

POWER COUNTY COMMISSIONERS MINUTES

The Board of Power County Commissioners met in regular session on Monday, July 26th, 2004. 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 LANDFILL -- CASCADE EARTH SCIENCES (GROUNDWATER MONITORING WELLS): Rich Galluci of Cascade Earth Sciences appeared before the Commissioners to discuss ground water quality monitoring at the Power County landfill in compliance with Subtitle D Federal regulations. Mr. Galluci advised the Commissioners that all of the particulate levels are within the desirable range at this time. Mr. Galluci and the Commissioners then discussed the financial benefits of Power County and Cascade Earth Sciences entering into a five-year contract for ground water sampling rather than renewing the contract annually. Mr. Galluci will provide the Commissioners with a draft contract for their review and consideration. This matter was tabled until August 9th, 2004.

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.

AMBULANCE DISTRICT DIRECTOR: The Commissioners reviewed the applications submitted for the open position of Power County Ambulance District Director. This matter was tabled until August 9th, 2004.

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

DISASTER SERVICES -- DIRECTOR: The Commissioners reviewed the applications submitted for the open position of Power County Disaster Services Director. This matter was tabled until August 9th, 2004.

SHOSHONE-BANNOCK TRIBES -- ECONOMIC DEVELOPMENT: Power County Prosecuting Attorney Paul Laggis reported that he and Shoshone-Bannock Tribal Attorney Bill Bacon have been working on draft Articles of Incorporation and By-laws to create a joint Economic Development Corporation. Mr. Laggis indicated that the Tribe may need to obtain clearance from the Bureau of Indian Affairs or some other Federal Agency prior to entering into this joint venture with Power County, and Mr. Bacon is looking into that. This matter was tabled until August 9th, 2004.

POWER COUNTY PROSECUTING ATTORNEY -- CHILD INTERVIEW ROOM: Power County Prosecuting Attorney Paul Laggis and Chief Deputy Sheriff Jim Jeffries

appeared before the Commissioners to question whether a room could be utilized in one of the County owned buildings to create the unique atmosphere necessary to interview children. The Commissioners agreed that the Doctors Clinic has sufficient space with a private back door access and may be the best place for a child interview room. Prosecuting Attorney Laggis indicated that he has obtained a grant to install a video camera and recording system and he is working on private donations to furnish the room and make it comfortable for children. Commissioner Meadows, Chief Deputy Jeffries and Prosecutor Laggis will walk through the Doctors Clinic to determine which area would be best suited for this project. This matter was tabled until August 9th, 2004.

GERALD FEHRINGER YOUTH CENTER: Gerald Fehringer Youth Center Board Members Robert Schreiber, Jason Henderson and Bobbie Mauch appeared before the Commissioners to report on the summer activities and programs at the Youth Center. Mr. Schreiber then advised the Commissioners that the Youth Center Board had been approached by various youth groups in the American Falls community asking to use the facility for their meetings and other functions, and presented the Commissioners with a copy of the Application for use of the facility that they have developed. The Commissioners suggested that specific use rules and financial deposits might need to be implemented to insure proper use of the facility. Mrs. Mauch then presented the Commissioners with a copy of the Youth Center's liability insurance policy issued through Atlantic Casualty Insurance Company. Mr. Schreiber then requested that the Youth Center Board be allowed to install a sign at the 500 Pocatello Avenue building to advertise and promote use of the Youth Center, and the Commissioners agreed to look into sign options and limitations on the premises.

AMERICAN FALLS ADVISORY COMMITTEE – COMMUNITY ADVISORY MANUALS: American Falls Community Advisory Committee President Robert Schreiber appeared before the Commissioners to request that the Commissioners assist with the update to the Community Advisory Manual. The Commissioner advised Mr. Schreiber that Power County has allocated \$750 in the PILT Fund for Community Advisory Manuals, which could be accessed at any time.

POWER COUNTY ELECTED OFFICIALS MEETING: Present for the Power County Elected Officials Meeting were:

Ken Estep, Commissioner
Vicki Meadows, Commissioner
Ray Zimmerman, Commissioner
Bobbie Mauch, Treasurer
Doug Glascock, Assessor
Christine Steinlicht, Clerk
Paul Laggis, Prosecuting Attorney

COMMISSIONER AGENDA: Following a review of the calendar, the Commissioners agreed to conduct their regular Commissioner meetings on August 9th and 23rd, with work session as necessary on August 2nd, 16th and 30th.

POWER COUNTY EMPLOYEE MEDICAL INSURANCE BENEFIT PLAN: The Commissioners reached Mark Semons d/b/a Semons Financial by telephone to discuss renewal of the Power County Employee Medical Insurance Benefit Plan. The Commissioners requested that Mr. Semons also obtain information on the Gem Plan, which is a group medical insurance program for County employees within the State of Idaho. This matter was tabled until August 9th, 2004.

U. S. CELLULAR TELEPHONE SERVICE: Brant Hill of U. S. Cellular appeared before the Commissioners to review the County's cellular phone service agreement which expires December 31st, 2005. At the outset, the Commissioners advised Mr. Hill that U. S. Cellular agent Dale Cunningham misrepresented the benefits and cost savings of the plan currently being used by Power County and suggested that U. S. Cellular either offer Power County a different plan or rescind the current Service Agreement and allow Power County to shop for alternate cellular telephone service. Mr. Hill agreed to work up a cellular telephone service proposal more beneficial to Power County and submit the same to the Commissioners for their review. This matter was tabled until August 9th, 2004.

