

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, February 28th, 2011. Present were Commissioners Vicki Meadows, Chairman, and Delane Anderson. Commissioner Ron Funk appeared via speaker telephone. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney F. Randall Kline.

COMMISSIONER AGENDA (I.C. #67-2343): Following a review of I.C. #67-2343, and good cause appearing therefore, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to amend the February 28th, 2011, Commissioner Agenda to include the following items:

Fort Hall Indian Reservation/Shoshone-Bannock Tribes – Jurisdictional Issues
(House Bill 111)

Power County Communications – Table Mountain Repeater Site
Power County Juvenile Probation – JABG Program (Parent Project)

Carried.

FORT HALL INDIAN RESERVATION/SHOSHONE-BANNOCK TRIBES – JURISDICTION ISSUES (HOUSE BILL 111): Power County Prosecuting Attorney Randy Kline appeared before the Commissioners to discuss H0111, which would amend existing law relating to peace officers and provide for enforcement of State law by law enforcement officers of Federally recognized Indian Tribes. Prosecuting Attorney Kline reported that, although HB0111 was defeated by the Idaho House on a 34-35 vote, the bill may reappear during the 2011 Legislative Session. Following discussion, the Commissioners and Prosecuting Attorney Kline agreed to monitor H0111 and may refer this matter to Pat Sullivan at Reberger & Sullivan to assist Power County with strategic opposition planning if the bill reappears.

POWER COUNTY COMMUNICATIONS – TABLE MOUNTAIN REPEATER SITE: Power County Prosecuting Attorney Randy Kline appeared before the Commissioners to report that he had reviewed the proposed Access Agreement & Easements for ingress and egress to the proposed Table Mountain Repeater site with landowners Brad and Lisa Ralphs, following which it was agreed that provision 3(A)(1) of the agreement should be amended to allow a width of twenty-five (25) feet rather than sixty (60) feet. Following discussion, the Commissioners agreed to table further consideration of this matter until later this Spring when weather conditions improve.

POWER COUNTY JUVENILE PROBATION – JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM (PARENT PROJECT): Following discussion with Power County Juvenile Probation office supervisor Connie Shepherd, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute

the Juvenile Accountability Block Grant Program's "Intent To Use Allocation" to operate a Parent Project program in Power County during Fiscal Year 2012 in the amount of \$5,700, which requires matching funds of \$633. Carried.

EXECUTIVE SESSION (I.C. #67-2345): Following discussion with Power County Prosecuting Attorney Randy Kline, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, 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 wards under the supervision of the Power County Guardianship Board. Upon a call for the question, the following roll call vote was taken:

Commissioner Meadows – Aye
Commissioner Funk – Aye
Commissioner Anderson – Aye

Carried.

POWER COUNTY PROSECUTING ATTORNEY/COMMISSIONERS – SETTLEMENT AGREEMENT (MEDIATION): Power County Prosecuting Attorney Randy Kline appeared before the Commissioners to review, in detail, the provisions of the Settlement Agreement executed by the parties following mediation on January 24th, 2011. Following discussion, the Commissioners agreed that a Resolution should be adopted authorizing the Power County Auditor Chris Steinlicht to open Power County's fiscal year 2011 budget to satisfy the budgetary provisions of said Settlement Agreement. Following further discussion, the Commissioner and Prosecuting Attorney Kline agreed to table further discussion of this matter until March 14th, 2011.

ONEIDA COUNTY – HIGHWAY #37 REBUILD ("THE NARROWS"): Commissioner Meadows and Commissioner Anderson reported that they had attended the public meeting hosted by Oneida County on Tuesday, February 15th, 2011, at the Rockland School to gain public input regarding the feasibility of highway improvements to that portion of Highway 37 commonly referred to as the narrows. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to issue a letter to the Oneida County Commissioners supporting the relocation and rebuilding of "the Narrows" portion of Highway 37. Carried.

PAYMENT IN LIEU OF TAXES (PILT) – FEDERAL FUNDING: The Commissioners then reviewed the notice from Ryan Yates of the National Association of Counties (NACO) that an amendment to Continuing Resolution (H.R. 1) has been offered that would cut federal PILT funding by 75% for fiscal years 2011 and 2012. Following discussion, the Commissioners agreed that, although the amendment was ultimately rejected by the U.S. House of Representatives, future PILT funding may be drastically reduced or even eliminated.

POWER COUNTY TRANSFER STATION/LANDFILL – CASCADE EARTH SCIENCE (CES): The Commissioners then discussed Cascade Earth Science's assessment of Power County's storm water control measures at the Power County Transfer Station/Landfill, which assessment was conducted to determine if existing practices are adequate. At the outset, Commissioner Anderson reported that CES has agreed that current practices are adequate; however, they would like Power County to voluntarily expand ground water and soil monitoring to include greenhouse gases. Commissioner Anderson further reported that the Idaho Department of Environmental Quality (DEQ) has scheduled groundwater and soil contamination monitoring training sessions in Boise on March 17th, 2011, and following discussion, the Commissioners agreed that Power County Transfer Station/Landfill Supervisor Craig Heward should attend those meetings to discuss Power County's legal responsibilities for monitoring.

POWER COUNTY JAIL – IDAHO JAIL STANDARDS (JAIL MODIFICATIONS): Power County Sheriff Jim Jeffries appeared before the Commissioners by telephone to discuss the Idaho Sheriff Association's on-going negotiations regarding modifications to Idaho Jail Standards. Following discussion, the Commissioners agreed to table further consideration of this matter until March 14th, 2011.

FISCAL YEAR 2012 BUDGET – PUBLIC HEARING (I.C. #63-802(A)): Pursuant to I.C. #63-802(A), it was moved by Commissioner Meadows, seconded by Commissioner Funk, to schedule Power County's fiscal year 2012 public budget hearing for Monday, August 22nd, 2011, at 5:00 p.m., in the Commissioners' meeting room at the Power County Courthouse.

FISCAL YEAR 2012 BUDGET – CLERK'S TIMELINE: Power County Clerk Chris Steinlicht presented the Commissioners with the Clerk's timeline to finalize Power County's fiscal year 2012 budget.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Anderson, seconded by Commissioner Meadows, 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. Upon a call for the question, the following roll call vote was taken:

Commissioner Meadows – Aye
Commissioner Funk – Aye
Commissioner Anderson – Aye

Carried.

INDIGENT CASE #2010-03-I: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to accept Portneuf Medical Center's offer to reimburse Power County the amount of \$681.73 to fully and finally settle payment of all medical claims owing on Indigent Case #2010-03-I. Carried.

INDIGENT CASE #2011-06-I: Following a request for reconsideration, and good cause appearing therefore, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve Indigent Case #2011-06-I. Carried.

POWER COUNTY INDIGENT SERVICES – UTILITY ASSISTANCE/PROJECT SHARE GUIDELINES (POWER COUNTY RESOLUTION #2011-01): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute Power County Resolution #2011-01 adopting Project Share guidelines for County utility assistance during periods of winter moratorium. Carried.

POWER COUNTY TREASURER – MONTHLY REPORT (I.C. #31-2113): Power County Treasurer Deanna Curry appeared before the Commissioners pursuant to I.C. #31-2113 to present her Statement of Treasurer’s Cash for the month ending January 31st, 2011.

POWER COUNTY TREASURER – SOLID WASTE DISPOSAL FEES (TAX BILLS): Power County Treasurer Deanna Curry appeared before the Commissioners to discuss residential and commercial solid waste disposal fees that are included on Power County’s annual tax bills. Following discussion, the Commissioners and Treasurer Curry agreed that a review and/or recalculation of all solid waste disposal fees should be accomplished prior to the 2013 tax drive.

POWER COUNTY TREASURER – ORDER FOR CANCELLATION OF TAXES: Following discussion with Power County Treasurer Deanna Curry, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve the Order for Cancellation of Taxes in the amount of \$2,215.04 as presented. Carried.

BOARD OF EQUALIZATION (I.C. #63-501): The Board of Commissioners then met as the Power County Board of Equalization pursuant to I.C. #63-501. There being no business to come before the Board, the Power County Board of Equalization recessed until March 28th, 2011.

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

Current Expense	\$ 19,144.82
Ambulance District	2,463.27
District Court	1,617.01
Justice Fund	1,893.51
Misdemeanor Probation/Drug Court	3,008.37
Elections	25.10
Indigent	468.55
Revaluation	10,357.50
Solid Waste	1,164.30
Weeds	86.40
Waterways	71.11

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Meadows, seconded by Commissioner Anderson, to move into executive session pursuant to I.C. #67-2345, to communicate with legal counsel for the public agency or 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
Commissioner Anderson – Aye

Carried.

Adjourned.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk