

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, November 22<sup>nd</sup>, 2010. Present were Commissioners Vicki Meadows, Chairman, Ken Estep and Ron Funk. Also present were Power County Clerk Christine Steinlicht, Power County Prosecuting Attorney F. Randall Kline and Commissioner-Elect Delane Anderson.

COMMISSIONER AGENDA (I.C. #67-2343): Following a review of I.C. #67-2343, and good cause appearing therefore, it was moved by Commissioner Estep, seconded by Commissioner Funk, to amend the November 22<sup>nd</sup>, 2010, Commissioner Agenda to include the following items:

City of Pocatello – Pocatello Regional Airport (Economic Development)  
County Board Appointment – Power County Planning & Zoning Board  
Power County Ambulance District – Status Report

Carried.

CITY OF POCATELLO – POCATELLO REGIONAL AIRPORT (ECONOMIC DEVELOPMENT): Commissioner Estep reported that he and Commissioner Funk attended a meeting sponsored by the City of Pocatello at the Pocatello Regional Airport on Wednesday, November 17<sup>th</sup>, 2010, at 2:00 p.m. to discuss economic development opportunities within the common boundaries of Power County and the City of Pocatello.

POWER COUNTY PLANNING & ZONING BOARD: Moved by Commissioner Funk, seconded by Commissioner Estep, to reappoint Lynn Andersen and Edith Kopp each to serve an additional term of three (3) years on the Power County Planning & Zoning Board (January, 2014). Carried.

CASSIA/MINIDOKA/POWER SNOWMOBILE ADVISORY BOARD: The Commissioners reviewed the proposed amendments to Chapter 4 of the Cassia County Code, which establishes a three-county snowmobile advisory board a/k/a Cassia/Minidoka/Power Snowmobile Advisory Board. Following discussion, Commissioner Meadows agreed to review the proposed amendments further with Power County's representatives to the Snowmobile Advisory Board, Adam Permann and Randy Moffit, and then make appropriate written response to the Board of Cassia County Commissioners and this matter was tabled until December 6<sup>th</sup>, 2010.

PAPS MOUNTAIN REPEATER SITE – ACCESS & EASEMENT AGREEMENT (LYNN SCHERER AND MARK SCHERER): Following discussion, the Commissioners instructed Prosecuting Attorney Randy Kline to obtain all required signatures to the Access & Easement Agreement between Power County and Lynn

Scherer and Mark Scherer prior to November 29<sup>th</sup>, 2010, at 1:00 p.m. and this matter was tabled until that time.

POWER COUNTY DISTRICT COURT – MENTAL HEALTH PROTECTIVE HOLDS: Power County Prosecuting Attorney Randy Kline appeared before the Commissioners to report that Joyce E. Carson, LCPC, has agreed to amend her proposed Contract with Power County to address the Commissioners' concerns and this matter was tabled until December 13<sup>th</sup>, 2010.

POWER COUNTY TRANSFER STATION/LANDFILL – CASCADE EARTH SCIENCES (ENVIRONMENTAL PROTECTION AGENCY): Commissioner Estep reported that George Spinner of Cascade Earth Sciences will be scheduling an appointment with the Board to review CES's quote to assist Power County with any and all testing and reporting required by the EPA for the possible emission of noxious contaminants at the Power County Landfill; accordingly, this matter was tabled until December 13<sup>th</sup>, 2010.

SOUTHEASTERN DISTRICT HEALTH DEPARTMENT – QUARTERLY REPORT: Sandy Sorrell of the Southeastern Idaho District Health Department appeared before the Commissioners to present the District's Quarterly Report for Power County for the period ending September 30<sup>th</sup>, 2010.

DEATON & COMPANY – FISCAL YEAR 2010 AUDIT (I.C. #31-1701): Charles Clark and Brandi Young of Deaton & Company, Chartered, appeared before the Commissioners with Power County Clerk Christine Steinlicht to discuss Power County's 2010 Fiscal Year audit, which will be prepared and completed pursuant to I.C. #31-1701.

