

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, October 26<sup>th</sup>, 2009. Present were Commissioners Vicki Meadows, Chairman, Ken Estep and Ron Funk. Also present was Power County Clerk Christine Steinlicht.

FORSYGREN ASSOCIATES, INC. – U.S. DEPARTMENT OF ENERGY (EFFICIENCY AND CONSERVATION BLOCK GRANTS): Keven Shreeve of Forsgren Associates, Inc., appeared before the Commissioners to present his proposal to assist Power County in putting together a “energy strategy plan” to apply for U.S. Department of Energy’s Energy Efficiency and Conservation Block Grant (EECBG) to ensure energy efficiency in all Power County buildings and facilities. Following discussion, the Commissioners agreed to review the information and material provided and to table further consideration of this matter until November 23<sup>rd</sup>, 2009.

POWER COUNTY DISASTER SERVICES – PUBLIC HEALTH EMERGENCY (H1N1) DISASTER DELCARATION (RESOLUTION #2010-01): Power County Disaster Services Director Di Jones appeared before the Commissioners to present a copy of proposed Power County Resolution #2010-01, which is a resolution under I.C. #46-1008(2) declaring a state of emergency within Power County, the nature of which is the occurrence and imminent threat of widespread public illness from H1N1 influenza and its negative impact to resources and community services, and is compounded by anticipated resource shortfalls beyond the capability of local and municipal governments, which may require expending non-budgeted funds in order to mitigate. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to approve and execute Power County Resolution #2010-01, declaring a public health emergency in Power County in order to facilitate extraordinary action by Power County, its agencies and municipalities in cooperation with the Southeastern District Health Department for the emergency public vaccination campaign. Carried. The Commissioners instructed Ms. Jones to notify the State of Idaho of the emergency/disaster in an effort to seek funding assistance or cost recovery.

POWER COUNTY SHERIFF/DISASTER SERVICES – HOMELAND SECURITY GRANTS: Power County Sheriff Jim Jeffries and Disaster Services Director Di Jones appeared before the Commissioners to review the 2009 State Homeland Security Grant Application and Quarterly Financial Reports. At the outset, Commissioner Estep reported that he had contacted Ken Fagnet at the Idaho Bureau of Disaster Services to discuss the recent changes to Power County’s “Point of Contact”, and that Mr. Fagnet has requested a meeting with the Power County Commissioners to discuss this matter. Following discussion, the Commissioners agreed to table further consideration of this matter until November 9<sup>th</sup>, 2009, at 1:30 p.m.

POWER COUNTY DISASTER SERVICES – PUBLIC INFORMATION OFFICER:

Power County Disaster Services Director Di Jones appeared before the Commissioners to discuss the designation of a “Public Information Officer” pursuant to the County’s Emergency Operations Plan. Following discussion, the Commissioners agreed that the Board of Power County Commissioners would serve as “Public Information Officer” for Power County.

POWER COUNTY SHERIFF – ESCAPE INVESTIGATION (AWARD):

Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss ongoing investigations into a recent escape at the Power County Jail. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to offer a \$3,000 reward for any information which results in the arrest and conviction of Gilberto Delgado, who escaped from the Power County Jail on Sunday, October 25<sup>th</sup>, 2009. Carried.

POWER COUNTY SHERIFF – COMMUNICATIONS:

Power County Sheriff Jim Jeffries appeared before the Commissioners to further review the proposed Idaho Wireless Integrated Network Participant Agreement for Ada County to operate a statewide public safety radio communications network, to be funded through a “participant fee”. Sheriff Jeffries indicated that he has contacted Ada County to suggest that each agency or entity within Power County should act independently in executing Master Site Participant Agreements, and likewise should be independently responsible for payment of the “participant fee”, which is based on that entity’s inventory count of voice and data radios on the system. Following discussion, Sheriff Jeffries agreed to prepare a contact list of entities or agencies within Power County and provide the same to the Ada County Sheriff’s Office, and this matter was tabled until November 23<sup>rd</sup>, 2009.

