

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, December 23, 2002. Present were Commissioners Ken Estep, Chairman, Valerie Hoybjerg and Janet S. Chapman. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney Paul Laggis.

CLAIMS: Moved by Commissioner Chapman, seconded by Commissioner Hoybjerg, to approve the claims as submitted and amended. Carried.

Current Expense (General)	\$ 4,673.54
Ambulance	1,417.91
District Court	7,353.30
Justice Fund	6,747.95
Indigent	131.05
Solid Waste	11,524.26
Weeds	69.54
Waterways	116.06
PILT	2,828.67

SAFETY AWARD – STATE INSURANCE FUND: Clerk Steinlicht advised the Commissioners that a dividend check from the State Insurance Fund is being processed and should be received within the next several days. Following discussion, it was moved by Commissioner Hoybjerg, seconded by Commissioner Chapman, to grant the Power County employees a safety award equal to the amounts given last year (\$75.00 for elected officials and full time employees and \$35.00 for part-time employees). Carried.

SOUTHEASTERN DISTRICT HEALTH DEPARTMENT: Jack Palmer of the Southeastern District Health Department and his entire administrative staff appeared before the Commissioners to present the Southeastern District Health Department Annual Report for fiscal year 2002. Ed Murugg, environmental specialist responsible for landfill rules compliance then indicated that wash station was not required at the Power County landfill, and may even be a detriment to the facility. Mr. Palmer then advised the Commissioners that he had tendered his resignation to the Southeastern District Health Department Board of Directors effective April 30, 2003.

AMBULANCE: Moved by Commissioner Estep, seconded by Commissioner Hoybjerg, to recess as Power County Board of Commissioners and reconvene as Power County Ambulance District Board. Carried.

Power County Ambulance District Director Mark Love appeared before the Commissioners to present a proposed Ambulance District billing policy. In the past it

was the policy of the Power County EMS to bill every person that was evaluated by the Power County EMS personnel, even if they did not require medical treatment or transport. The new policy will require Power County EMS to bill only those patients that are transported by EMS personnel or refuse to be transported but received treatment and/or supplies by the EMS personnel. Mr. Love will also have each person who refuses treatment or transport to sign a liability waiver.

Mr. Love then presented a proposed updated Mutual Aid Agreement between Power County and surrounding agencies for ambulance services. Mr. Love asked that the Commissioners review the proposed agreement for future consideration.

Moved by Commissioner Estep, seconded by Commissioner Hoybjerg, to recess as Power County Ambulance District Board and reconvene as Power County Board of Commissioners. Carried.

TORT CLAIM -- MAHONEY VS. POWER COUNTY, ET AL.: The Commissioners reviewed the tort claim filed against the Power County Board of Commissioners, Power County Highway District and the State of Idaho Department of Transportation. Clerk Steinlicht reported that the claim had been submitted to ICRMP, the County's liability carrier.

COUNTY BOARDS: Clerk Steinlicht presented the Commissioners with a list of those individuals who had contacted the Clerk's Office and expressed their desire to serve on one of the County's volunteer boards. The Commissioners agreed that they would like additional time contact the prospective Board members prior to making any official appointments. This matter was tabled until January 13, 2003.

FMC - BLUE RIBBON COMMITTEE: Commissioner Estep suggested that a Commissioner from Power County should serve on the FMC Blue Ribbon Committee, whose purpose is to target at create jobs, promote the consideration of ethanol production/electrical generating plants and create a productive future for the former FMC corporation manufacturing facility in Power County. Commissioner Hoybjerg reported that she had been appointed to serve that committee by Idaho Governor Dirk Kempthorne; however, her appointment was made as an individual and not as a Power County Commissioner. Commissioner Hoybjerg further reported that all appointments to that committee are by governor appointment only. Commissioner Estep asked that the Power County Commissioners be kept abreast on the status of the committee's progress.

POWER COUNTY LANDFILL MONITORING WELLS: The Commissioners reviewed the Work Authorization for 2003 sampling and reporting services at the Power County Landfill between Power County and Cascade Earth Sciences. The Commissioners contacted Rich Galluci of Cascade Earth Sciences to discuss the increase over the 2002 Work Authorization. Commissioner Hoybjerg requested that Cascade Earth Sciences submit renewals on projects in June of each year so those expenses can be appropriately budgeted. Mr. Galluci indicated that he would make every effort to shift the terms of Power County's contract to an annual cycle which runs concurrent with

Power County's fiscal year rather than on a calendar year basis. Following discussion, it was moved by Commissioner Hoybjerg, seconded by Commissioner Estep, to approve the Work Authorization for 2003 sampling and reporting services at the Power County Landfill between Power County and Cascade Earth Sciences as presented, to be reviewed again in June, 2003. Carried.

JUNIOR COLLEGE – CERTIFICATES OF RESIDENCY: Moved by Commissioner Hoybjerg, seconded by Commissioner Estep, to approve the Certificates of Residency for Kristen Haskin, Jonathan Reaves and Sandy Cates to attend the College of Southern Idaho in Twin Falls. Carried.

SHERIFF'S OFFICE – CARPET PURCHASE: Clerk Steinlicht reported that Sheriff Sprague had obtained a quote from Wall 2 Wall to install carpet in four rooms at the Sheriff's Office, which quote totaled \$1,285.20. Commissioners agreed that they would need to discuss this request directly with Sheriff Sprague prior to accepting the quote.