DEATON & COMPANY – FISCAL YEAR 2011 BUDGET: Charles Clark and Brandi Young of Deaton & Company, Chartered, appeared before the Commissioners with Power County Clerk Christine Steinlicht to discuss governmental accounting standards for fiscal year 2011. Following discussion, the Commissioners agreed that a resolution should be adopted to designate fiscal year 2011 contingency accounts in order to comply with new governmental accounting standards and this matter was tabled January 10<sup>th</sup>, 2011.

POWER COUNTY COMMUNICATIONS – TABLE MOUNTAIN REPEATER SITE: The Commissioners reviewed the quote from Clark Wireless in the amount of \$349,000 for the Table Mountain repeater site project which, except for site preparation and power, would fully complete the project. At the outset, Commissioner Estep reported that he had been in contact with the Idaho Bureau of Disaster Services, the Idaho Department of Transportation, the Power County Highway District, Clark Wireless, Direct Communications, Idaho Power and effected landowners to discuss this project; however, he has been unable to make contact with the appropriate representative of for the Idaho State Police. Commissioner Estep further reported that, although all parties are fully prepared to proceed, an environmental impact statement will be required by the Bureau of Land Management for ingress and egress of the repeater site through BLM property,

which may delay the project. Following discussion, Commissioner Estep agreed to submit the on-line "Application for Permit" to the Bureau of Land Management and this matter was tabled until December 13<sup>th</sup>, 2010.

POWER COUNTY TREASURER – MONTHLY REPORT (I.C. #31-2113): Power County Treasurer Deanna Curry appeared before the Commissioners to present her Statement of Treasurer's Cash for the period ending October 31<sup>st</sup>, 2010.

POWER COUNTY INVESTMENT COMMITTEE: Power County Treasurer Deanna Curry and the Board of Commissioners then met as the Power County Investment Committee pursuant to Power County Resolution #2007-02, to review Power County's Certificate of Deposit with Ireland Bank in the amount of \$250,000, which matures on December 2<sup>nd</sup>, 2010. Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Funk, to renew the Certificate of Deposit with Ireland Bank for an additional twelve (12) months. Carried.

POWER COUNTY TREASURER – PUBLIC AUCTION (TAX DEEDS): The Board of Commissioners then attended the public auction conducted by Power County Treasurer Deanna Curry on the following parcels:

Parcel #RPA0297-02 (Tax Bill #1338)  
485 Oregon Trail – Lot 24, 25, Block 60, A.F. Original  
Minimum Bid: \$4,729.26  
Purchase Price: \$5,500.00  
Purchaser: Investco Property Management, LLC

Parcel #RPC0259-00 (Tax Bill #10738)  
2474 Shannon Drive – Lot 3, Block 2, Sunbeam Creek Estates West  
Minimum Bid: \$1,446.82  
Purchase Price: \$2,400.00  
Purchaser: Marvin K. & Georgia Hatt

Parcel #RPD0349-00 (Tax Bill #11577)  
Section 22, Township 6 South, Range 33 EBM, T-56  
Minimum Bid: \$2,230.58  
Purchase Price: \$ -0-  
Purchaser: NONE

Following public auction, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to approve, execute and record the appropriate Warranty Deeds transferring ownership of Power County Parcels #RPA0297-02 and #RPC0259-00. Carried. Following further discussion, Treasurer Curry agreed to review Power County's options with regard to Parcel #RPD0349-00 and this matter was tabled until December 27<sup>th</sup>, 2010.

POWER COUNTY TREASURER – WARRANTS OF DISTRAINT: Power County Treasurer Deanna Curry appeared before the Commissioners to discuss the Warrants of Distraint pending on the following personal property tax parcels:

#MHZ0332-06 -- \$123.85  
#MHZ0112-01 -- \$ 84.59

Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep to approve the Warrants of Distraint as presented. Carried. Treasurer Curry then reported that Sheriff's Sale on the above Warrants has been scheduled for November 23<sup>rd</sup>, 2010, at 10:00 a.m.

POWER COUNTY DISASTER SERVICES – HOMELAND SECURITY GRANTS (QUARTERLY REPORTS): Power County Disaster Services Director Di Jones appeared before the Commissioners to review the following Homeland Security quarterly grant reports:

- 2007 HSGP Financial Status Report
- 2008 HSGP Financial Status Report
- 2009 HSGP Financial Status Report
- 2010 EMPG Financial Status Report

Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to approve the reports as presented. 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 – STATUS REPORT: Power County Ambulance District Director Di Jones appeared before the Commissioners to report on status of current, available EMT's and recent Ambulance runs. Ms. Jones then reported that the annual Ambulance District Christmas party has been scheduled for Friday, December 10<sup>th</sup>, 2010, at 5:00 p.m. at the Power County EMS Building.

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

U.S. DEPARTMENT OF ENERGY (EFFICIENCY AND CONSERVATION BLOCK GRANT): Power County Clerk Chris Steinlicht appeared before the Commissioners to report that Power County's EECEBG grant projects have been fully approved and certified by the following agencies:

U. S. Department of Labor  
Idaho Office of Energy

Idaho State Historical Society

Clerk Steinlicht further reported that construction on the EECBG project commenced on November 18<sup>th</sup>, 2010, and that she and Gary Ferguson of BGM Builders will continue to work together to ensure that all wage and financial reports are submitted to the Idaho Office of Energy as required.

POWER COUNTY EMPLOYEES – CHRISTMAS RECOGNITION: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to give a monetary gift of \$20.00 to each Power County employee in lieu of a County Christmas party. Carried.

IDAHO COUNTIES RISK MANAGEMENT PROGRAM (ICRMP) – BOARD OF TRUSTEES ELECTION: Following discussion, it was moved by Commissioner Estep, seconded by Commissioner Meadows, to vote for Bannock County Commissioner Karl Anderson to serve as District V Representative on the ICRMP Board of Trustees. Carried.

POWER COUNTY EMPLOYEE MEDICAL BENEFIT PLAN – GEM PLAN: Moved by Commissioner Meadows, seconded by Commissioner Estep, to nominate Power County Commissioner Ron Funk to serve as District V representative to the Gem Plan Board of Trustees. Carried. Commissioner Estep will advise the Gem Plan Board of Power County's nomination.

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.

TAX CANCELLATION REQUEST – ARBON DUMPSTER SITE (I.C. #63-1302): The Commissioners reviewed Barry Williams' request that the \$60 solid waste disposal fees 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 Meadows, to cancel the solid waste disposal fees on Power County Parcels #RPD2246-01 and #RPD2246-00 in the total amount of \$120. Carried.

HARDSHIP EXEMPTION APPLICATION (I.C. #63-711): Power County Deputy Assessor Becky Smith appeared before the Commissioners with applicant to review the Hardship Exemption Application on Power County Parcel #RPA0610-00. Upon a review of the testimony and evidence present, it was moved by Commissioner Meadows, seconded by Commissioner Estep, to cancel \$560 of 2010 property taxes owing on Power County Parcel #RPA0610-00, which is the amount that would have been exempted under a qualifying circuit breaker application, leaving a balance owing of \$198.90. Carried.

There being no further business to come before the Board, the Power County Board of Equalization recessed until December 27<sup>th</sup>, 2010.

POWER COUNTY AIRPORT (GRANT AGREEMENT) – RESOLUTION #2010-18: Moved by Commissioner Funk, seconded by Commissioner Meadows, to approve and execute Power County Resolution #2010-18 and accompanying Grant Agreement accepting the Idaho Department of Transportation, Division of Aeronautics, grant in the amount of \$19,500, to be used under the Idaho Airport Aid Program Project #SP-04134.A-12 for crack seal and maintenance of the Power County Airport and runways. Carried.

POWER COUNTY UTILITY TRANSMISSION CORRIDOR – BORAH SUBSTATION: Commissioner Funk reported that he had been contacted by the Power County Citizens Task Force, whose members are concerned that the Borah Substation in Power County is being considered for upgrade and maybe become the major substation in the Pacific Northwest. Following discussion, the Commissioners agreed to monitor all future expansion plans at Power County's Borah substation.

POWER COUNTY UTILITY TRANSMISSION CORRIDOR – POWER/CASSIA CITIZENS TASK FORCE (LEGISLATION): Commissioner Funk reported that he had been contacted by the Power County Citizens Task Force, whose members have questioned the extent of Power County's involvement in any proposed legislation affecting the citing or regulation of utility transmission corridors. Following discussion, the Commissioners agreed that the Power and/or Cassia County Citizens Tasks Forces should work through the Legislative District #27 Representatives regarding any proposed legislation and that Power County could support or assist only after the proposed legislation has been drafted, introduced and referred to the appropriate legislative committee for discussion or consideration.