POWER COUNTY SHERIFF – SHERIFF FEES:

Power County Sheriff Jim Jeffries appeared before the Commissioners to report that he is now charging for vehicle inspections and fingerprint cards. Sheriff Jeffries then indicated his desire for the Power County Ambulance District and American Falls Rural Fire District to share in the costs of dispatch during fiscal year 2010. Following discussion, the Commissioners agreed to take this matter under advisement until November 23<sup>rd</sup>, 2009.

EXECUTIVE SESSION (I.C. #67-2345):

Moved by Commissioner Estep, seconded by Commissioner Funk, to move into executive session pursuant to I.C. #67-2345 to communicate with legal counsel for the public agency 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 ELECTED OFFICIALS MEETING: Present for the Power County Elected Officials meeting were the following individuals:

Vicki Meadows – Commissioner Chairman  
Ken Estep – Commissioner  
Ron Funk – Commissioner  
Chris Steinlicht – Clerk  
Doug Glascock – Assessor  
Bobbie Mauch – Treasurer  
Jim Jeffries – Sheriff  
Randy Kline – Prosecuting Attorney

POWER COUNTY WEB PAGE – RAVE COMMUNICATIONS: The Power County Elected Officials discussed the progress being made on the Power County Web Page. Commissioner Meadows reported that Rave Communications will be making another “push” towards finalizing the web page, and suggested that each office contact Rave Communications directly to update the information for their office.

POWER COUNTY COURTHOUSE SOLICITATIONS – RESOLUTION #1994-02: Following discussion with Power County Elected Officials and a review of Power County Resolution #1994-02, the Commissioners agreed that “solicitation”, which is strictly prohibited within the Power County Courthouse and Annex, includes the circulating of initiative, referendum or any other petitions for signature, but does not include items delivered to an employee by a parcel carrier or private vendor.

POWER COUNTY ADULT MISDEMEANOR PROBATION – SERVICES AGREEMENT: Power County Magistrate Judge Paul Laggis appeared before the Commissioners to request that the Adult Misdemeanor Probation Services Agreement be amended to authorize the Adult Misdemeanor Probation Office to issue all Court ordered restricted driving permits and, in turn, to receive a \$20.00 fee for that service. Commissioner Funk agreed to review the change request with Nancy Cladis and this matter was tabled until November 23<sup>rd</sup>, 2009.

CLOUD SEEDING – POWER COUNTY: Following discussion, Commissioner Meadows agreed to contact Power County Weed Department Supervisor Curtis Munk to discuss the cloud seeding operation in Power County for the upcoming snow season.

U.S. CENSUS BUEARU – 2010 CENSUS: Commissioner Meadows reported that Power County’s Court Interpreter Jerry Cuevas has declined the offer to serve as Power County’s Complete Count Committee Chairman for the 2010 Census being conducted by the U. S. Census Bureau; however, Power County resident and American Falls School District #381 employee Elva Cardenas has received all of the materials and is willing to serve in that capacity. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to appoint Elva Cardenas to serve as Power County’s

Complete Count Committee Chairman for the 2010 Census being conducted by the U. S. Census Bureau. Carried.

POWER COUNTY CLERK – ANNUAL VEHICLE MILEAGE REPORT: Power County Clerk Christine Steinlicht presented the Commissioner with a copy of Power County's annual Vehicle & Equipment Mileage Report as of September 30<sup>th</sup>, 2009.

CRYSTAL SUMMIT PARKING LOT – IDAHO DEPARTMENT OF PARKS & RECREATION (GRANT): Commissioner Estep reported that the U.S. Forest Service is seeking grant funding through the Idaho Department of Parks & Recreation to enhance access at the Crystal Summit Parking Lot located in the Mink Creek area of Power County and is preparing the grant application, which will need to be signed and submitted as soon as possible. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to authorize the approval and execution of the U. S. Forest Service's Grant Application to the Idaho Department of Parks & Recreation for further access improvements at the Crystal Summit Parking immediately upon receipt. Carried.

CITY OF AMERICAN FALLS – JOINT MEETING: Commissioner Meadows reported that she attended the joint meeting of the Power County Commissioners and the American Falls City Council on Wednesday, October 19<sup>th</sup>, 2009. Commissioner Meadows reported that she and American Falls Mayor Amy Wynn will meet again to discuss the various agenda items.

POWER COUNTY PLANNING & ZONING – WIND TURBINES (ORDINANCE #2010-01): Power County Planning & Zoning Attorney Douglas J. Balfour appeared before the Commissioners to discuss the construction of wind turbines within Power County. Upon a recommendation from the Power County Planning & Zoning Board, and good cause appearing therefore, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute Power County Ordinance #2010-01 which provides specific and detailed performance standards to govern the citing, location and construction of commercial wind turbines in Power County. Carried. The Commissioners instructed Clerk Steinlicht to publish the "Summary of Ordinance" prepared by Attorney Balfour in the November 4<sup>th</sup>, 2009, edition of the Power County Press.

POWER COUNTY PLANNING & ZONING – SPECIAL USE PERMITS PROCEDURE (ORDINANCE #2010-02): Power County Planning & Zoning Attorney Douglas J. Balfour appeared before the Commissioners to discuss the procedure for the issuing of Special Use Permits by the Power County Planning & Zoning Commission. Upon a recommendation from the Power County Planning & Zoning Board, and good cause appearing therefore, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute Power County Ordinance #2010-02 amending Power County Code section 10-2-2I regarding the procedure for issuing Special Use Permits. Carried. The Commissioners instructed Clerk Steinlicht to publish

Ordinance #2010-02 prepared by Attorney Balfour in the November 4<sup>th</sup>, 2009, edition of the Power County Press.

POWER COUNTY PLANNING & ZONING – RESOLUTION #2010-02 (FEDERAL AND STATE AGENCIES COORDINATION MANDATE – 42 USC SECTION 1712):

Following discussion with Power County Planning & Zoning Attorney Douglas J. Balfour, and good cause appearing therefore, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and execute Power County Resolution #2010-02, which is a Resolution asserting entitlement to coordination mandated to federal agencies, and state agencies involved with federal agencies, in matters affecting Power County and to promote involvement with private and public entities. Carried.

POWER COUNTY SHERIFF – 506-508 GIFFORD (DUPLEX PROPERTY):

Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to allow the Power County Sheriff's Office to use one of the County's duplexes located at 506-508 Gifford as a victim interview room. Carried.

POWER COUNTY ADULT MISDEMEANOR PROBATION – LEASE AGREEMENT:

The Commissioners reviewed the proposed Lease Agreement between Power County and Nancy Cladis d/b/a Power County Misdemeanor Probation Services, to lease the County's building located at 528 Gifford in order to maintain adult misdemeanor probation services in Power County. Following discussion, the Commissioners agreed to refer the proposed Lease Agreement to Nancy Cladis for her review and approval and this matter was tabled until November 23<sup>rd</sup>, 2009.

IDAHO POWER – UTILITY TRANSMISSION CORRIDOR ORDINANCE #2009-04:

Mark Lupo of Idaho Power appeared before the Commissioners to review and discuss Power County Ordinance #2009-04, which is an Ordinance dealing with utility transmission corridors through Power County. Also present from Idaho Power were:

Pat Harrington  
Paul Hahn  
Vern Porter  
Dave Angel  
Kristy Pardue

At the outset, Power County Planning & Zoning Attorney Douglas J. Balfour suggested that Idaho Power give written notice of its concerns with said Ordinance to Power County Planning & Zoning Administrator Robert Steinlicht, who will then follow proper procedure to get these issues before the Power County Planning & Zoning Board. Following discussion, Mr. Harrington and Mr. Balfour agreed to meet and discuss these issues further prior to proceeding through the Power County Planning & Zoning Board.

EASTERN POWER COUNTY FIRE DISTRICT – WILDLAND FIRE INTERFACE

CODE: Power County Special Attorney Douglas J. Balfour appeared before the Commissioners to report that he and Power County Planning & Zoning Administrator

Robert Steinlicht will be meeting with the Eastern Power County Fire District Board and Richard Wolf of Three Rivers Resource, Conservation & Development (RC&D) to review the proposed Wildland Fire Interface Code, and the Commissioners agreed to table further consideration of this matter until November 9<sup>th</sup>, 2009.

JUNIOR COLLEGE – CERTIFICATES OF RESIDENCY: Moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and execute the Certificates of Residency submitted by the College of Southern Idaho. Carried.

POWER COUNTY FAIRGROUNDS – BUILDING USE AGREEMENT: The Commissioners reviewed the proposed Fairgrounds use Agreement prepared by Power County Prosecuting Attorney F. Randall Kline. Following discussion, the Commissioners agreed to provide copies of the proposed Agreement to the Power County Fairboard and table further consideration until November 23<sup>rd</sup>, 2009.

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

General Fund	\$ 33,714.36
Ambulance District	3,931.74
District Court	3,588.90
Justice Fund	29,304.26
Misdemeanor Probation/Drug Court	85.00
Enhanced 911 Services	202.07
Indigent Services	14,053.76
Junior College	6,800.00
Revaluation	3,540.00
Solid Waste	37,521.52
Weeds	395.17
Waterways	869.15
PILT	10,447.82

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 to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent. Upon a call for the question, the following roll call vote was taken:

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

Carried.

IDAHO DEPARTMENT OF JUVENILE CORRECTIONS – JUVENILE JUSTICE (ANNUAL FINANCIAL REPORT): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve the Idaho Department of Juvenile Corrections Annual Financial Report for the period October 1<sup>st</sup>, 2008, through September 30<sup>th</sup>, 2009, prepared by Power County Clerk Christine Steinlicht. Carried.

POWER COUNTY CLERK – COURT STATISTICAL INFORMATION: Power County Clerk of the District Court Christine Steinlicht appeared before the Commissioners to present statistical information for Power County District and Magistrate Court cases.

POWER COUNTY CLERK – QUARTERLY FINANCIAL REPORTS (I.C. #31-1611): Power County Clerk Christine Steinlicht appeared before the Commissioners pursuant to I.C. #31-1611 to present her quarterly financial reports for the period ending September 30<sup>th</sup>, 2009.

POWER COUNTY CLERK – COLLECTION OF COURT DEBT (I.C. #19-4708, #67-2358): Power County Clerk Christine Steinlicht and Power County Chief Deputy Clerk Linda Annen appeared before the Commissioners to report on the status of the Administrative Order signed by District Judge Peter D. McDermott on June 25<sup>th</sup>, 2009, authorizing the collection of Court debt as set forth in Idaho Code #19-4708 and #67-2358. Clerk Steinlicht reported that 256 delinquent accounts, totaling \$166,265.85 have been referred to Idaho Billing Services, Inc. d/b/a Advanced Collection Technology for collection.

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

POWER COUNTY INDIGENT SERVICES – ACCOUNTS RECEIVABLE: The Commissioners reviewed the Customer Balance Summary Report of receivables that are billed monthly through the Power County Clerk's Office to collect past due accounts for indigent medical services. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to write off the following accounts receivable as "uncollectible", including that pro-rated portion over \$10,000 payable to the Idaho Catastrophic Health Care Program, and to release any statutory indigent medical liens on the following cases:

Indigent Medical Case #2004-15-I -- \$ 1,513.16  
Indigent Medical Case #2004-21-I -- \$31,040.00  
Indigent Medical Case #1989-01-I -- \$ 5,117.00  
Indigent Medical Case #2003-25-I -- \$ 7,998.00

Carried.

POWER COUNTY CLERK/TREASURER – JOINT QUARTERLY REPORT (I.C. #31-2306): Power County Clerk Chris Steinlicht and Treasurer Bobbie Mauch appeared before the Commissioners pursuant to I.C. #31-2306 to present their Joint Quarterly Report for the period ending September 30<sup>th</sup>, 2009.

POWER COUNTY TREASURER – WARRANTS OF DISTRAINT: Power County Treasurer Bobbie Mauch and Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss the Warrants of Distraint pending on the following parcels:

#MHZ0049-06 -- \$208.14  
#MHZ0072-02 -- \$170.88

At the outset, Commissioner Meadows reported that City of American Falls had finalized its Court proceedings against the owner of the unlicensed trailer park where the personal parcels are situated, and it is no longer necessary to hold the Warrants of Distraint in abeyance. Following discussion, the Commissioners instructed Treasurer Mauch and Sheriff Jeffries to proceed with the Warrants of Distraint on the above personal property parcels.

POWER COUNTY TREASURER – MONTHLY REPORT (I.C. #31-2113): Power County Treasurer Bobbie Mauch appeared before the Commissioners pursuant to I.C. #31-2113 to present her Statement of Treasurer's Cash for the month ending September 30<sup>th</sup>, 2009.

POWER COUNTY TREASURER – ANNUAL REPORT (I.C. #31-2112): Power County Treasurer Bobbie Mauch appeared before the Commissioners pursuant to I.C. #31-2113 to present her annual report for Power County's fiscal year ending September 30<sup>th</sup>, 2009. Carried.

POWER COUNTY INVESTMENT COMMITTEE: The Board of Power County Commissioners and Power County Treasurer Bobbie Mauch then met as the Power County Investment Committee to discuss the options for investment into higher yielding Certificates of Deposit at local financial institutions. Following discussion, the Commissioners agreed to authorize Treasurer Mauch to research interest bearing opportunities at both regional and local financial institutions and to make the investments as agreed on October 5<sup>th</sup>, 2009, in a manner which would protect FDIC assurances.



POWER COUNTY TREASURER – BANK SERVICE FEES: Power County Treasurer Bobbie Mauch appeared before the Commissioners to report that the service charges and account closing costs assessed during the transitioning of accounts from U.S. Bank to the Bank of Commerce total \$5,766.76, and exceed the amount budgeted for service charges. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to pay \$3,000 from the Power County Treasurer's service charge budget, with the balance of \$2,766.76 to be paid from the General Fund's miscellaneous expenditures budget. Carried.

POWER COUNTY TRANSFER STATION/LANDFILL – ACCOUNTS RECEIVABLE: Power County Transfer Station/Landfill Supervisor Craig Heward appeared before the Commissioners to review the Power County Landfill's Customer Balance Summary of accounts receivable. Following discussion, the Commissioners instructed Mr. Heward to contact past due customers and request payment, and this matter was tabled until November 9<sup>th</sup>, 2009.

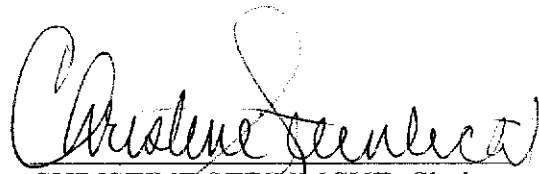
POWER COUNTY TRANSFER STATION/LANDFILL – SOLID WASTE DISPOSAL FEE (RESOLUTION #1999-07): Power County Transfer Station/Landfill Supervisor Craig Heward appeared before the Commissioners with Power County Treasurer Bobbie Mauch to review Power County Resolution #1999-07, which is a resolution establishing a fee schedule for the funding of Power County's solid waste disposal system. Following discussion, the Commissioners agreed that commercial rates may need to be reviewed to ensure that solid waste disposal fees are being calculated and assessed on current waste volume, and this matter was tabled until February 22<sup>nd</sup>, 2010.

POWER COUNTY TRANSFER STATION/LANDFILL – BUILDING REMODEL: Power County Transfer Station/Landfill supervisor Craig Heward appeared before the Commissioners to request that a small break/lunch room be constructed within the existing structure of the Power County Transfer Station to offer a dry, sanitary area for employees to take lunch and coffee breaks. Following discussion, the Commissioners instructed Mr. Heward to obtain quotes for the remodel and this matter was tabled until November 9<sup>th</sup>, 2009.

Adjourned.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk