

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, August 11th, 2008. Present were Commissioner Vicki Meadows, Chairman, Ken Estep and Ron Funk. Also present was Power County Clerk Christine Steinlicht.

SIXTH DISTRICT JUVENILE DETENTION CENTER – SUBSTANCE ABUSE ASSESSMENT AND TREATMENT: Seth Scott, Executive Director of the Sixth District Juvenile Detention Center appeared before the Commissioners to discuss SB1142, which was passed during the 2008 Legislative Session and provides for substance abuse assessment and treatment of juvenile offenders incarcerated at the Sixth District Juvenile Detention Center, effective July 1st, 2008. Also present was Power County Probation Office Supervisor Connie Shepherd. Mr. Scott then advised the Commissioners of the funding opportunities for providing these substance abuse services that are available through the State of Idaho. Mr. Scott then updated the Commissioners on the status of the Sixth District Juvenile Detention Center Board's proposed expansion to the Juvenile Detention Center, which if approved would affect Power County's fiscal year 2010 budget.

POWER COUNTY SHERIFF – BUREAU OF LAND MANAGEMENT (BLM PATROL GRANT): Power County Sheriff Jim Jeffries appeared before the Commissioners to review the patrol agreement between Power County and the Bureau of Land Management. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute the Amendment of Solicitation and Modification of Contract #DDP070059 between Power County and the Bureau of Land Management for patrol services on the Great Rift National Monument. Carried.

POWER COUNTY SHERIFF – JAIL MASTER PLAN (ROCKY MOUNTAIN CORRECTIONS): Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss the site of the new jail, which is being proposed for construction on property owned by Power County; however, several options are available for consideration. Sheriff Jeffries reported that Rocky Mountain Corrections is eager for site confirmation before proceeding further. This matter was tabled until August 12th, 2008.

POWER COUNTY DISASTER SERVICES – HOMELAND SECURITY GRANT (KIMPORT PROJECT): Power County Sheriff Jim Jeffries, Chief Deputy Sheriff Jackie Morris and Deputy Sheriff Kevin Ostler appeared before the Commissioners to discuss the County's Interoperable Connectivity Project to enhance communications on Kimport Peak and the funds allocated to upgrade the Power County Sheriff's dispatch console in to maintain operability under the 700 MHz system. Following discussion, the Commissioners agreed to schedule a meeting between Power County Sheriff Jim Jeffries,

Idaho Bureau of Disaster Services Regional Director Ken Fagnet and Aaron Clark at Clark Radio to discuss the dispatch console upgrade.

POWER COUNTY DISASTER SERVICES – HOMELAND SECURITY GRANTS:

The Commissioners reviewed the following quarterly grant reports, which have been submitted to Department of Homeland Security by Power County Disaster Services Director Di Jones for the quarter ending June 30th, 2008:

- 2007 EMPG Financial Status and Progress Reports on Federal Grant/Award #2007-EM-E7-0009
- 2006 HSGP Financial Status Report on Federal Grant/Award #2006-GE-T6-0030
- 2005 HSGP Financial Status Report on Federal Grant No. 2005-GE-T5-0044
- 2005 HSGP LETPP/CCP/EMPG Financial Status Report on Federal Grant #2005-GE-T5-0044

POWER COUNTY WEB PAGE – RAVE COMMUNICATIONS:

Commissioner Meadows presented a copy of the Power County website production schedule received from Rave Communications and signed on August 4th, 2008. Following discussion, the Commissioners agreed to table further discussion of this matter September 8th, 2008.

POWER COUNTY TREASURER – AMERICAN AIR (DELINQUENT PROPERTY TAXES):

Power County Treasurer Bobbie Mauch appeared before the Commissioners to discuss the Warrant of Dstraint to be issued against American Air, LLC, for delinquent property taxes and costs owing against Parcel #RPD0872-15. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to submit the following offer of settlement to American Air, LLC, prior to issuing a Warrant of Dstraint:

\$9,653.73 to be paid on or before August 29th, 2008

\$9,846.81 to be paid on or before September 29th, 2008

Balance of \$9,750.27 to be paid on or before October 29th, 2008

Carried. The Commissioners then agreed that the offer should be made in writing and personally delivered to American Air, LLC, by the Power County Sheriff. This matter was tabled until September 8th, 2008.

POWER COUNTY TREASURER – ORDER FOR CANCELLATION OF TAXES:

Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve the Order for Cancellation of Taxes as presented by Power County Treasurer Bobbie Mauch. Carried.

POWER COUNTY COMMISSIONER MINUTES: Moved by Commissioner Estep, seconded by Commissioner Meadows, to approve the Power County Commissioner Minutes for June 23rd and 27th and July 7th, 9th, 14th and 28th, 2008, as presented. Carried.

POWER COUNTY PLANNING & ZONING/CIVIL LEGAL SERVICES – RESOLUTION #2008-06: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to approve and execute Power County Resolution #2008-06, which is a resolution to enter into a contract with Douglas J. Balfour, Chartered, to complete development of the Comprehensive Plan and revised Development Code, and to continue to provide assistance to the Power County Planning & Zoning Board and the Board of Power County Commissioners on certain other civil issues as they deem necessary and advisable. Carried. Following further discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to execute the Employment Contract between Power County and Douglas J. Balfour, Chartered, for the period October 1st, 2008, through September 30th, 2009, as presented. Carried.

POWER COUNTY PROBATION – POLICY AND PROCEDURE MANUAL: Power County Probation Office Supervisor Connie Shepherd appeared before the Commissioners to present a copy of the proposed Policy and Procedures Manual being required by Idaho Department of Juvenile Corrections, which needs to be approved and implemented prior to the Idaho Department of Juvenile Corrections' on-site review that will be scheduled sometime within the next thirty (30) days. Following discussion, the Commissioners agreed to review the proposed Manual and this matter was tabled until September 8th, 2008.

