

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, April 13th, 2009. Present were Commissioners Vicki Meadows, Chairman, Ken Estep and Ron Funk. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney F. Randall Kline.

COMMISSIONER MINUTES: Moved by Commissioner Estep, seconded by Commissioner Meadows, to approve the Power County Commissioner Minutes for March 9th, 12th, 13th, 16th, 18th, 23rd and 30th, 2009, as presented. Carried.

POWER COUNTY LANDFILL – CASCADE EARTH SCIENCES (GROUND WATER MONITORING): The Commissioners reviewed the letter from Thomas W. Mullican at the Department of Environmental Quality dated April 2nd, 2009, granting Cascade Earth Sciences' request for a reduction in the ground water monitoring parameters at the Power County Landfill. A copy of the letter will be provided to Power County Transfer Station/Landfill Supervisor Craig Heward.

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

ECONOMIC DEVELOPMENT – SOUTHEAST IDAHO COUNCIL OF GOVERNMENTS (POWER COUNTY RESOLUTION #2009-04 – FAIR HOUSING): Kathleen Lewis of Southeast Idaho Council of Governments (SEICOG) appeared before the Commissioners by telephone to discuss the possibility of Power County adopting a Fair Housing Resolution, which may enhance Power County's ability to obtain an Idaho Department of Commerce Community Development Block Grant. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and adopt Power County Resolution #2009-04, which is a resolution to adopt a fair housing policy within Power County. Carried.

ECONOMIC DEVELOPMENT – TAX INCREMENT FINANCING/URBAN RENEWAL: David R. Price of Double L Inc. appeared before the Commissioners to discuss economic development options within Power County; specifically, tax increment financing, urban renewal districts and community development block grant funds available through the Idaho Department of Commerce. Following discussion, the Commissioners agreed to assist Mr. Price in contacting the newly formed Power County Urban Renewal Agency.

FISCAL YEAR 2010 BUDGET – CLERK'S TIMELINE: Power County Clerk Chris Steinlicht present the Commissioners with the Clerk's timeline to finalize Power County's fiscal year 2010 budget.

DEATON & COMPANY – FISCAL YEAR 2009 AUDIT REPORT (I.C. #31-1701): Independent Auditors Charles Clark and Brandi Young of Deaton & Company, Chartered, appeared before the Commissioners pursuant to I.C. #31-1701 to present the audited financial statements and other financial information for Power County's fiscal year ending September 30th, 2008. Following discussion, the Commissioner agreed that they would need additional time to review the audit, and this matter was tabled until April 27th, 2009.

POWER COUNTY WATERWAYS – WEST BOAT RAMP DOCK USE (POWER COUNTY ORDINANCE #2009-03): Commissioner Meadows announced that it was the date and time scheduled for public hearing on proposed Power County Ordinance #2009-03, which is an Ordinance to regulate and control the use and enjoyment of the public west side boat dock at the American Falls Reservoir, and to provide penalties for the violation of such regulations. Following a full reading of said Ordinance by Power County Prosecuting Attorney F. Randall Kline and there being no public objection, it was moved by Commissioner Funk, seconded by Commissioner Meadows, to close public hearing and schedule further consideration of this matter for Monday, April 27th, 2009, at 1:00 p.m. Carried.

POWER COUNTY TREASURER – ORDER FOR CANCELLATION OF TAXES: Moved by Commissioner Estep, seconded by Commissioner Meadows, to approve and execute the Orders for Cancellation of Taxes in the amount of \$3,970.88 and \$905.41 as presented by Power County Treasurer Bobbie Mauch. Carried.

POWER COUNTY SHERIFF – IDAHO JAIL STANDARDS: Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss the changes proposed by the Idaho Sheriffs' Association to the Idaho Jail Standards. Sheriff Jeffries reported that he has been in contact with the Idaho Sheriff's Association and Legislative District #27 Senator Denton Darrington regarding his concerns. Following discussion, Sheriff Jeffries agreed to keep the Commissioners apprised of his efforts to represent and protect the interests of smaller counties regarding jail standards.

POWER COUNTY SHERIFF – FAIRGROUND COMMUNITY BUILDING USE ORDINANCE: Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss public use of the Community Building at the Power County Fairgrounds. Also present were Fairboard members Bill Schroeder and Roger Whitnah. Sheriff Jeffries reported that it has been recommended by Idaho Counties Risk Management Program (ICRMP) Attorney Dave Sasser that Power County adopt a building use ordinance encompassing the following provisions:

- Use Fee and Security Deposit
- Event Insurance (\$500,000 minimum)
- Workers Compensation Insurance for employees
- Law Enforcement Response Fee

Following discussion, the Commissioners requested that Power County Prosecuting Attorney F. Randall Kline schedule a telephone conference with Mr. Sasser to discuss these issues further, and suggested that the Fairboard and Sheriff Jeffries also participate in those discussions. The Commissioners agreed to table further consideration of this matter until May 11th, 2009.

POWER COUNTY SHERIFF – FEE SCHEDULE: Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss his desire to amend the Power County Sheriff's fee schedule to include a charge for fingerprint cards and burn permits. Sheriff Jeffries agreed to provide the Commissioners with a proposed updated fee schedule for their consideration.

POWER COUNTY SHERIFF – MEMORANDUM OF UNDERSTANDING (CITY OF AMERICAN FALLS): Power County Sheriff Jim Jeffries appeared before the Commissioners to report that Prosecuting Attorney F. Randall Kline is preparing a proposed Memorandum of Understanding between Power County and the City of American Falls for law enforcement jurisdiction and cross deputization of officers. Following discussion, the Commissioner agreed to table further consideration of this matter until April 27th, 2009.

POWER COUNTY SHERIFF/TREASURER – WARRANTS OF DISTRAINT: Power County Sheriff Jim Jeffries and Civil Deputy Gaylene Cardona appeared before the Commissioners to discuss pending Warrants of Distraint on the following parcels:

Parcel #MHZ0049-06
Parcel #MHZ0072-02
Parcel #MHZ0096-00

Also present was Power County Chief Deputy Treasurer Carol Whitnah. The Commissioners contacted American Falls Mayor Amy Wynn by telephone to discuss nuisance and hazardous building ordinances within the City of American Falls. Following discussion, the Commissioner and Mayor Wynn agreed to table further discussion of this matter until April 27th, 2009, at 3:30 p.m. Carried.

HARDSHIP EXEMPTION APPLICATION (I.C. #63-711): Power County Deputy Treasurer Teri Kendall appeared before the Commissioners with applicant for further consideration of applicant's Hardship Exemption Application on Parcel #RPA0107-00. Mrs. Kendall reported that applicant has also filed an application for circuit breaker assistance with the Power County Assessor for tax year 2009. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to cancel that portion of 2008 taxes that would have been exempted under a qualifying circuit breaker application, plus all penalty and interest for 2007 and 2008. Carried. The balance of \$124.33 for tax year 2007 and any balance for tax year 2008 shall remain due and owing.

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

General Fund	\$ 34,451.05
Ambulance District	10,243.68
Mosquito Abatement	16,558.33
District Court Fund	6,951.31
Justice Fund	29,087.57
Indigent	20,209.18
Junior College	315.00
Revaluation	46.54
Solid Waste	28,364.80
Tort	35,326.50
Weeds	1,017.77
Waterways	24.90
PILT	1,526.28

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Funk, seconded by Commissioner Estep, to move into executive session pursuant to I.C. #67-2345 to consider records that are exempt from disclosure under 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 Estep – Aye
 Commissioner Funk – Aye

Carried.

INDIGENT CASE #2009-13-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to deny indigent medical application #2009-13-I, since applicant has other resources sufficient to pay the medical expenses incurred. Carried.

INDIGENT CASE #2009-14-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to deny indigent medical application #2009-14-I, since application was processed as incomplete. Carried.

INDIGENT CASE #2009-17-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2009-17-I for limited necessary medical expenses; however, continued assistance with monthly medical insurance premiums is hereby denied. Carried.

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 communicate with legal counsel to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Upon a call for the question, the following roll call vote was taken:

Commissioner Meadows – Aye
Commissioner Estep – Aye
Commissioner Funk – Aye

Carried.

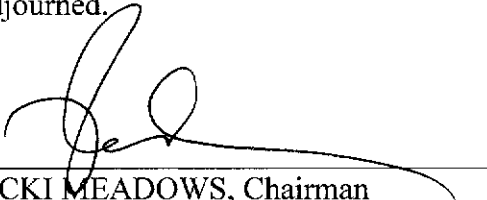
POWER COUNTY PROBATION DEPARTMENT – COMPENSATORY/OVERTIME:

Power County Probation Officer Supervisor Connie Shepherd appeared before the commissioners to report on the compensatory time being accrued the probation officers due to personnel shortage. Following discussion, the Commissioners agreed that until further notice, the Power County Probation Officers will receive overtime compensation for hours worked over 40 per week.

POWER COUNTY PROBATION DEPARTMENT – PERSONNEL ISSUES:

Power County Magistrate Judge Paul Laggis appeared before the Commissioners with Probation Office Supervisor Connie Shepherd to discuss staffing issues within the Power County Probation Department. Also present was Kerry Hong of the Sixth District Trial Court Administrator's Office, who indicated that he has been and will remain available to assist as Power County Drug Court Officer for an indefinite period. Mr. Hong also reported that he is researching grant opportunities that may be available to Power County.

Adjourned.


VICKI MEADOWS, Chairman


CHRISTINE STEINLICHT, Clerk