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

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|----------------------------------|--------------|
| Current Expense                  | \$ 16,873.86 |
| Ambulance District               | 8,636.01     |
| District Court                   | 5,038.95     |
| Justice Fund                     | 11,087.47    |
| Misdemeanor Probation/Drug Court | 2,277.71     |
| Enhanced 911 Services            | 152.90       |
| Elections                        | 2,226.04     |
| Indigent                         | 706.83       |
| Solid Waste                      | 406.43       |
| Weeds                            | 4,861.01     |
| Waterways                        | 17.92        |
| PILT                             | 4,536.34     |

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 records that are exempt from disclosure under Chapter 3, Title 9, Idaho Code,

specifically indigent medical applications, with the understanding that Commissioner-Elect Anderson shall remain present during the session. 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 #2011-03-I: Moved by Commissioner Meadows, seconded by Commissioner Estep, to approve Indigent Case #2011-03-I. Carried.

INDIGENT CASE #2011-04-I: Moved by Commissioner Meadows, seconded by Commissioner Estep, to approve Indigent Case #2011-04-I. Carried.


INDIGENT CASE #2009-23-I: Moved by Commissioner Estep, seconded by Commissioner Meadows, to accept the offer of settlement presented by applicant and to release the statutory indigent medical lien on file in Case #2009-23-I immediately upon receipt of the \$11,000 settlement payment, which will then be distributed between Power County and the Idaho Catastrophic Health Care Program on the previously pro-rated basis. Carried.

POWER COUNTY SHERIFF – MARINE PATROL GRANT (IDAHO DEPARTMENT OF PARKS & RECREATION): Power County Sheriff Jim Jeffries and Deputy Sheriff Pete Williams appeared before the Commissioners to review Power County's Waterways/Vessel Account and to discuss how those funds should be allocated between the Power County Waterways Board and the Power County Sheriff's Marine Patrol program. Also present was Ed Lyon from the Idaho Department of Parks & Recreation, who agreed to follow up directly with the Idaho Department of Parks & Recreation regarding several areas of concern to the Board of Commissioners, including the State of Idaho's apparent delay in getting boat and registration fees distributed to Power County. The Commissioners then contacted the Board of Bannock County Commissioners by telephone to inquire into Bannock County Waterway's recent contribution to the Power County Sheriff in the amount of \$7,833 to purchase an additional jet-ski, rather than allocating those funds to Power County to be apportioned and disbursed by the Board of Commissioners through the regular budget process as has been done in the past. Following discussion, Commissioners agreed to table further consideration of this matter until November 29<sup>th</sup>, 2010, at 2:00 p.m.

LANCE FUNK D/B/A PLEASANT VALLEY AVIATION – DELINQUENT PROPERTY TAXES: Lance Funk and Mike McDonald of Pleasant Valley Aviation appeared before the Commissioners to discuss the delinquent taxes owing on Power County Parcel #RPD0872-15. Also present was Power County Treasurer Deanna Curry. At the outset, Mr. Funk questioned his obligation to pay the 2009 property taxes owing on the leased property; since he has not formally purchased the property which is the

subject of the delinquent property taxes. Following discussion with Power County Prosecuting Attorney Randy Kline, the Commissioners agreed that the previous owner, Brian Haynes d/b/a American Air, LLC, has represented to the Board of Power County Commissioners on several occasions that he had released all right, title and interest to the property through a private purchase transaction with Mr. Funk; otherwise, the current Lease Agreement between Power County and Pleasant Valley Aviation would not have been approved or executed by the Board of Commissioners or recorded to substitute Pleasant Valley Aviation as obligor for the property taxes. Following discussion, the Commissioners agreed to review the options to resolve the dispute and this matter was tabled until December 13<sup>th</sup>, 2010.

Adjourned.

  
VICKI MEADOWS, Chairman

  
CHRISTINE STEINLICHT, Clerk