

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, August 23rd, 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 EMPLOYEE MEDICAL INSURANCE BENEFITS – SEMONS FINANCIAL: Mark Semons d/b/a Semons Financial appeared before the Commissioners to discuss renewal of Power County's Employee Medical Insurance Benefit Plan. At the outset, Mr. Semons presented the Commissioners with a copy of the Power County 2004 partially self-funded health renewal proposal setting forth possible plan changes. Following discussion, the Commissioners agreed to allow Mr. Semons additional time to review and prepare a proposal for a fully insured plan through Blue Shield of Idaho. This matter was tabled until Monday, August 30th, 2004, at 10:00 a.m.

ECONOMIC DEVELOPMENT – INDUSTRIAL DEVELOPMENT BONDS: The Commissioners contacted bond counsel Rick Skinner of Skinner & Fawcett Law Offices in Boise by telephone to discuss tax exempt industrial revenue bonds. The Commissioners advised Mr. Skinner that the Power County Industrial Development Corporation has a full and current Board of Directors. Mr. Skinner then advised the Commissioners regarding Power County's ability and responsibilities for obtaining Industrial Development Bonds. Mr. Skinner agreed to send the Commissioners additional information concerning industrial development bonds.

ECONOMIC DEVELOPMENT – EASTERN POWER COUNTY (FMC SITE): The Commissioners contacted Liz Davis at FMC Corporate Offices in Washington, D.C., by speaker telephone to discuss the written proposal from Vita Nuova, LLC, to Power County, the Shoshone-Bannock Tribes and FMC Corporation. Also present was Paul Yochum, plant manager of the Power County FMC site. Vita Nuova, LLC, proposes to provide consulting and marketing services to prepare the FMC site in Eastern Power County for redevelopment. The proposal sets forth specific tasks to complete the redevelopment process, costs associated with each task and a six-month retainer fee and travel costs, for a total cost estimate of \$105,850. The Commissioners reviewed each task with Ms. Davis and Mr. Yochum and agreed that the tasks could be amended. Ms. Davis will provide Vita Nuova with written notice of these changes and request that a new proposal be prepared with a new cost estimate. This matter was tabled until September 13th, 2004.

ECONOMIC DEVELOPMENT – IDAHO DEPARTMENT OF COMMERCE GEM COMMUNITY GRANT: The Commissioners then reviewed the Amended one-year plan completed by American Falls Development Corporation d/b/a South East Snake Regional Economic Development Corporation, the recognized Gem Community Team, which supports the use of Gem Grant funds received from the Department of Commerce and Labor to be used to market the FMC site for future development. The Commissioners then reviewed City of American Falls Resolution #332 supporting and endorsing the participation of Power County in the Gem Community Implementation Grant Program of the Idaho Department of Commerce. An Application for an Idaho Gem Community Implementation Grant will be prepared by Liz Davis of FMC Corporation, which designates Power County Prosecuting Attorney Paul Laggis as Grant Administrator.

BUILDING & GROUNDS – EMPLOYEE REQUEST: Commissioner Meadows reported that several Power County employees have requested an outdoor picnic table be installed on the Courthouse grounds for employee use during lunch and coffee breaks as well as public use. Commissioner Meadows has discussed this request with Power County Maintenance Supervisor Gary Thomsen, who indicated that he like to see a base installed for mowing if this request were granted, which SCILD could install using patio brick. The Commissioners denied the employee request; however, they will ask that the City of American Falls Parks & Recreation Department consider placing a picnic table right across the Street from the Courthouse in the City Park. This matter was tabled until the next joint City/County quarterly meeting.

POWER COUNTY SHERIFF'S OFFICE – AIR CONDITIONING: Power County Sheriff Howard Sprague appeared before the Commissioners to discuss the repairs needed to the Sheriff Department's air conditioning system. Commissioner Estep reported that Justin Richardson d/b/a Sierra Heating & Cooling has ordered the replacement parts needed to repair the air conditioner and will make those repairs once the parts have been received.

INTERNET ACCESS: Clerk Steinlicht reported that Power County's internet access through A.F. Wireless has been limited due to frequent downtime and slower than expected service. The Commissioners agreed to obtain quotes from other internet access providers. This matter was tabled until September 13th, 2004.

TAX CANCELLATION REQUEST: Power County Treasurer Bobbie Mauch appeared before the Commissioners to further discuss the Tax Cancellation request of Troy Brazelton on parcels #RPA1365-08 and #RPA1365-04. Mr. Brazelton currently owes \$29,700.52 in unpaid taxes, penalty and interest and has requested that the interest portion totaling \$5,794.35 be forgiven, after which he would immediately pay the balance due in full. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Zimmerman, to deny Mr. Brazelton's tax cancellation request, with the understanding that in the event Mr. Brazelton could immediately pay \$26,800.52 and not become delinquent for a period of three (3) years, the Commissioners would consider canceling the remaining \$2,900 owing on parcels #RPA1365-08 and #RPA1365-04. Carried. The Commissioners instructed Prosecuting Attorney Laggis to prepare an

agreement between Power County and Mr. Brazelton setting forth this agreement. This matter was tabled until September 13th, 2004.

ORDER FOR CANCELLATION OF TAXES: Moved by Commissioner Zimmerman, seconded by Commissioner Estep, to approve the Order for Cancellation of Taxes as presented by the Power County Treasurer Bobbie Mauch. Carried.

POWER COUNTY AIRPORT – GRANT: Commissioners reviewed the Grant Application from the Idaho Department of Transportation, Division of Aeronautics on Power County Airport Project #SP-04134.A-08. The Commissioners agreed that they would like to discuss this matter with Roger Johnson of the Power County Airport Board. This matter was tabled until August 30th, 2004.

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

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| General (Current Expense) | \$ 40,559.69 |
| Ambulance | 1,516.70 |
| District Court | 1,398.22 |
| Justice Fund | 7,257.42 |
| Indigent | 14,366.27 |
| Revaluation | 180.95 |
| Solid Waste | 2,308.33 |
| Weeds | 489.63 |
| Waterways | 18.39 |
| PILT | 333.72 |

JUNIOR COLLEGE – CERTIFICATES OF RESIDENCY: Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve the Certificates of Residency for the College of Southern Idaho as presented. Carried.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Meadows, 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 #2004-17-I: Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to deny indigent medical application #2004-17-I since applicant has other resources sufficient to pay the medical expenses incurred. Carried.

INDIGENT CASE #2004-18-I: Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to deny indigent medical application #2004-18-I since applicant has other resources sufficient to pay the medical expenses incurred. Carried.

INDIGENT CASE #2004-22-I: Moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve indigent medical application #2004-22-I. Carried.

HARMS MEMORIAL HOSPITAL DISTRICT: Harms Memorial Hospital District Administrator Bob Brummond appeared before the Commissioners to discuss the Hospital Building, which is owned by Power County. The Harms Memorial Hospital Board has completed the bid process required by I.C. #31-4003, and has accepted the bid submitted by Modern Roofing in the amount of \$48,475.00 to completely replace the existing roof. Mr. Brummond indicated that the Hospital District has the funds to pay for the roof replacement and they expect construction to begin in September. Mr. Brummond, the Commissioners and Prosecuting Attorney Laggis then discussed the Hospital District's request to sublease the building to Idaho Health Facilities Authority to allow the Hospital to obtain a construction loan for the new clinic as set forth in I.C. #39-1441 et seq. Mr. Brummond also requested that the Hospital District and Power County enter into a formal Lease Agreement for the modular building property, and the Commissioners agreed that any lease should include a provision that would require the Hospital District to move the modular facility with 180 days notice. Prosecutor Laggis will get a legal description of the property where the modular building sits. Commissioner Meadows suggested that the County consider selling the building to the Hospital District and Prosecuting Attorney Laggis suggested that the County Commissioners and County attorney meet with the Hospital District Board and their attorney to discuss these issues. This matter was tabled until September 13th, 2004.

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

CAPITAL CRIMES DEFENSE FUND – BOARD ELECTIONS: Following discussion, it was moved by Commissioner Zimmerman, seconded by Commissioner Meadows, to nominate Power County Commissioner Ken Estep to the Idaho Capital Crimes Defense Board as IAC District #5 representative. Carried. Moved by Commissioner Zimmerman, seconded by Commissioner Meadows, to nominate Latah County Commissioner Jack Nelson to the Idaho Capital Crimes Defense Board as the At-Large position. Carried.

