

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, March 8<sup>th</sup>, 2010. 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 Meadows, seconded by Commissioner Funk, to approve the Power County Commissioner Minutes for February 8<sup>th</sup> and 22<sup>nd</sup>, 2010, as presented.

POWER COUNTY LANDFILL – FINANCIAL ASSURANCE: The Commissioners reviewed the letter to the Idaho Department of Environmental Quality regarding financial self-insurance against landfill post-closure prepared by Power County Clerk Christine Steinlicht pursuant to I.C. #39-7417. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to approve and execute the written notice of financial self-insurance to the State of Idaho Department of Environmental Quality as presented. Carried.

2010 PRIMARY & GENEAL ELECTIONS – BALLOTS (I.C. #34-902): Pursuant to I.C. #34-902, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to authorize Power County Clerk Christine Steinlicht to purchase a suitable number of ballots for the 2010 Primary and General Elections to be held on Tuesday, May 25<sup>th</sup>, 2010, and Tuesday, November 2<sup>nd</sup>, 2010. Carried.

RAVE COMMUNICATIONS – POWER COUNTY WEBSITE: Following discussion, the Commissioners agreed that the proposal submitted on February 8<sup>th</sup>, 2010, by Michael Jones and Greg Gunter of Rave Communications to produce and distribute monthly e-mail newsletters to subscribers of the Power County Website is not a necessity at this time.

POWER COUNTY EXTENSION DEPARTMENT – UNIVERSITY OF IDAHO (RESTRUCTURING): The Commissioners reviewed the questionnaires developed by the University of Idaho Extension Director Charlotte Eberlien to gather local input as part of the University's state-wide extension prioritization process. Director Eberlien has reported that the information obtained through these questionnaires will be compiled and used to evaluate the future of various extension programs during this time of declining resources. The Commissioners agreed to complete and submit their respective questionnaires to the University of Idaho prior to the April 1<sup>st</sup>, 2010, deadline.

2010 LEGISLATIVE ISSUES – SULLIVAN & REBERGER (CONSULTATION AGREEMENT): The Commissioners reviewed the proposed Consulting Agreement submitted by Patrick J. Sullivan at Sullivan & Reberger for consultation services related to Idaho legislative issues pertinent to County governments. Following discussion with Bingham, Caribou and Bannock County Commissioners on February 23<sup>rd</sup>, 2010, the Board of Power County Commissioners agreed that further consultation services may not be beneficial during the balance of the 2010 Legislative Session; however, the various Counties will continue to keep open lines of communication with Sullivan & Reberger and may enter into a Consultation Agreement for 2011 legislative issues.

POWER/CASSIA REGIONAL SNOWMOBILE GROOMING BOARD: Commissioner Meadows reported that David Rupp, one of Power County's representatives to the Power/Cassia Regional Snowmobile Grooming Board, has recently resigned his position. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to appoint Adam Permann to serve as Power County's representative to the Power/Cassia Regional Snowmobile Grooming Board. Carried.

POWER COUNTY GUARDIANSHIP BOARD: Commissioner Funk reported that Power County Guardianship Board member Judy Wallace has resigned her position effective immediately. Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Meadows, to appoint Debbie Crompton to fill the vacant position on the Power County Guardianship Board (January, 2011) and to appoint Anita Moss and David Cox each to serve a term of two (2) years on the Power County Guardianship Board (January, 2012). Carried.

POWER COUNTY WEED BOARD: Moved by Commissioner Meadows, seconded by Commissioner Estep, to reappoint Jerry Kress and Don Haskins each to serve an additional term of two (2) years on the Power County Weed Board (January, 2012). Carried.

POWER COUNTY HIGHWAY DISTRICT – WHISPER MOUNTAIN PROFESSIONAL SERVICES, INC., (MAPPING/GIS): Rick Fossett and Derek Sharp of Whisper Mountain Professional Services, Inc., appeared before the Commissioners to discuss the GIS addressing system they are developing for Power County. Also present from the Power County Highway District were Don Haskins and Gary Aldous. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to authorize the Power County Highway District to access Power County's GIS data through Whisper Mountain, with the understanding that Power County and the Power County Highway District will negotiate a shared fee arrangement if access to the County's GIS data becomes over burdensome or excessive.

POWER COUNTY SHERIFF – WHISPER MOUNTAIN PROFESSIONAL SERVICES, INC. (COMMUNICATIONS): Rick Fossett and Derek Sharp of Whisper Mountain Professional Services, Inc., appeared before the Commissioners with Power County Sheriff Jim Jeffries and Deputy Sheriff Kevin Ostler to discuss upgrading the Table Mountain repeater site. Also present was Power County Disaster Services Director

Di Jones. Following discussion, the Commissioners agreed that since Homeland Security Grant funding is diminishing, Power County may need to seek alternative grant sources to fund the Table Mountain communication project, and authorized Whisper Mountain Professional Services, Inc., to develop a Table Mountain communication project plan that includes grant funding opportunities.

POWER COUNTY DISASTER SERVICES – WHISPER MOUNTAIN PROFESSIONAL SERVICES, INC. (ALL HAZARD MITIGATION PLAN): Rick Fossett and Derek Sharp of Whisper Mountain Professional Services, Inc., appeared before the Commissioners with Power County Disaster Services Director Di Jones to review the proposed All Hazard Mitigation Plan dated January 21<sup>st</sup>, 2010. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve the All Hazard Mitigation Plan as presented, with the understanding that Whisper Mountain Professional Services, Inc., will make the required corrections prior to the Plan being submitted to the Federal Emergency Management Agency (FEMA). Carried.

AMERICAN FALLS SCHOOL DISTRICT #381 – ADULT SPANISH GED CLASSES: Rudy Pena of American Falls School District #381 and Jason Meline of Latino Development Center appeared before the Commissioners to report on the Spanish GED program being conducted in Power County and to discuss the long term goals and objectives for funding.

MOUNTAIN STATES TRANSMISSION INTERTIE (MSTI) – UTILITY TRANSMISSION CORRIDORS: Power County Planning & Zoning Attorney Douglas J. Balfour appeared before the Commissioner by speaker telephone to report on the utility transmission corridors being proposed through Power County. Also present was Jeremy Field, Regional Director for Senator James E. Risch. Mr. Balfour reported that he has been advised by the Bureau of Land Management that the only MSTI route through Power County that will be studied is the western Pleasant Valley route, which is contrary to the Memorandum of Understanding and Power County's Participation Addendum dated December 2<sup>nd</sup>, 2009, which specifically requires that all proposed routes be studied. Following discussion, the Commissioner instructed Attorney Balfour to schedule a meeting within the next thirty (30) days for the Gateway West Citizens Task Force, the effected landowners and the Idaho Congressional Delegation to discuss the breach of the Memorandum of Understanding and to develop a strategy to submit objections to the proposed Environmental Impact Statement. The Commissioners agreed to table further discussion of this matter until March 22<sup>nd</sup>, 2010.

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 BILLING – WRITE-OFF POLICY: Power County Ambulance District Director Di Jones appeared before the Commissioners to discuss a policy for writing off ambulance billings for Power County EMTs or employees. Following discussion with

Power County Prosecuting Attorney Randy Kline and Power County Clerk Christine Steinlicht, the Commissioners agreed that all employee benefits should be strictly defined by the Power County Personnel Manual and reported to the Internal Revenue Service when appropriate, and invited Ms. Jones to make a written proposal to expand employee benefits to include ambulance service if she wishes.

AMBULANCE – INVENTORY: Commissioner Estep reported that he had discussed Power County Ambulance District Director Di Jones' request to install locking mechanisms on several interior doors within the Emergency Medical Services Building in order to more accurately track inventory with the American Falls Rural Fire District and the Power County Search & Rescue, and that a consensus has been reached on which interior doors should remain locked.

AMBULANCE – EMERGENCY MEDICAL SERVICES BUILDING (JANITORIAL): Commissioner Estep reported that he had discussed the misunderstandings regarding janitorial services at the EMS building with the American Falls Fire District and the Power County Search & Rescue, and that a consensus has been reached on a rotation for janitorial duties.

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.

NATIONWIDE RETIREMENT SOLUTIONS (EMPLOYEE RETIREMENT PLAN) – POWER COUNTY RESOLUTION #2010-05: Following discussion with Power County Prosecuting Attorney Randy Kline, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute Power County Resolution #2010-05, which is a Resolution to adopt the State of Idaho's Plan for Deferred Compensation as provided in I.C. #59-513. Carried.

POWER COUNTY TREASURER – VACANCY IN OFFICE (I.C. #59-906): Power County Treasurer Bobbie Mauch appeared before the Commissioners to discuss her letter of resignation dated March 1<sup>st</sup>, 2010, which will create a vacancy in that office effective April 1<sup>st</sup>, 2010. Also present was Power County Republican Central Committee Chairman Ron Miller and Republican State Committeeman Moon Wheeler, who offered and ranked the following individuals for the Commissioners consideration in filling the vacancy:

Deanna Curry – Republican Central Committee's 1<sup>st</sup> Choice  
Carol Whitnah – Republican Central Committee's 2<sup>nd</sup> Choice  
Teri Kendall – Republican Central Committee's 3<sup>rd</sup> Choice

Following a review of I.C. #59-906, it was moved by Commissioner Estep, seconded by Commissioner Funk, to appoint Deanna Curry to serve as Power County Treasurer beginning April 1<sup>st</sup>, 2010, until a duly elected Treasurer received the Oath of Office on January 10<sup>th</sup>, 2011. Carried.

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

Current Expense Fund	\$ 15,763.17
Ambulance District	1,011.55
Mosquito Abatement District	16,060.00
District Court	6,304.98
Justice Fund	18,895.79
Misdemeanor Probation/Drug Court	3,278.48
Enhanced 911 Services	957.18
Indigent Services	1,579.82
Revaluation	4,475.00
Solid Waste	15,385.00
Weeds	105.60
Waterways	19,499.34
PILT	1,443.05

LANCE FUNK D/B/A PLEASANT VALLEY AVIATION – AIRPORT LEASE: Following discussion, the Commissioners and Power County Prosecuting Attorney Randy Kline agreed to table further consideration of this matter until March 22<sup>nd</sup>, 2010.

DAVE SAVAGE D/B/A SAVAGE AIR – AIRPORT LEASES: Following discussion, the Commissioners and Power County Prosecuting Attorney Randy Kline agreed to table further consideration of this matter until March 22<sup>nd</sup>, 2010.

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

POWER COUNTY INDUSTRIAL DEVELOPMENT BOARD – FMC POLLUTION CONTROL BONDS (IRS AUDIT): Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute the Closing Agreement between Power County Industrial Development Corporation, FMC Corporation and the Internal Revenue Service regarding the IRS audit of the tax exempt bonds issued to FMC Corporation in 2001 in the amount of \$20 million. Carried. The original Closing Agreement will be returned to FMC Tax Attorney Peter G. Bakas.

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 #2009-23-I: Following hearing on the appeal of Power County's initial determination in Indigent Case #2009-23-I and upon stipulation of the parties, it was moved by Commissioner Estep, seconded by Commissioner Funk, to continue the appeal hearing until April 26<sup>th</sup>, 2010, at 2:30 p.m., to allow third party applicant and patient to furnish the required additional information. Carried.

POWER COUNTY SHERIFF – VERIZON WIRELESS (CELLULAR TELEPHONE ACCOUNT): Power County Sheriff Jim Jeffries appeared before the Commissioners with Deputy Sheriff Kevin Ostler to review the proposed changes to the Sheriff's touch-to-talk account through Verizon Wireless. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to approve and execute as presented the Government Entity Authorized User Agreement between Power County and Verizon Wireless on the Power County Sheriff's touch-to-talk account #0665778242-00001. Carried.

POWER COUNTY SHERIFF – INMATE COMMISSARY (CORRECTIONS CONNECTIONS ACCOUNT): Power County Sheriff Jim Jeffries and Deputy Sheriff Kevin Ostler appeared before the Commissioners to discuss the Power County Sheriff's inmate commissary account. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute as presented the Independent Contractor Agreement for Commissary Services to the Power County Sheriff's Office with Correction Connections of Idaho. Carried.

POWER COUNTY SHERIFF – ENHANCED 911 SERVICE (QWEST AGREEMENT): Following discussion with Power County Sheriff Jim Jeffries and Deputy Sheriff Kevin Ostler, it was moved by Commissioner Funk, seconded by Commissioner Estep, to approve and execute as presented the Wireless Enhanced 911 Service Agreement between Power County and Qwest Corporation. Carried.

POWER COUNTY TREASURER – DELINQUENT REAL PROPERTY TAXES: Power County Treasurer Bobbie Mauch and Chief Deputy Treasurer Carol Whitnah appeared before the Commissioners to review delinquent real property taxes owing, but which have not exceeded the three (3) year statutory limit for tax deeding. Following discussion, the Commissioners agreed to table further discussion of this matter until March 22<sup>nd</sup>, 2010, at 4:00 p.m.

Adjourned

  
VICKI MEADOWS, Chairman

  
CHRISTINE STEINLICHT, Clerk