500 POCATELLO AVENUE – RENOVATIONS: The Commissioners discussed their recent walk through of the 500 Pocatello Avenue Building with Power County Historical Society President Max Newlin. Mr. Newlin indicated that the Power County Historical Society's special architect, who is an expert in historical renovation, has advised the Power County Historical Society that the 500 Pocatello Avenue Building has no significant historical value which should be considered and preserved during the renovation process; therefore, Mr. Newlin agreed that Power County's ability to maintain complete historical accuracy during the upgrade of the museum portion of the building may be compromised by the need to increase energy efficiency. The Commissioners further agreed to contact Architect Ken Douglass and arrange a walk through with him on August 2nd, 2004, prior to proceeding further.

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

General	\$ 3,334.75
Ambulance	1,434.35
District Court	592.31
Justice Fund	11,129.02
Indigent	869.43
Revaluation	207.18
Solid Waste	5,868.18
Weeds	2,839.43
Waterways	718.49
PILT	691.76

LOCAL IMPROVEMENT DISTRICT (L.I.D.) – WATER/SEWER LINES: The original L.I.D. partners, Don Blisner, Bob Hartman and Mary Anderson appeared before the Board of Power County Commissioners with subsequent partner Ken Carter, to discuss the L.I.D. water and sewer line hook ups. Also present was City of American Falls Water Department Director Jerry Giesbrecht. Following discussion, the parties agreed that several businesses and/or individuals might be hooked up to the L.I.D. line without the required preapproval and payment of fee. The Commissioners suggested that the original owners reconstruct a timeline of events to assist them in pursuing equitable relief against those unauthorized hook ups. The Commissioners then advised the L.I.D. partners that Power County is not a party to the L.I.D. agreement and that it would be up to those original and subsequent partners to force compliance of the original L.I.D. Agreement; however, Power County Prosecuting Attorney Paul Laggis agreed to review the original L.I.D. Agreement to determine Power County's obligations, if any. This matter was tabled until August 9th, 2004.

FISCAL YEAR 2004 BUDGET: Following discussion, the Commissioners advised Clerk Steinlicht of their revisions to the Clerk's budget presented July 19th, 2004. Clerk Steinlicht indicated that she would make the requested changes and present to the Commissioners a final budget to be published and set for public hearing prior to approval. This matter was tabled until August 2nd, 2004.

DEATON & COMPANY – INDEPENDENT AUDITOR'S STATEMENT: The Commissioners reviewed the written proposal submitted by Charles Clark of Deaton & Company to provide independent auditor services to Power County for the fiscal years ending September 30th, 2004, 2005 and 2006. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve and execute the letter of understanding between Power County and Deaton & Company for independent auditor services as presented. Carried.

DISASTER SERVICES – HOMELAND SECURITY GRANT (COMMUNICATIONS): The Commissioners reviewed the State Homeland Security Program 2004 Award for Power County in the amount of \$318,357.21. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Zimmerman, accept and execute the Bureau of Homeland Security Award Document as presented. Carried. The original signed document will be returned to Bill Bishop at the Idaho Bureau of Homeland Security. Following further discussion, it was moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to appoint Power County Chief Deputy Sheriff Jim Jeffries to serve as Power County's Single Point of Contact (POC) to coordinate equipment purchases under the Idaho Bureau of Homeland Security Grants. Carried. The original "Single Point of Contact" document will be returned to BDS Area Field Officer Ken Fagnant. The Commissioners reviewed the letter of understanding to be signed by the members of the Local Emergency Response and Preparedness Committee dedicating \$304,029 of Power County's State Homeland Security Program Grant funds to build a county-wide interoperability communications system that will interface with Bingham County, Bannock County and the Shoshone-Bannock Tribes. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner

Zimmerman, to accept and execute the Local Emergency Response and Preparedness Committee Letter of Understanding as presented. Carried.

JUNIOR COLLEGE – CERTIFICATE OF RESIDENCY: Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve Certificate of Residency submitted by College of Southern Idaho as presented. Carried.

ALCOHOL BEVERAGE LICENSES: (4:11:18) Commissioner Estep announced that it was the date and time scheduled for hearing on several alcohol beverage licenses. There being no public objection, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve the following alcohol beverage licenses:

1. Michael J. Smith d/b/a Time Out Lounge for the sale of draught and bottled or canned beer and retail liquor.
2. O'Grady's Gas & Grocery, Inc. for the sale of bottled or canned beer not to be consumed on the premises.
3. El Jaliciense, Inc. d/b/a Tres Hermanos for the sale of bottled or canned beer to be consumed on the premises.


Carried.

POWER COUNTY RESOLUTION #2004-01 – SUNDAY LIQUOR SALES (I.C. #23-308): Commissioner Estep reported that it was the date and time scheduled for further consideration of the Commissioner Zimmerman's motion of July 12th, 2004, which was seconded by Commissioner Estep, to approve and adopt Power County Resolution #2004-01 allowing for Sunday sale or delivery of alcoholic liquor from State distribution sites within Power County. Upon a call for the questions, the following roll call vote was taken and entered:

Commissioner Ray Zimmerman (District #1) – Aye
Commissioner Vicki Meadows (District #2) – Nay
Commissioner Ken Estep (District #3) – Aye

Motion carried. The Commissioners agreed that Power County Resolution #2004-01 will be effective immediately, and a copy will be furnished to the Idaho State Liquor Dispensary and the Idaho State Please as provided by I.C. #23-308.

Adjourned.


KEN ESTEP, Chairman


CHRISTINE STEINKICHT, Clerk