

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, January 25<sup>th</sup>, 2010. Present were Commissioner Vicki Meadows, Chairman, Ken Estep and Ron Funk. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney F. Randall Kline.

POWER COUNTY SHERIFF – IDAHO SHERIFF’S ASSOCIATION (2010 LEGISLATIVE SESSION): Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss draft legislation which would amend Idaho Code #67-104 and give the Tribes in the State of Idaho law enforcement powers over non-tribal citizens within the boundaries of the reservations. Also present via speaker telephone from the Idaho Counties Risk Management Program (ICRMP) was Mike Kane, who also serves as the legislative representative for the Idaho Sheriff’s Association. Mr. Kane reported that the Coeur d’Alene Tribe in Northern Idaho has requested the proposed legislation, which will be sponsored by the chairman of the House Judiciary Rules Committee Jim Clark. Following discussion, the Commissioners, Sheriff Jeffries and Prosecuting Attorney Kline agreed that Power County will vigorously oppose the proposed legislation and will encourage the Idaho Association of Counties (IAC), Idaho Sheriff’s Association (ISA) and the Idaho Prosecuting Attorney Association (IPAA) to immediately get involved in opposition as well.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Meadows, 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 SHERIFF – ADULT MISDEMEANOR PROBATION DEPARTMENT (BREATH TESTS): Power County Sheriff Jim Jeffries and Power County Magistrate Judge Paul Laggis appeared before the Commissioners to discuss breath tests conducted on adult misdemeanor probationers, both Court ordered and those performed at the discretion of adult misdemeanor probation officer Davey Burrell. Following discussion, Commissioner Funk agreed to arrange a meeting with Sheriff Jeffries and Probation Officer Burrell to work out an arrangement to get all adult

misdemeanor probationers tested on-site at the adult misdemeanor probation office or to provide the Power County Sheriff with the disposable mouth pieces required for each test.

POWER COUNTY PLANNING & ZONING BOARD: Moved by Commissioner Funk, seconded by Commissioner Meadows, to reappoint Jim Fitzgerald and Kevin Boyer each to serve an additional term of three (3) years on the Power County Planning & Zoning Board (January, 2013). Carried.

POWER COUNTY WATERWAYS BOARD: Moved by Commissioner Meadows, seconded by Commissioner Funk, to reappoint Larry Wright to serve an additional term of three (3) years on the Power County Waterways Board (January, 2013). Carried.

POWER COUNTY INDUSTRIAL DEVELOPMENT/URBAN RENEWAL BOARD: Moved by Commissioner Estep, seconded by Commissioner Meadows, to reappoint Dan Hammond to serve an additional term of three (3) years on the Power County Industrial Development/Urban Renewal Board (January, 2013). Carried.

POWER COUNTY WEB PAGE – COUNTY CODE: Power County Clerk Chris Steinlicht appeared before the Commissioners to report that the training sessions conducted by Rave Communications on January 17<sup>th</sup>, 2010, were successful and each office/department is reviewing their section of the website to make the required revisions. Clerk Steinlicht then presented the Commissioners with a proposal from Sterling Codifiers, Inc., to publish a link on the County's web page to Sterling Codifiers, Inc. and the Power County Code. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and accept the proposal submitted by Sterling Codifiers, Inc., in the amount of \$750 for the initial set up and then annual maintenance fees of \$500, which fees will ensure that the Power County Code is properly linked, kept up to date and continuously available to read or print from the Power County web page. Carried.

2010 LEGISLATIVE SESSION – PERSONAL PROPERTY TAX EXEMPTION (IDAHO ASSOCIATION OF COMMERCE & INDUSTRY): The Board of Power County Commissioners then met jointly with the Board of Caribou County Commissioners via telephone conference call to discuss the personal property tax exemption legislation being proposed by the Idaho Association of Commerce & Industry (IACI). Following discussion, the Power and Caribou County Commissioners agreed to discuss this issue further with the Idaho Association of Counties at the Mid-Winter Legislative Conference scheduled to begin February 1<sup>st</sup>, 2010.

POWER COUNTY PLANNING & ZONING – POWER COUNTY ORDINANCE #2010-04 (CONFINED ANIMAL FEEDING OPERATIONS): Power County Planning & Zoning Attorney Douglas J. Balfour appeared before the Commissioners to present a copy of proposed Power County Ordinance #2010-04, which is an Ordinance amending Chapter 21 of the Power County Code regarding the siting of new, or expansion of existing, CAFO's and has been recommended for passage by the Power County Planning

& Zoning Board. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to schedule public hearing on proposed Power County Ordinance #2010-04 for Monday, February 22<sup>nd</sup>, 2010, at 9:30 a.m. and to publish a summary of said ordinance, along with Notice of Public Hearing, in the February 10<sup>th</sup> and 17<sup>th</sup>, 2010, editions of the Power County Press. Carried.

POWER COUNTY PLANNING & ZONING – SHOSHONE BANNOCK TRIBES (LAND USE PLAN): Power County Planning & Zoning attorney Douglas J. Balfour appeared before the Commissioners to report that he is gathering additional information from the Shoshone-Bannock Tribes and the Bureau of Indian Affairs in preparation for further opposition by Power County to the proposed Land Use Plan. Mr. Balfour then reported that he had received no response from the Shoshone-Bannock Tribes or any of their representatives or attorneys to his written request for information dated December 17<sup>th</sup>, 2009.

POWER COUNTY PLANNING & ZONING – GATEWAY WEST TRANSMISSION LINES: Power County Planning & Zoning Attorney Douglas J. Balfour appeared before the Commissioners to report that he has been in contact with Cassia County's Attorney Brent Stoker, who has indicated that Cassia County's Gateway West Citizens Task Force is contemplating hiring an economist to investigate the economic impact to private land owners of the Gateway West Transmission line being placed as proposed. Mr. Balfour further reported that Power County's Gateway West Citizens Task Force has already gathered the economic impact information pertinent in Power County and has requested that the Bureau of Land Management include that economic information in its Environmental Impact Statement, which is being prepared by Tetra-Tech.

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

Current Expense	\$ 19,472.86
Ambulance District	4,277.16
Mosquito Abatement District	16,060.00
District Court	3,433.65
Justice Fund	4,244.09
Misdemeanor Probation/Drug Court	1,974.00
Enhanced 911 Services	180.67
Indigent Services	637.98
Revaluation	75.00
Solid Waste	1,393.65
Weeds	38.45
Waterways	60.30
PILT	99.44

POWER COUNTY BOARD OF EQUALIZATION (I.C. #63-501): The Board of Power County Commissioners then met as the Power County Board of Equalization pursuant to I.C. #63-501 to equalize the Power County Assessor's missed property roll (I.C. #63-301,

#63-311(2) and final occupancy roll (I.C. #63-317, #63-501(2)). At the outset, Power County Clerk Chris Steinlicht reported that no applications for equalization have been filed. There being no business to come before the Board, the Power County Board of Equalization recessed until February 22<sup>nd</sup>, 2010.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Meadows, 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 #2010-14-I: Moved by Commissioner Meadows, seconded by Commissioner Estep, to deny indigent medical application #2010-14-I, since applicant is not a resident of Power County as set forth in I.C. #31-3506(12), and since the application was processed as incomplete pursuant to I.C. #31-3505(A)(1). Carried.

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 as presented. Carried.

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 Report for the period ending December 31<sup>st</sup>, 2009.

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

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 Treasurers Cash for the period ending December 31<sup>st</sup>, 2009.

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.

POWER COUNTY AMBULANCE DISTRICT: Moved by Commissioner Estep, seconded by Commissioner Funk, to recess as Power County Board of Commissioners and reconvene as Power County Ambulance District Board. Carried.

AMBULANCE REPORT: Commissioner Estep reported that Power County Ambulance District Director is considering the need to install locking mechanisms on several of the interior doors within the Emergency Medical Services Building in order to more accurately track inventory, which gets moved or displaced. Following discussion, the Commissioners agreed that a joint meeting of the Power County Ambulance District, American Falls Fire Department and Power County Search & Rescue should be scheduled to discuss access needs within the EMS Building before any locks are installed.

Moved by Commissioner Estep, seconded by Commissioner Funk, to recess as Power County Ambulance District Board and reconvene as Power County Board of Commissioners. Carried.

Adjourned.

  
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VICKI MEADOWS, Chairman

  
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CHRISTINE STERNLICHT, Clerk