

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, January 27, 2003. Present were Commissioners Ken Estep, Chairman, Vicki L. Meadows and Ray Zimmerman. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney Paul Laggis.

CLAIMS: Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve the claims as submitted and supplemented. Carried.

General (Current Expense)	\$9,576.58
Ambulance	1,336.30
District Court	1,125.68
Justice Fund	2,993.85
Indigent	1,117.56
Solid Waste	1,446.03
Weeds	32.37
Waterways	116.98
PILT	4,223.50

COMMISSIONER APPOINTMENTS: The Commissioners then agreed on which County departments and boards each Commissioner would oversee or act as liaison with during calendar year 2003.

AGRICULTURE SUMMIT: The Commissioners discussed the Agricultural Summit being held in Boise on February 10th and 11th, 2003, which is also a regular Commissioner meeting day. Moved by Commissioner Meadows, seconded by Commissioner Estep, to pay the expenses for Chairman Gary Moldenhauer, or some other member of the American Falls Economic Development Board, to attend the agricultural summit in Boise on February 10th and 11th, 2003. Carried. Commissioner Meadows will contact Mr. Moldenhauer to make the necessary arrangements.

POWER COUNTY PROBATION/COURT SERVICES: Power County Probation Officer Supervisor Russ Wheatley appeared before the Commissioners to inform them that Power County Adult Misdemeanor Probation Officer Ryan Grayson had tendered his resignation effective Monday, January 27, 2003. Commissioner Estep questioned whether short-term employees should reimburse Power County for training expenses incurred. Mr. Wheatley indicated that he would check with other Counties and the P.O.S.T. Academy to obtain information on their policies for reimbursement of training costs in the event an employee resigns. The Commissioners then authorized Mr. Wheatley and Magistrate Judge Mark Beebe to conduct the employment interviews;

however, the hiring of any applicant will be subject to Commissioner approval. Applications will be taken until January 31st, 2003.

500 POCATELLO AVENUE – ARCHITECT AGREEMENT: Pete Anderson of the architectural firm of Myers & Anderson appeared before the Commissioners to discuss the Contract for architectural services between Power County and Myers & Anderson for the County's building located at 500 Pocatello Avenue. Commissioner Estep advised Mr. Anderson that Power County has not been satisfied with the services provided by Myers & Anderson. Mr. Anderson suggested that possibly there was a misunderstanding between he and the County Commissioners, since he feels that Myers & Anderson provided the initial assessment of the building in a timely manner as requested. The Commissioners and Mr. Anderson then discussed the renovations and construction that would need to be completed prior to public occupancy. The Commissioners agreed that they would like additional time to discuss this matter and possibly investigate alternatives prior to proceeding further under the agreement with Myers & Anderson. Mr. Anderson, likewise, expressed his desire to discuss the contractual arrangements between Myers & Anderson and Power County with his partner before proceeding further. Also present was Gary Ferguson of BGM Builders who advised the Commissioners that he would not proceeding further with construction on the project until architectural specifications were prepared and properly bid by design professionals pursuant to the public works law. Commissioner Estep indicated that he would contact architect Ken Douglass to look at the building and submit his initial assessment.

FAMILY SERVICE ALLIANCE – WOMEN'S ADVOCACY: Maxine McGinnis and Aleida Solis of the Family Service Alliance appeared before the Commissioners to discuss the Women's Advocacy program in Power County. The women's advocacy program will continue to maintain their office at the County's building on Gifford Avenue adjacent to the Power County Sheriff's Office. Ms. Solis advised the Commissioners that she is working primarily with the Hispanic population in the American Falls area and is attempting to bring Spanish speaking family counseling opportunities to the American Falls area. Power County Prosecuting Attorney Paul Laggis expressed his pleasure with the Family Service Alliance in assisting victims of domestic violence and suggested that they initiate some type of domestic violence prevention program in the schools.

FMC SITE DEVELOPMENT: The Commissioners then attended a luncheon sponsored by the City of Pocatello for area government agencies to get together and discuss future development and use of the FMC site located in Power County.

POWER COUNTY BOARD OF EQUALIZATION: The Board of Power County Commissioners then met as the Power County Board of Equalization pursuant to Idaho Code #63-501. There being no business to come before the Board of Equalization, the Power County Board of Equalization recessed until February 24, 2003.

POWER COUNTY BUILDING ADMINISTRATOR: Power County Building Administrator Richard Wiles appeared before the Commissioners to present his Annual Building Report for 2002.

UNIFORM BUILDING CODE – APPEAL BOARD: Commissioner Estep reported that the three person Uniform Building Code Appeal Board had been put into place. The three members are (1) Kelly Sluder of the Bannock County Building Office, (2) Alan Jensen from the Bingham County Building Department, and (3) Pocatello Architect Mark Kinghorn.

JAIL INSPECTION: Clerk Steinlicht reported that State Building Inspector Bill Lynn will perform a walk through of the Sheriff's Office tomorrow January 28, 2003, at 1:00 o'clock p.m., and the Commissioners expressed their intention to attend that inspection.

SHERIFF'S OFFICE ROOF REPAIR: Clerk Steinlicht advised the Commissioners that Power County Sheriff Howard Sprague would include the roof repair as a part of the jail kitchen remodel and expansion project.

MS ADMINISTRATIVE SERVICES – TRUSTEE APPEAL: Commissioners reviewed the appeal documents received from MS Administrative Services. Dallas Skinner, a former Power County employee is appealing MS Administrative Service's declination of benefits for charges incurred by his spouse after the termination date of coverage. The Commissioners agreed that the Power County Employee Benefit plan provides that no benefit coverage is provided for charges incurred after the date of termination regardless of when an illness commences or an accident occurs. Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to uphold MS Administrative Services' denial of the medical benefits claim as appealed by former employee Dallas Skinner since the charges were incurred on October 2, 2002, and coverage terminated on September 30, 2002. Carried.