POWER COUNTY TRANSFER STATION/LANDFILL – SALVAGE POLICY: American Falls resident Melvin Knopp appeared before the Commissioners to request that he be allowed to salvage old lawnmowers and rotor-tillers to repair for future use. The Commissioners agreed that they would need to discuss this matter with Power County Landfill Supervisor Craig Heward. This matter was tabled until September 13th, 2004.

POWER COUNTY JAIL – PRISONER MEDICAL (PRESCRIPTION MEDICATION): Power County Chief Deputy Sheriff Jim Jeffries appeared before the Commissioners and presented a copy of the Idaho Department of Correction's pharmaceutical formulary for adult offenders in County Jails. The Commissioners agreed that prescriptions issued to inmates should be at the sole discretion of the physician; however, the Sheriff's Office may be able to request that the physician prescribe generic drugs whenever possible.

Prosecuting Attorney Laggis indicated that he would discuss this matter with ICRMP attorney Dave Sasser.

PUBLIC DEFENDER CONTRACT – GEORGE SOUTHWORTH: Prosecuting Attorney Paul Laggis indicated that Mr. Southworth had concerns regarding the provisions of the Public Defender Contract, and specifically murder cases. The Commissioners agreed that the provisions of the current contract are identical to all previous public defender contracts and Mr. Southworth could either accept or decline the public defender contract as written. Mr. Laggis will discuss this matter with Mr. Southworth and this matter was tabled until September 13th, 2004.

ARBON STORE SITE – DEMOLITION: Commissioner Estep reported that the Power County Assessor has agreed to inspect the abandoned trailer on the County's property formerly known as the Arbon Store site and provide the Commissioner with an estimated value. This matter was tabled until September 13th, 2004.

DOCTORS CLINIC – CHILD INTERVIEW ROOM: Prosecuting Attorney Paul Laggis advised the Commissioners that he would need to prepare a Child Abuse Case Protocol and submit the same to the Idaho Department of Health & Welfare prior to being eligible for grant funding to furnish a child interview room. The Commissioners reported that Architect Ken Douglass should have his initial drawings to construct a child interview room in the Doctors Clinic completed by September 13th, 2004, and this matter was tabled until that time.

DISASTER SERVICES – HOMELAND SECURITY GRANT: Jim Jeffries, the designated Point of Contact on Power County's Homeland Security Grant appeared before the Commissioners to report that he is awaiting the Motorola study to determine what communications equipment will be purchased under the Homeland Security Grant funding. Mr. Jeffries agreed to keep the Commissioners advised as this process proceeds.


CITY/COUNTY JOINT MEETING: Clerk Steinlicht reported that she had been contacted by City Clerk Betty Huse to schedule the next quarterly joint City/County meeting. Following a review of the calendar, the Commissioners agreed to schedule the next joint quarterly meeting for Wednesday, September 1st, 2004, at 6:00 p.m. at the Commissioners Chambers of the Power County Courthouse. Clerk Steinlicht and City Clerk Huse will coordinate an appropriate agenda.

500 POCATELLO AVENUE – RENOVATIONS: The Commissioners reported on their recent walk through of the 500 Pocatello Avenue building with SCILD Officer Paul Peace. The SCILD crew will begin demolition of the interior walls in the upstairs museum portion of the building, and the Commissioners agreed that the interior doors and door jams would also need to be removed and enlarged in order to comply with handicap access regulations. This matter was tabled until September 13th, 2004.

FISCAL YEAR 2005 BUDGET – PUBLIC HEARING: Power County's fiscal year 2005 budget, as published, came on for public hearing before the Board of Power County

Commissioners at 6:00 p.m. Following public hearing and comment, it was moved by Commissioner Meadows, seconded by Commissioner Zimmerman, to approve and adopt the Power County fiscal year 2005 budget as published. Carried.

Adjourned.


KEN ESTEP, Chairman


CHRISTINE STEINLICHT, Clerk