009 DRUG COURT	\$ 493.70
0010 ENHANCED 911 SERVICES	\$ 120.00
0015 ELECTIONS	\$ 113.33
0016 INDIGENT	\$ 11,199.02
0017 JUNIOR COLLEGE TUITION	\$ -
0020 REVALUATION	\$ 57.72
0023 SOLID WASTE (LANDFILL)	\$ 8,748.05
0024 TORT	\$ -
0027 WEEDS	\$ 9,941.97
0038 WATERWAYS	\$ 128.98
0039 MUSEUM/HISTORICAL SOCIETY	\$ -
0050 PAYMENT IN LIEU OF TAXES	\$ 16,584.87
0051 BOND - WATER RIGHTS	\$ 160,782.50
Total Amount Paid	\$ 265,804.00

6. **Alcohol License Application of Rock Bottom Bar:** Application filed by Melinda and Ron Michaelson for a retail alcoholic beverage license came before the Commission on this July 10, 2017 at 04:18 PM. The applicant seeks a 2017-2018 license for Retail Liquor. The following parties were present as verified by roll call attendance;
 - Bill Lasley
 - Ron Funk
 - Delane Anderson
 - Sharee Sprague

A motion to approve the application of Melinda and Ron Michaelson, doing business as Rock Bottom Bar for Retail Liquor was presented by Commissioner Funk with a second by Commissioner Lasley. Following roll call vote, motion carried unanimously and the record concluded at 04:20 PM.

7. **Alcohol License Application of Jacksons #70:** Application filed by Jackson's Food Stores Inc. for a retail alcoholic beverage license came before the Commission on this July 10, 2017 at 04:20 PM. The applicant seeks a 2017-2018 license for Beer and Wine. The following parties were present as verified by roll call attendance;

- Bill Lasley
- Ron Funk
- Delane Anderson
- Sharee Sprague

A motion to approve the application of Jackson's Food Stores Inc., doing business as Jacksons #70 for Beer and Wine was presented by Commissioner Funk with a second by Commissioner Anderson. Following roll call vote, motion carried unanimously and the record concluded at 04:21 PM.

8. **Alcohol License Application of Mr Petrol's Pantry:** Application filed by George and Shirley Udy for a retail alcoholic beverage license came before the Commission on this July 10, 2017 at 04:21 PM. The applicant seeks a 2017-2018 license for Beer. The following parties were present as verified by roll call attendance;

- Bill Lasley
- Ron Funk
- Delane Anderson
- Sharee Sprague

A motion to approve the application of George and Shirley Udy, doing business as Mr Petrol's Pantry for Beer was presented by Commissioner Funk with a second by Commissioner Lasley. Following roll call vote, motion carried unanimously and the record concluded at 04:21 PM.

9. **Alcohol License Application of Idaho Unlimited:** Application filed by Stan and Floreen Thyberg for a retail alcoholic beverage license came before the Commission on this July 10, 2017 at 04:21 PM. The applicant seeks a 2017-2018 license for Beer. The following parties were present as verified by roll call attendance;

- Bill Lasley
- Ron Funk
- Delane Anderson
- Sharee Sprague

A motion to approve the application of Stan and Floreen Thyberg, doing business as Idaho Unlimited for Beer was presented by Commissioner Funk with a second by Commissioner Anderson. Following roll call vote, motion carried unanimously and the record concluded at 04:22 PM.

10. **Alcohol License Application of Dr Unks Pour House:** Application filed by MJR Investments LLC for a retail alcoholic beverage license came before the Commission on this July 10, 2017 at 04:22 PM. The applicant seeks a 2017-2018 license for Retail Liquor. The following parties were present as verified by roll call attendance;

- Bill Lasley
- Ron Funk
- Delane Anderson
- Sharee Sprague

A motion to approve the application of MJR Investments LLC, doing business as Dr Unks Pour House for Retail Liquor was presented by Commissioner Funk with a second by Commissioner Lasley. Following roll call vote, motion carried unanimously and the record concluded at 04:23 PM.

11. **Alcohol License Application of Ken's Food Market:** Application filed by Sherrie Garner for a retail alcoholic beverage license came before the Commission on this July 10, 2017 at 04:23 PM. The applicant seeks a 2017-2018 license for Beer and Wine. The following parties were present as verified by roll call attendance;

- Bill Lasley
- Ron Funk
- Delane Anderson
- Sharee Sprague

A motion to approve the application of Sherrie Garner, doing business as Ken's Food Market for Beer and Wine was presented by Commissioner Funk with a second by Commissioner Anderson. Following roll call vote, motion carried unanimously and the record concluded at 04:23 PM.

12. **Alcohol License Application of Tres Hermanos:** Application filed by Tres Hermanos 1 Inc for a retail alcoholic beverage license came before the Commission on this July 10, 2017 at 04:23 PM. The applicant seeks a 2017-2018 license for Beer. The following parties were present as verified by roll call attendance;

- Bill Lasley
- Ron Funk
- Delane Anderson
- Sharee Sprague

A motion to approve the application of Tres Hermanos 1 Inc, doing business as Tres Hermanos for Beer was presented by Commissioner Funk with a second by Commissioner Lasley. Following roll call vote, motion carried unanimously and the record concluded at 04:22 PM.

13. **Alcohol License Application of M & J Brothers Inc:** Application filed by M & J Brothers Inc for a retail alcoholic beverage license came before the Commission on this July 10, 2017 at 04:22 PM. The applicant seeks a 2017-2018 license for Beer. The following parties were present as verified by roll call attendance;

- Bill Lasley
- Ron Funk
- Delane Anderson
- Sharee Sprague

A motion to approve the application of M & J Brothers Inc, doing business as M & J Brothers Inc for Beer was presented by Commissioner Funk with a second by Commissioner Anderson. Following roll call vote, motion carried unanimously and the record concluded at 04:24 PM.

14. **Alcohol License Application of Willow Bay Café:** Application filed by Ploussard Properties Inc for a retail alcoholic beverage license came before the Commission on this July 10, 2017 at 04:24 PM. The applicant seeks a 2017-2018 license for Beer. The following parties were present as verified by roll call attendance;

- Bill Lasley
- Ron Funk
- Delane Anderson
- Sharee Sprague

A motion to approve the application of Ploussard Properties Inc, doing business as Willow Bay Café for Beer was presented by Commissioner Funk with a second by Commissioner Lasley. Following roll call vote, motion carried unanimously and the record concluded at 04:25 PM.

15. **Alcohol License Application of City of American Falls Golf Course:** Application filed by City of American Falls for a retail alcoholic beverage license came before the Commission on this July 10, 2017 at 04:25 PM. The applicant seeks a 2017-2018 license for Beer and Wine. The following parties were present as verified by roll call attendance;

- Bill Lasley
- Ron Funk
- Delane Anderson
- Sharee Sprague

A motion to approve the application of City of American Falls, doing business as City of American Falls Golf Course for Beer and Wine was presented by Commissioner Funk with a second by Commissioner Lasley. Following roll call vote, motion carried unanimously and the record concluded at 04:27 PM.

16. **Approval of Past Meeting Minutes:** A motion to accept minutes as printed for meetings held on June 26, 2017, was presented Commissioner Funk with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.

17. **Airport Surplus Property:** Jared Turner advises that there is a homemade tetrahedron at the airport that needs considerable work placing the value at less than \$250 and requests the matter be declared as surplus property. Upon conclusion of discussion, a motion to declare the tetrahedron as surplus property was presented Commissioner Anderson with a second by Commissioner Lasley. Following an audible call of the board, the motion unanimously carried.

18. **Certificate of Residency Application for Junior College Tuition IC §33-2110:** A motion pursuant to IC §33-2110 to approve the Applications for Certificate of Residency for Junior College Tuition assistance as filed was presented by Commissioner Anderson with a second by Commissioner Lasley. 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
Rosa Hernandez	Post High School	College of Southern Idaho	2017 Fall Semester
Dinora E Avalose	Post High School	College of Southern Idaho	2017 Fall Semester

19. **Personnel Updates:** Clerk Sharee Sprague reported Sheriff Jeffries has approved a step increase due to completion of on the job training and requests Marci Beebe receive \$16.27 annually or \$33,842.00 hourly as compensation for completion of assigned job duties. Clerk Sprague reports that impacted budget lines have been reviewed for sustainability of the requested changes Upon conclusion, a motion to approve the step increase was presented Commissioner Anderson with a second by Commissioner Lasley. Following an audible call of the board, the motion unanimously carried.