POWER COUNTY PROBATION – MONTHLY PROBATIONER FEES: Power County Probation Office Supervisor Connie Shepherd appeared before the Commissioners to present copies of Sixth District Administrative Judge Peter D. McDermott's Administrative Order, consistent with House Bill 408aa, authorizing and instructing Power County to impose monthly probation fees pursuant to I.C. #31-878 as amended, to include probationers whose judgments of conviction or Withheld Judgments were entered prior to July 1st, 2008, said fee to be collected by the Clerk of the District Court through the Supreme Court's ISTARs program. Ms. Shepherd further reported that Power County Magistrate Judge Paul Laggis has reviewed the list of individuals on probation in Power County and will issue individual orders for collection of monthly probation fees. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to authorize Power County Probation Office Supervisor Connie Shepherd to give written notice to all probationers within Power County that monthly probation fees will be collected from and after September 1st, 2008. Carried.

POWER COUNTY SHERIFF – COURTHOUSE SECURITY: Power County Sheriff Jim Jeffries and Deputy Sheriff/Detective Max Sprague appeared before the Commissioners to present their proposal to update the Power County Courthouse Security plan and the costs associated to implement the upgrades. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to authorize Power County Sheriff Jim Jeffries to implement the suggested security enhancements at the Power County Courthouse, to be paid from the District Court Fund. Carried.

POWER COUNTY SHERIFF – FIRE INVESTIGATION (AWARD): Power County Sheriff Jim Jeffries and Power County Deputy Sheriff/Detective Max Sprague appeared before the Commissioners to discuss ongoing investigations into recent arson related fires in the Power County area. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to contribute \$1,000 toward the “Joint Investigation Task Force” of Power, Bannock and Bingham Counties, the Bureau of Land Management and the Shoshone-Bannock Tribes, for any information which results in the arrest and conviction of any individual intentionally setting fires in Southeast Idaho. Carried. Following further discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to offer a \$3,000 reward for any information which results in the arrest and conviction of any individual intentionally setting fires in Power County. Carried.

ALCOHOL BEVERAGE LICENSE: Commissioner Meadows announced that it was the date and time scheduled for consideration of an alcohol beverage license. There being no public objection, it was moved by Commissioner Funk, seconded by Commissioner Meadows, to approve the following alcohol beverage license:

18. Claudia J. Walters d/b/a Pocatello Speedway, Inc., for the sale of bottled or canned beer to be consumed on the premises.

Carried.

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

General Fund	\$ 25,725.31
Ambulance District	1,470.41
Interim Abatement District	16,558.33
District Court	4,522.35
Justice Fund	26,224.21
Indigent	14,061.02
Revaluation	112.01
Solid Waste	37,126.69
Tort	239.99
Weeds	2,768.46
Waterways	1,277.92
PILT	971.79

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Funk, seconded by Commissioner Meadows, to move into executive session pursuant to I.C. #67-2345 to consider records exempt from disclosure as provided in Chapter 3, Title 9, Idaho Code, specifically indigent medical applications. Upon a call for the question, the following roll call vote was taken:

Commissioner Meadows – Aye

Commissioner Funk – Aye
Commissioner Estep – Absent

Carried.

INDIGENT CASE #2008-29-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2008-29-I for the medical expenses incurred from June 19th through June 22nd, 2008, and to deny payment of those medical incurred on May 20th, 2008. Carried.

INDIGENT CASE #2008-27-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to deny indigent medical application #2008-27-I since applicant has other resources sufficient to pay the medical expenses incurred. Carried.

INDIGENT CASE #2008-16-I: This matter came on for hearing before the Board of Power County Commissioners on Portneuf Medical Center's appeal of the Commissioners Findings of Fact, Conclusions of Law and Decision dated May 30th, 2008, to deny payment of the medical expenses incurred in Case #2008-16-I. Upon hearing the testimony and reviewing the exhibits submitted, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to sustain the Commissioners denial on Indigent Case #2008-16-I. Carried.

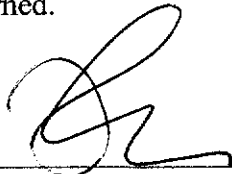
INDIGENT CASE #2008-18-I: This matter came on for hearing before the Board of Power County Commissioners on Portneuf Medical Center's appeal of the Commissioners Findings of Fact, Conclusions of Law and Decision dated May 30th, 2008, to deny payment of the medical expenses incurred in Case #2008-18-I. Upon hearing the testimony and reviewing the exhibits submitted, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to continue further hearing on this appeal until September 8th, 2008, at 2:30 p.m. pursuant to Idaho Code #31-3505E. Carried.

CRYSTAL SUMMIT PARKING LOT – IDAHO DEPARTMENT OF PARKS AND RECREATION (ADA ACCESS GRANT): Earl McMahan of the Pocatello Pathfinders Snowmobile Board appeared before the Commissioners to discuss the Idaho Department of Parks & Recreation grant to place ADA facilities at the Crystal Summit parking lot in the Mink Creek area of Power County. Mr. McMahan reported that the ADA access facilities have been placed and the grant can now be closed out. Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Request for Reimbursement and Close Out Report on the Idaho Department of Parks and Recreation ADA Access Grant #GMV8-5-39-1. Carried.

J. R. SIMPLOT COMPANY – SMOKEY CANYON MINE: Rick Phillips of J.R. Simplot's Don Plant appeared before the Commissioners to report on the status of the appeals on the permitting of the Smokey Canyon Mine. Following discussion, the Commissioners agreed to join as an intervener in support of J.R. Simplot's permit

application at the Smokey Canyon Mine. Mr. Phillips will provide the information for intervention.

Adjourned.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk