

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, November 23rd, 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.

CHRISTMAS EVE COURTHOUSE CLOSURE: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to authorize closure of the Power County Courthouse and related offices on Thursday, December 24th, 2009, at 12:00 o'clock noon. Carried.

POWER COUNTY EMPLOYEES – CHRISTMAS RECOGNITION: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to give local merchant gift certificates of \$20.00 to Power County employees in lieu of a County Christmas party. Carried.

POWER COUNTY FAIRBOARD – BUILDING USE AGREEMENT: Commissioner Meadows reported that the Power County Fairboard is reviewing the amended Building Use Agreement prepared by Prosecuting Attorney Randy Kline; however, the Fairboard is considering other options and an amended agreement may not be necessary at this time. Following discussion, the Commissioners agreed to remove this matter as an agenda item until otherwise requested by the Power County Fairboard.

FORSGREN ASSOCIATES, INC. – U.S. DEPARTMENT OF ENERGY (EFFICIENCY AND CONSERVATION BLOCK GRANTS): Following discussion with Power County Extension Department supervisor Stan Gortsema, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to authorize Forsgren Associates, Inc., to develop an "Energy Strategy Plan" to pursue the U.S. Department of Energy's Energy Efficiency and Conservation Block Grant (EECBG) to enhance energy efficiency of the Community Building at the Power County Fairgrounds, and to designate \$10,000 from PILT Fairground Construction as matching funds. Carried. The Commissioners contacted Keven Shreeve at Forsgren Associates, Inc., to request that he proceed with the grant application and suggested that he contact Power County Building & Grounds supervisor Gary Thomsen if he needs information for the "Energy Strategy Plan".

POWER COUNTY ADULT MISDEMEANOR PROBATION – SERVICES AGREEMENT: At the request of Power County Prosecuting Attorney Randy Kline, the Commissioners agreed to table further consideration of this matter until December 14th, 2009.

POWER COUNTY ADULT MISDEMEANOR PROBATION – LEASE AGREEMENT: Power County Prosecuting Attorney Randy Kline presented the Commissioners with an updated proposed Lease Agreement between Power County and

Nancy Cladis d/b/a Ada Probation Services to lease the County's building located at 528 Gifford, American Falls. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and execute original Lease Agreement as presented. Carried. Clerk Steinlicht will send the original Lease Agreement to Nancy Cladis for her review and approval.

BRIAN HAYNES D/B/A AMERICAN AIR, LLC – COMMERCIAL AIRPORT HANGER LEASE (ASSIGNMENT): Power County Prosecuting Attorney Randy Kline reported that he has invited Brian Haynes d/b/a American Air, LLC, to appear before the Commissioners on Monday, December 14th, 2009, at 9:00 a.m. to discuss his Commercial Airport Hanger Lease, and this matter was tabled until that time.

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

CRYSTAL SUMMIT PARKING LOT – IDAHO DEPARTMENT OF PARKS & RECREATION (GRANT APPLICATION): Following discussion, the Commissioners agreed to write a letter to the Idaho Department of Parks & Recreation in support of Pocatello Pathfinder's grant application for maintenance of and enhanced access to the Crystal Summit Parking Lot and recreation area in the Mink Creek area of Power County. The original letter will be sent to Richard Maddox of Pocatello Pathfinders to accompany the grant application.

POWER COUNTY CODE BOOK – STERLING CODIFIERS, INC.: Power County Clerk Chris Steinlicht reported that Sterling Codifiers, Inc., is working on an update to Power County's Code book, and supplements should be available in Spring, 2010.

POWER COUNTY CLERK – FISCAL YEAR 2009 ANNUAL FINANCIAL REPORT (I.C. #31-2307): Power County Clerk Christine Steinlicht appeared before the Commissioners pursuant to I.C. #31-2307 to present a copy of the Clerk's Fiscal Year 2009 Annual Report. The Commissioners agreed that they would need additional time to review the report and this matter was tabled until December 14th, 2009.

POWER COUNTY DISASTER SERVICES – HOMELAND SECURITY GRANTS (2009 APPLICATION/QUARTERLY REPORTS): Ken Fagnet and Steve Hayward of the Idaho Department of Homeland Security appeared before the Commissioners to discuss the Homeland Security Grant Application for 2009. Mr. Hayward then presented the training and exercise requirements to maintain compliance with Homeland Security Grant conditions. Following discussion, the Commissioners agreed to table further consideration of the 2009 Homeland Security Grant Application and 2007/2008 Quarterly Reports until Wednesday, December 2nd, 2009, at 2:00 p.m.

POWER COUNTY DISASTER SERVICES – HOMELAND SECURITY GRANTS (POINT OF CONTACT): Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss the designation of a Point of Contact on Homeland Security

Grants. Following discussion, the Commissioners agreed to table further consideration of this matter until December 14th, 2009.

POWER COUNTY ELECTED OFFICIALS – 2010 LEGISLATIVE SESSION: The following Power County elected officials appeared for the Power County elected officials meeting:

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

Also present were the following:

Legislative District #27
Honorable Denton Darrington – Senator
Honorable Scott Bedke – Representative
Honorable Fred Wood – Representative

American Falls School District #381
Kay Jones – Assistant Superintendent
Randy Jensen – WTMS Principal

Power County Development Authority
Kent Rudeen – Chairman
Ben Strand – Board Member
Valorie Watkins – Administrative Assistant

City of American Falls
Amy Wynn – Mayor
Kristen Jensen – AF City Council Member

Power County Highway District
Wade Povey – Commissioner
Gilbert Hofmeister – Commissioner
Bob Wetzel – Commissioner
Steve Lusk – Arbon Supervisor
Don Haskins – American Falls Supervisor
James McLean – Rockland Supervisor
Gina Glascock – Clerk

Harms Memorial Hospital

Ann Wheeler – Foundation Member

American Falls Fire Department

Pete Williams – Fire Chief

Also present was former Power County Commissioner/American Falls Mayor/Idaho Senator Ralph “Moon” Wheeler.

The District #27 Legislators discussed the 2010 Legislative Session and budget issues pertinent to Power County.

POWER COUNTY BOARD OF EQUALIZATION (I.C. #63-501(2)): The Board of Power County Commissioners then met as the Power County Board of Equalization pursuant to I.C. #63-501(2). Also present was Power County Assessor Douglas Glascock. There being no business to come before the Board, it was moved by Commissioner Funk, seconded by Commissioner Estep, to approve the Power County Assessor’s Subsequent Property Roll as presented and recess the Power County Board of Equalization until January 25th, 2010. Carried.

REQUEST FOR PROPERTY TAX RELIEF: Tom King d/b/a Pinewick Investments appeared before the Commissioners to request tax relief on Power County Parcel #RPA1365-31 located on corner of Pocatello Avenue and Fairgrounds Road, City of American Falls, either through equalization of the assessed values or by cancellation of current taxes owing. The Commissioners advised Mr. King that the Power County Board of Equalization for 2009 tax valuations adjourned on July 13th, 2009, and suggested that he contact Power County Assessor Doug Glascock to discuss future assessments of his property and/or to obtain and complete a formal Application for Hardship Exemption for the Commissioners consideration.

ARBON DUMPSTER SITE – TAX CANCELLATION REQUEST: Clerk Steinlicht reported that Power County resident Barry Williams has requested that the \$60 solid waste disposal fees he is being assessed on Parcels #RPD2246-01 and #RPD2246-00 be cancelled annually in exchange for him allowing the Arbon dumpster site to be situated on his property free of charge. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to cancel the solid waste disposal fees on Power County Parcels #RPD2246-01 and #RPD2246-00. Carried.

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

Current Expense (General)	\$ 30,196.94
Ambulance District	4,866.16
District Court Fund	2,751.69
Justice Fund	9,674.66
Misdemeanor Probation/Drug Court	1,937.00
Enhanced 911	33.74

Indigent Services	9,773.64
Solid Waste	39.46
Weeds	56.61
PILT	3,454.19

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.

INDIGENT CASE #2010-09-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2009-09-I. Carried.

POWER COUNTY SHERIFF – COMMUNICATIONS: Power County Sheriff Jim Jeffries appeared before the Commissioners to report that the Table Mountain repeater project will not be completely funded through Homeland Security grants; however, he is investigating other grant opportunities and will be discussing cost sharing with other agencies in Power County and the surrounding area. The Commissioners and Sheriff Jeffries then discussed 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”, and agreed to remove this item from the agenda until otherwise requested by the Power County Sheriff.

POWER COUNTY SHERIFF – SHERIFF FEES: Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss his request 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 and Sheriff Jeffries agreed to address these issues during the fiscal year 2011 budget process.

POWER COUNTY SHERIFF – STATE JAIL STANDARDS (INSPECTION): Power County Sheriff Jim Jeffries appeared before the Commissioners to report that the Idaho Sheriff’s Association has completed its annual inspection of the Power County Jail and related facilities. Sheriff Jeffries reported that he will be attending the Idaho Sheriffs’ Association meeting the first week of December, 2009, to discuss jail standards for staffing; in the meantime, and given the current staffing issues at the Power County Jail, Sheriff Jeffries has assigned his administrative personnel to supplement jail staff during most shifts.

POWER COUNTY SHERIFF – IDAHO EMERGENCY COMMUNICATIONS COMMISSION (GRANT): Following discussion with Power County Sheriff Jim Jeffries, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve and execute ECC Grant Award Document #2010-0275-1 in the amount of \$130,000 to purchase emergency communications equipment. Carried.

POWER COUNTY PLANNING & ZONING – GATEWAY WEST TRANSMISSION LINE PROJECT (ORDINANCE #2010-03): Power County Planning & Zoning Attorney Douglas J. Balfour and Gateway West Citizens Task Force Chairman Wade Povey appeared before the Commissioners to discuss the Gateway West Transmission Project. Also present was Power County Planning & Zoning Administrator Robert Steinlicht. Upon recommendations from the Power County Planning & Zoning Board and the Gateway West Citizens Task Force, and good cause appearing therefore, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and adopt Power County Ordinance #2010-03, which is an ordinance concerning the Gateway West Transmission Project and establishes allowable routes through Power County. Carried. Pursuant to I.C. #31-715, the Commissioners instructed Clerk Steinlicht to publish the Summary of Ordinance #2010-03, which was prepared by Attorney Balfour, in the December 2nd, 2009, edition of the Power County Press.

POWER COUNTY PLANNING & ZONING – SHOSHONE BANNOCK TRIBES (IDAHO OPEN MEETINGS ACT COMPLAINT): The Commissioners and Power County Planning & Zoning Attorney Douglas J. Balfour reviewed the letter from EchoHawk Law Offices regarding Shoshone-Bannock Tribe's allegation that a number of Counties and Cities in Southeast Idaho have violated Idaho's Open Meetings Act by authorizing FMC to represent these entities as "interested parties" in FMC's comments to the Shoshone-Bannock Tribe's draft Sewage Disposal Ordinance, without proper public notice. Also present was Paul Yochum, a consultant for FMC Corporation. Following discussion, the Commissioners and Mr. Balfour agreed that each and every allegation of violation as it relates to Power County is erroneous, and the Commissioners instructed Mr. Balfour to prepare an appropriate written response. Following further discussion, the Commissioners agreed to participate in the "interested parties" meeting scheduled for Wednesday, December 16th, 2009, at 2:00 p.m. at Pocatello City Hall, Pocatello, Idaho.

POWER COUNTY TREASURER – INVESTMENT COMMITTEE: The Board of Power County Commissioners and Power County Treasurer Bobbie Mauch then met as the Power County Investment Committee. Also present from the American Falls Branch of Key Bank were Michael Bushman and Brandi Saiz, who presented a proposal for investment opportunities, which investment would be secured through a separate collateralization policy, paid for entirely by Key Bank, rather than FDCI assurances. Following discussion, the Power County Investment Committee agreed to authorize the Power County Treasurer to make the following investments:

Ireland Bank -- \$250,000 (6 months @ 1.3%)
Wells Fargo -- \$250,000 (18 months @ 1.55%)
Bank of Commerce -- \$250,000 (24 months @ 2.5%)

Carried.

POWER COUNTY TREASURER – WARRANTS OF DISTRAINT: Power County Treasurer Bobbie Mauch and Chief Deputy Treasurer Carol Whitnah appeared before the Commissioners to report on the status of the pending Warrants of Distraint. Chief Deputy Treasurer Whitnah reported that, following public auction with no interested buyers, Power County is the sole owner of Parcel #MHZ0096-00, which the Commissioners agreed has a zero value; accordingly, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to remove Parcel #MHZ0096-00 from Power County's property tax rolls and to cancel all property tax, penalty, interest and/or Sheriff fees owing on said parcel in the amount of \$443.88, and to donate the trailer to the American Falls Fire Department for controlled burn exercise. Carried. Treasurer Mauch then reported that Parcel #MHZ0337-05 has been destroyed by fire has a zero value; accordingly, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to withdraw the Warrant of Distraint and remove Parcel #MHZ0337-05 from Power County's property tax rolls and to cancel any property tax, penalty, interest and/or Sheriff fees on said parcel in the amount of \$85.82. Carried.


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 monthly Statement of Treasurer's Cash for the period ending October 31st, 2009.

POWER COUNTY TREASURER – INSUFFICIENT FUNDS CHECKS: Following discussion with Power County Treasurer Bobbie Mauch, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to write-off as uncollectible five "insufficient funds" checks, payable to Power County, in the total amount of \$135.00. Carried.

Adjourned.



VICKI MEADOWS, Chairman


CHRISTINE STEINLICHT, Clerk