

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in special session on Wednesday, December 2nd, 2009. Present were Commissioners Vicki Meadows, Chairman, and Ron Funk. Also present was Power County Clerk Christine Steinlicht.

POWER COUNTY DISASTER SERVICES – 2009 HOMELAND SECURITY GRANT APPLICATION: Ken Fagnet of the Idaho Bureau of Homeland Security appeared before the Commissioners with Power County Disaster Services Director Di Jones, Power County Sheriff Jim Jeffries, Chief Deputy Sheriff Jackie Morris and Deputy Sheriff Kevin Ostler. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute Idaho Bureau of Homeland Security Grant Application #2009-SS-T9-0014 in the amount of \$32,682.07 as presented. Carried.

POWER COUNTY DISASTER SERVICES – 2007/2008 HOMELAND SECURITY GRANTS (QUARTERLY FINANCIAL REPORTS): Power County Disaster Services Director Di Jones appeared before the Commissioners with Ken Fagnet of the Idaho Bureau of Homeland Security to present copies of the 2007 and 2008 Quarterly Financial Reports that were submitted on November 30th, 2009. Also present were Power County Sheriff Jim Jeffries, Chief Deputy Sheriff Jackie Morris and Deputy Sheriff Kevin Ostler. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to make written request to Colonel Bill Shawver, Director of the Idaho Bureau of Homeland Security, that \$7,000 of Power County's 2008 SHSP Grant funds be re-obligated from regional collaboration and training to communications equipment. Carried.

EXECUTIVE SESSION (I.C. #67-2345): Following discussion with Power County Planning & Zoning Attorney Douglas J. Balfour, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to move into executive session pursuant to I.C. #67-2345, to communicate with legal council 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 Funk – Aye


Carried.

POWER COUNTY PLANNING & ZONING – SHOSHONE BANNOCK TRIBES (IDAHO OPEN MEETING ACT COMPLAINT): Power County Planning & Zoning Attorney Douglas J. Balfour appeared before the Commissioners to discuss the written


complaint, prepared by EchoHawk Law Office, that Power County may have violated the Idaho Open Meeting Act. Also present were Alonzo Coby of the Fort Hall Business Council and Mark EchoHawk of EchoHawk Law Offices. Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Meadows, to table further consideration of this matter until Monday, December 14th, 2009, at 3:00 p.m. to allow Commissioner Estep to be present. Carried. Mr. EchoHawk then explained that the Shoshone-Bannock Tribes have no intention of seeking litigation against Power County on jurisdictional or open meeting issues; but rather seek the opportunity to appear and discuss issues at open public meetings.

POWER COUNTY PLANNING & ZONING - MOUNTAIN STATES TRANSMISSION INTERTIE (MSTI) - MEMORANDUM OF UNDERSTANDING (PARTICIPATION ADDENDUM): Power County Planning & Zoning Attorney Douglas J. Balfour appeared before the Commissioners to present a copy of the proposed Memorandum of Understanding between U.S. Department of Interior (Bureau of Land Management), U. S. Department of Agriculture (Forest Service), U.S. Department of Energy (Idaho Operations Office), Montana Department of Environmental Quality, Montana Department of Natural Resources and Conservation, the Office of the Idaho Governor and Northwest Energy for the preparation of an environmental impact statement for the Mountain States Transmission Intertie (MSTI) project. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to authorize Power County Planning & Zoning Attorney Douglas J. Balfour to execute the Participation Addendum to add Power County as a "cooperating agency" in the aforementioned Memorandum of Understanding and to appoint Attorney Balfour as Power County's Point of Contact. Carried.

Adjourned.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk