

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, February 10th, 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.

POWER COUNTY PROBATION/COURT SERVICES: Power County Probation Office Supervisor Russ Wheatley appeared before the Commissioners to inform them that he and Power County Magistrate Judge Mark Beebe had conducted employment interviews for the position of full-time adult misdemeanor probation officer. Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to hire Inez Bingham to serve as the Power County adult misdemeanor probation officer at the starting salary of \$23,500. Carried.

AMERICAN FALLS-ABERDEEN AREA GROUND WATER DISTRICT: Moved by Commissioner Zimmerman, seconded by Commissioner Estep, to execute the Authorization to allow the American Falls-Aberdeen Ground Water District to represent Power County with respect to the County's individual water rights appurtenant to lands within the said District, for the purpose of voting in administrative proceedings in Water District 120 Interim Administrative area, and in general legal proceedings, or before political bodies. Carried. The executed Authorization will be returned to the American Falls-Aberdeen Ground Water District office.

COMMUNITY ADVISORY BOARD – COMMUNITY RESOURCE MANUAL: Debra Gist of the Power County Community Advisory Board appeared before the Commissioners to advise the that Community Resource Manual which was last updated in 1998 needs to be updated for 2003. The Commissioners advised Mrs. Gist that Power County has budgeted \$750.00 in PILT funds to pay for the manual update. Mrs. Gist then advised the Commissioners that she is working toward obtaining a Community Asset Grant to assist the American Falls Youth Center in developing and maintaining asset-building programs for youth. Mrs. Gist then requested that one of the Commissioners attend the next Community Advisory Board meeting on Tuesday, February 18th, 2003. Commissioner Meadows indicated that she would attend the meeting.

SOLID WASTE FEE REFUND REQUEST: Fred and Cherie Hansen of Rockland appeared before the Commissioners to request a refund of the solid waste disposal fees they have paid for 1999, 2000 and 2001. Mr. Hansen indicated that the \$60.00 annual solid waste disposal fee for their residential garbage has been paid over the last three

years by both the landowner Eldon Isaak, and by Mr. and Mrs. Hansen as the owners of a trailer house situated on the parcel. Also present was Power County Chief Deputy Treasurer Carol Whitnah and Power County Assessor Doug Glascock. Deputy Treasurer Whitnah indicated that the solid waste disposal fee for 2002 had been removed from Mr. Hansen's 2002 tax bill. Following discussion, it was agreed that the solid waste disposal fee is attached to the parcel and should be paid by the landowner. Following further discussion, it was determined that the solid waste disposal fee on said parcel had in fact been charged on the parcel to the landowner as well as to Mr. Hansen's personal property tax bill. Moved by Commissioner Meadows, seconded by Commissioner Estep, to refund Mr. and Mrs. Fred Hansen the solid waste disposal fees charged on their 1999, 2000 and 2001 tax bills (#MHZ0291-00) in the amount of \$180, less the taxes and penalty owing Power County for the 2002 tax year in the amount of \$42.02. Carried. Clerk Steinlicht will issue a check to Mr. Fred Hansen in the amount of \$137.98 that Commissioner Meadows will hand deliver to Mr. and Mrs. Hansen.

RC&D BOARD: Moved by Commissioner Estep, seconded by Commissioner Zimmerman, to reappoint Kent Rudeen as Power County's representative to the RC&D Board. Carried.

GUARDIANSHIP BOARD: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to appoint Juanita Burgemeister, Donna Thornton and Jolene Clinger to two-year terms on the Power County Guardianship Board (January, 2005). Carried.

WEED BOARD: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Zimmerman, to reappoint Carl Hofmeister, Norman Bird, Vince Fehringer and Bill Schatz to two-year terms on the Power County Weed Board (January, 2005). Carried.

AIRPORT BOARD: Commissioner Zimmerman advised the Commissioners that Pete Ramsey had resigned from the Power County Airport Board, leaving a vacancy on that Board. Following discussion, it was moved by Commissioner Zimmerman, seconded by Commissioner Estep, to appoint Roger Johnston to fill the vacant position on the Power County Airport Board, which term expires in January, 2005. Carried.

WATERWAYS BOARD: Following discussion, it was moved by Commissioner Zimmerman, seconded by Commissioner Estep, to reappoint Lawrence Funk and Robert Williams to three-year terms on the Power County Waterways Board (January, 2006). Carried.

U. S. FOREST SERVICE -- CRYSTAL SUMMIT PARKING LOT: Moved by Commissioner Meadows, seconded by Commissioner Estep, to delay any transfer of the Crystal Summit Parking Lot property to the U. S. Forest Service until an agreement can be negotiated between the U. S. Forest Service and Power County for repayment of the extra costs expended by Power County in constructing a protection fence on the Larry and Todd Fitch property near the Crystal Summit Parking Lot. Carried.

HARMS MEMORIAL HOSPITAL DISTRICT: Harms Memorial Hospital District Administrator Bob Brummond appeared before the Commissioners to present the Hospital District's Independent Auditor's Report and Financial Statements for the fiscal year ending September 30, 2002. Mr. Brummond indicated that the Harms Memorial Hospital Board is in the process of completing an inventory all the old hospital equipment so that they can loan the equipment to the Power County Museum, which inventory should be completed within the next thirty (30) days. Mr. Brummond then advised the Commissioners that the Harms Memorial Hospital Board would be holding a strategic planning session on February 17th, 2003, to further efforts to construct a new critical access hospital and nursing home.

MINUTES: Moved by Commissioner Zimmerman, seconded by Commissioner Estep, to approve the Power County Commissioner Minutes for January 10th, 13th, 27th and 28th, 2003, as presented. Carried.

CLAIMS: Moved by Commissioner Zimmerman, seconded by Commissioner Estep, to approve the claims as presented. Carried.

Current Expense (General)	\$ 17,212.02
Ambulance	1,972.91
District Court	7,524.59
Justice	29,158.23
Indigent	646.16
Revaluation	5,586.60
Solid Waste	5,071.08
Weeds	799.56
PILT	30,615.63

JUNIOR COLLEGE – CERTIFICATES OF RESIDENCY: Moved by Commissioner Zimmerman, seconded by Commissioner Estep, to approve the Certificates of Residency for Amanda Weston, Esteban Cardenas, Rob Cobbley and Shantell Cannell to attend the College of Southern Idaho in Twin Falls. Carried.

POWER COUNTY ORDINANCE #2002-05 – FIREARMS RESTRICTION: The Commissioners conducted an on-site visit of the Snake River just below the American Falls Dam to view the area of the river that will be effected by proposed Power County Ordinance #2002-05. Moved by Commissioner Zimmerman, seconded by Commissioner Estep to republish proposed Power County Ordinance #2002-05 along with the Notice of Public Hearing scheduled for March 10th, 2003, at 7:00 o'clock p.m. to allow for additional public comment. Carried.

POWER COUNTY TRANSFER STATION/LANDFILL: Power County Transfer Station Supervisor Craig Heward appeared before the Commissioners to discuss the State of Idaho Division of Environmental Quality's rules and regulations that went into effect in April, 2002. Mr. Heward indicated that the Power County Transfer Station/Landfill

has been granted an additional two years to develop and adopt an upgraded Plan of Operations, which will also need to be approved by DEQ. Mr. Heward expressed his concerns with "volume" or "weight" requirements on all dumps being made at the Transfer Station and Landfill, and feels that Power County may eventually need to hire additional staff to weigh each vehicle entering and leaving the Transfer Station. The Commissioners then contacted Ed Marugg of the Southeastern District Health Department by telephone and arranged a meeting for Mr. Marugg to meet with the Commissioners on Monday, February 24, 2003, at 2:00 p.m. to go over the new DEQ requirements in greater detail. Mr. Heward then questioned the County's ability to impose penalties or fines on individuals who fail to follow the Landfill's rules and regulations for dumping. Prosecuting Attorney Laggis suggested that Mr. Heward contact other Counties and possibly the Idaho Solid Waste Association to see what others are doing with regards to improper dumping.

POWER COUNTY AMBULANCE: Moved by Commissioner Estep, seconded by Commissioner Zimmerman, 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 advise them that he was working on a policy with Harms Memorial Hospital for the hospital to bill ambulance fees on Medicare patients requiring ambulance transport by the hospital. Mr. Love indicated that Medicare has refused to make payment on ambulance billings unless they are billed as a hospital service through a hospital. Harms Memorial Hospital will amend their billings claims for the last eighteen months to pick up all ambulance runs where Medicare denials were issued on ambulance transports for Harms Memorial Hospital patients.

Mr. Love then advised the Commissioners of several grants he has been working on, one of which may require a Joint Powers Agreement for ambulance service between the County and the Shoshone-Bannock Shoshone Tribes. Mr. Love advised the Commissioners that he has a good working relationship with his Counterpart at the Shoshone-Bannock Tribe, Reggie Thorpe.

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

DISASTER SERVICES: Power County Disaster Services Director Mark Love appeared before the Commissioners to advise them that the next Local Emergency Planning Committee (LEPC) meeting has been scheduled for Thursday, March 20, 2003, at 12:00 noon at the Power County Emergency Services Building. Mr. Love then presented the Commissioners with information on the purpose of an Emergency Operations Centers, i.e. to develop and maintain awareness of the emergency situation for decision makers and to coordinate support for emergency responders.

IDAHO DEPARTMENT OF JUVENILE CORRECTIONS – FUNCTIONAL FAMILY THERAPY: Prosecuting Attorney Paul Laggis advised the Commissioners that he had reviewed the Memorandum of Agreement between Power County and the Idaho Department of Juvenile Corrections to support Functional Family Therapy (FFT), wherein Power County agrees to make FFT services available to through the County's Juvenile Probation Department. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Zimmerman, to approve the Memorandum of Agreement to support Functional Family Therapy between Power County and the Idaho Department of Juvenile Corrections as presented. Carried. The signed original will be returned to the Idaho Department of Juvenile Corrections as requested.

SURPLUS COMPUTER EQUIPMENT: Following discussion, the Commissioners agreed that all surplus computer equipment should be donated to the American Falls Youth Center or possibly other taxing districts in Power County prior to being declared surplus property with a value of less than \$200 and sold. Clerk Steinlicht will advise the American Falls Youth Center Board that they can have the County's surplus computer equipment.

TAX CANCELLATIONS: Moved by Commissioner Estep, seconded by Commissioner Zimmerman, to approve the Order for Cancellation of Taxes in the amount of \$12,178.48 as presented by Power County Treasurer Bobbie Mauch. Carried.

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

INDIGENT CASE #2003-01-I: Pursuant to stipulation of the parties, it was moved by Commissioner Zimmerman, seconded by Commissioner Estep, to continue the appeal hearing on Case #2003-01-I until Monday, March 10th, 2003, at 2:30 p.m. Carried.

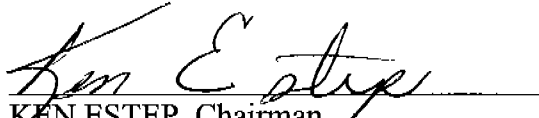
INDIGENT CASE #2002-20-I: Upon hearing the testimony and evidence presented on appeal, and following a review of Idaho Code #31-3506(2)(a), it was moved by Commissioner Estep, seconded by Commissioner Zimmerman, to deny the appeal on Case #2002-20-I since the last County in which the applicant maintained a residence for six (6) consecutive months within the past five (5) years preceding application is Bannock County and, therefore, Bannock County is the obligated County. Carried.

COUNTY/STATE SHARED EMPLOYEES: The Commissioners reviewed the memorandum from Sixth District Trial Court Administrator Suzanne Johnson requesting that she and Administrative District Judge Don Harding be allowed to meet with the Commissioners to discuss County and State shared employees. The Commissioners agreed to schedule the meeting for Monday, June 16th, 2003, at 9:00 a.m. Clerk Steinlicht will advise Ms. Johnson of the date and time of the meeting.

SERVER UPGRADE: Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve the quote submitted by Computer Arts, Inc., to upgrade the

Power County server to accommodate Court shared calendaring in the amount of \$3,417.51. Carried.

Adjourned.


KEN ESTEP, Chairman


CHRISTINE STEINLICHT, Clerk