TORT CLAIM: Prosecuting Attorney Paul Laggis informed the Commissioners that former Power County employee Karen Fernau has filed an administrative complaint with the Idaho Human Rights Commission which satisfies the Notice of Tort Claims filing requirements of Idaho Code #6-906, as to claims of discrimination arising under the Human Rights Act. Prosecutor Laggis also informed that Commissioners that Power County's Insurer, ICRMP, has been notified of the claim and will file the appropriate answer to the allegations.

CLERK'S OFFICE – VAULT FORMICA: At the request of Clerk Steinlicht, the Commissioners reviewed the damage to the Formica in the Clerk's Office Vault. Clerk Steinlicht will obtain quotes to replace the Formica and submit the same to the Commissioners for their review and consideration. This matter was tabled until February 24, 2003.

EMPLOYEE BENEFIT TRUST – MASTER PLAN DOCUMENT AMENDMENT #9: The Commissioners reviewed the Power County Employee Benefit Trust Master Plan

Document Amendment #9, prepared by Mark Semons d/b/a Semons Financial Services. Moved by Commissioner Zimmerman, seconded by Commissioner Meadows to approve Amendment #9 to the Power County Employee Benefit Trust Master Plan Document as presented. Carried.

POWER COUNTY SENIOR CITIZENS CENTER – COMMUNITY BUILDING: John St. Vincent appeared before the Commissioners on behalf of the Power County Senior Citizens Center Board to advise the Commissioners of their efforts to enhance their image and improve their facility to attract a broader base of senior citizen participation. The Senior Center Board is proposing the construction of a new building. Spring Creek Assisted Living Center has donated a lot adjacent to their facility and has offered to have Spring Creek building contractors to construct a new Senior Citizens community center building “at cost”; however, they are concerned with being able to sell their existing building to help pay the expenses of constructing a new building and advised the Commissioners that they may ask for financial assistance from Power County at some point. In doing some of the preliminary planning stage work Mr. St. Vincent is aware that other area agencies, i.e. Power County Fairboard, American Legion, etc., are competing for federal grant dollars. Also present was Power County Fairboard Chairman William Schroeder who indicated that if the Senior Center Board were willing to go forth with a community building, he would not object finishing up the first phase of the building project at the fairgrounds, which is the restrooms and campground improvement, and then postpone or actually cancel phase 2, which is the community center. Mr. St. Vincent advised the Commissioners that Kathleen Lewis at SEICOG is assisting the Senior Center Board in obtaining grant funding. Mr. St. Vincent indicated that he will continue to work toward putting together an ad hoc committee and will keep the Commissioners informed.

GUARDIANSHIP BOARD: Judy Wallace appeared on behalf of the Power County Guardianship Board. The Guardianship Board is down to six members and has not been successful in filling vacancies. Clerk Steinlicht reported that she had published an additional notice in the Power County Press asking advising the public of the Guardianship Board vacancies. This matter was tabled until February 10th, 2003.

VACATION/COMPENSATORY/SICK – CARRY-OVER: The Commissioners reviewed the Power County Accrual Register showing vacation time, compensatory time and sick time carried over to calendar year 2003 for each County employee. Following discussion and a review of Section B(5), C(1)(d) and C(2)(d) of the Power County Personnel Manual, it was moved by Commissioner Zimmerman, seconded by Commissioner Estep, to reduce vacation and sick accrual balances on all employees to the maximum carry-over allowed under the Power County Personnel Manual, with the exception of Power County Jail employees, whose accruals will be reviewed at the end of March, 2003. Carried. Carried. Clerk Steinlicht will make the necessary adjustments and advise each employee accordingly.

CITY OF AMERICAN FALLS – LAW ENFORCEMENT CONSOLIDATION: American Falls City Council Member Amy Wynn and Mayor Cecil Weisenburger

appeared before the Commissioners to advise them that they are gathering information on City and County law enforcement consolidation. The Commissioners indicated that they did not object to the City gathering information and would cooperate in all respects; however, any consolidation efforts would need to be initiated by the City of American Falls through the Mayor and City Council. City Council Member Afton Wilford clarified that this was a fact-finding process at this time and no City action had been taken to move toward consolidation. Also present was Power County Sheriff Howard Sprague who expressed his support of the City's efforts to obtain consolidation information and expressed his desire to cooperate.

PUBLIC HEARING – ORDINANCE #2002-05: At 7:00 o'clock p.m., Commissioner Estep announced that it was date and time set for public hearing on proposed Power County Ordinance #2002-05, an ordinance regulating the use of firearms below the American Falls Dam within the high water mark of the Snake River down river to the confluence of the Fish Hatchery Spring within Power County. Each person present was given the opportunity to make an initial statement and a rebuttal statement. The following exhibits were marked and entered as of record:

#1 – South Idaho Press article entitled “Bird watcher pump more money into Idaho economy than hunters” dated October 22, 2002, which was submitted by Chuck Trost.

#2 – Map presented by Kevin Michaelson showing his idea of where the downstream boundary should be.

#3 – Map presented by Marty Collier showing his idea of where the downstream boundary should be, consisting of two pages.

#4 – Letter from Martin Collier to Dexter Pitman of the Idaho Department of Fish & Game dated July 24, 2000, consisting of two pages.

The Commissioners agreed to conduct a site visit for the purpose of looking at the proposed boundaries on Monday, February 10th, 2003, at 12:00 o'clock noon. This matter was tabled until February 10th, 2003.

Adjourned.


KEN ESTEP, Chairman


CHRISTINE STEINLICHT, Clerk