500 POCATELLO AVENUE – AMERICAN FALLS YOUTH CENTER: Gerald Fehringer, Bob Schreiber and Bobbie Mauch of the American Falls Youth Center Board appeared before the Commissioners to discuss the Lease Agreement between Power County and American Falls Youth Ministry, Inc., to lease a portion of the 500 Pocatello Avenue building. Moved by Commissioner Estep, seconded by Commissioner Hoybjerg, to approve Lease Agreement as presented. Carried. American Falls Youth Ministry Board Member Gerald Fehringer signed on behalf of the American Falls Youth Center Board. Mr. Fehringer then presented the Commissioners with a \$10,000 check to assist with the renovation costs at the future American Falls Youth Center.

500 POCATELLO AVENUE – RENOVATIONS: Commissioner Estep indicated that he has attempted to solicit electrical bids from S&J Electric and Stro's Electric for the electrical repairs to the 500 Pocatello Avenue building; however, neither company chose to submit a bid. Moved by Commissioner Estep, seconded by Commissioner Chapman, to accept the bid submitted by Ramsey Repair for electrical work at the 500 Pocatello Avenue building in the amount of \$24,999. Carried.

BEHAVIORAL HEALTH CENTER – INDIGENT MENTAL HEALTH CONTRACT: Following discussion with Power County Prosecuting Attorney Paul Laggis, it was moved by Commissioner Hoybjerg, seconded by Commissioner Estep, to approve the Independent Contractor Agreement between Power County and EIRMC as presented. Carried.

ENHANCED 911 – CELL PHONE FEE ORDINANCE: Power County Sheriff Howard Sprague previously contacted Clerk Steinlicht and reported that Ada, Kootenai and Twin Falls Counties have passed an ordinance charging the \$1.00 enhanced 911 fee on cellular telephones. Commissioner Hoybjerg indicated that Ada County's ordinance may still be in litigation and suggested that Sheriff Sprague contact the Idaho Association of Counties to inquire as to the status of that litigation.

PLANNING & ZONING -- GREIVANCE: Mr. Gary Ferguson of BGM Builders and Paul Herndon of C&H Construction appeared before the Commissioners to request that a board of appeals be established to solve discrepancies between building contractors and/or individuals holding building permits and the Power County Building Inspector when interpreting the Power County Uniform Building Code. Also present was Power County Building Administrator Richard Wiles. Mr. Ferguson informed the Commissioners of a dispute between he and Mr. Wiles where an appeal board should have been available to determine the proper building procedures under the Uniform Building Code. Following discussion with Power County Prosecuting Attorney Paul Laggis, the Commissioners agreed that the Power County Building Administrator does have the authority, and in fact a duty, to interpret and enforce the Power County Uniform Building Code; however, all parties agreed that when the initial plans are brought in for Mr. Wiles' review and approval, he should be specific on potential problems areas prior to construction. Mr. Ferguson indicated that the Uniform Building Code allows for the Commissioners to establish a qualified appeals board. Following further discussion, the Commissioners agreed to work on putting together a three member Uniform Building Code Appeals Board consisting of an architect, an engineer and a professional builder. Commissioner Estep requested that Mr. Ferguson and Mr. Herndon put together a list of potential board members and submit those to the County Commissioners at their next regular meeting scheduled for January 13th, 2003.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Estep, seconded by Commissioner Chapman, to move into executive session pursuant to I.C. #67-2345 for the purpose of taking up personnel issues. Carried.

HARMS MEMORIAL HOSPITAL DISTRICT: Harms Memorial Hospital District Administrator Bob Brummond appeared before the Commissioners to present the Hospital District's Financial Information Packet for the period ending November, 2002.

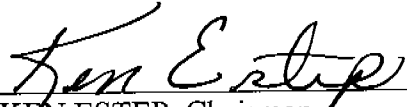
VACATION/COMPENSATORY/SICK ACCRUAL CARRY-OVER: The Commissioners reviewed the County's accrual register of compensatory time, vacation time and sick time being carried over to the new 2003 calendar year by each Power County employee. The Commissioners instructed Clerk Steinlicht to send a memorandum to each County employee reminding them of the maximum allowable accrual carry-overs allowed under the Power County Personnel Manual, and to further advise them that on Monday, January 27th, 2003, the Commissioners will again review the Power County Accrual Register and take the necessary actions to bring all employees into compliance. This matter was tabled until January 27th, 2003.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Chapman, seconded by Commissioner Estep, to move into executive session pursuant to I.C. #67-2345, for the purpose of taking up indigent medical applications. Carried.

INDIGENT CASE #2003-07-I: Moved by Commissioner Estep, seconded by Commissioner Chapman, to deny indigent medical application #2003-07-I, since the application was untimely according to I.C. #31-3505(4). Carried.

INDIGENT CASE #2003-04-I: Moved by Commissioner Estep, seconded by Commissioner Chapman, to deny indigent medical application #2003-04-I, since applicant has sufficient resources to pay the medical expenses incurred over a three year period pursuant to I.C. #31-3502(17). Carried.

Adjourned.



KEN ESTEP, Chairman



CHRISTINE STEINLICHT, Clerk