20. **490 Pocatello Ave. Property Improvements:** Commissioner Anderson reports that the driveway is severely decayed and presented a bid received for repair. Upon conclusion of discussion, a motion to approve the bid for repairs to the driveway in the amount of \$3,500.00 was presented by Commissioner Funk with a second by Commissioner Anderson. Following audible call of the Board, motion unanimously carried. Gary Thomsen advised that he had directed parties to submit bids for installation of a sprinkler system and inquired if the Commission had awarded the bid. Clerk Sprague advised that the only bid that had been received was the bid submitted by Chet Taylor three (3) weeks prior. Clerk Sprague verified that nothing had been filed in the Clerk's Office. Upon conclusion, a motion to approve the bid for installation of the sprinkler system in the amount of \$2,400.00 was presented by Commissioner Funk with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried. The Board directed Mr. Thomsen to follow up with Mr. Taylor for installation completion date and targeted the property to be ready for renters as of August 1, 2017.

C. POINTS OF ORDER:

1. **Paps Mountain Access Discussion:** The Paps Mountain access discussion opened at 1:27 pm. The following parties were present for the hearing;
 - Ron Funk, Commission Chair
 - Bill Lasley, Commissioner
 - Delane Anderson, Commissioner
 - Anson Call, Prosecutor
 - Sharee Sprague, Clerk
 - Mark Scherer (telephone)

Commission Chair Funk opened the meeting and advised that the records of the county clearly show that the current contract expired on September 30, 2015, and advised that the purpose of the hearing was to allow the parties to come to an agreement forthcoming and resolve monetary obligations. Mr. Scherer advises that the county is one (1) year in arrears on payment. Chief Deputy Prosecutor Anson Call directed the discussion regarding concerns and the history of the transactions between the county. Clerk Sharee Sprague advises that a \$1,000.00 payment to Betty Joyce Scherer was processed on October 14, 2015, for the 2016 Fiscal Year, however, the payment for the current fiscal year has not been processed as of today as she and the outside auditor question need verification that such funds should be paid without a renewed contract and verification between all concerned parties as to who the check should be paid. Mr. Scherer advises that the county is attempting to look at too many variables and making

the situation much more difficult than needed. Mr. Scherer advises the county should keep their money and they have no access agreement and there is no need to discuss things further and discontinued discussion with the Commission.

Sheriff Jim Jeffries arrived late in the hearing and upon conclusion of discussion with Mr. Scherer, the Commission contacted Aaron Clark of Clark radio the parties discussed the need to continue to access the repeater site and options to move forward. Mr. Clark agreed to check on alternative options and report back to Clerk Sprague.

2. **Cemetery Water Options:** Commissioner Funk reports that the Cemetery District has contacted him again to verify the status of the restoration of the location of the water rights owned by the county. The parties reviewed past correspondence and determined that the last correspondence from legal counsel was that the application had been filed with the Idaho Department of Water Resources but final determination has yet to be received. Commissioner Lasley reports that he is scheduled to meet with the Mayor to continue discussion and options to restore water to the cemetery.

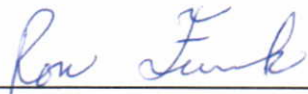
IV. EXECUTIVE SESSION:

1. **Executive Legal Advice Session pursuant to I.C. §74-206(f) 1:03 pm:** A motion to enter into executive session pursuant to I.C. §74-206(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 was presented by Commissioner Anderson with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.
2. **Executive Legal Advice Session pursuant to I.C. §74-206(f) 1:26 pm:** A Motion to exit executive session pursuant to I.C. §74-206(f), was presented by Commissioner Anderson with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.
3. **Executive Indigent Session pursuant to I.C. §74-206 2:20 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 presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
4. **Executive Indigent Session pursuant to I.C. §74-206 3:08 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 Anderson. 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 July 24, 2017.
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. Following audible call of the Board, motion carried and the meeting was adjourned at 5:28 pm.

The foregoing minutes were approved by the Board of County Commissioners during the Regular Board Meeting held July 24, 2017.



COMMISSIONER FUNK, Chairman

ATTEST:


SHAREE SPRAGUE, Clerk