

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, September 26th, 2011. Present in person were Commissioners Vicki Meadows, Chairman, and Delane Anderson. Power County Commissioner Ron Funk appeared via speaker telephone. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney F. Randall Kline.

POWER COUNTY BUILDINGS & GROUNDS – 528 GIFFORD: Power County resident Gary Thomson, who purchased the structure situated upon Power County Parcel #RPA1021-00, also known as 528 Gifford Avenue, at public auction on August 22nd, 2011, appeared before the Commissioners to report that he will be unable to remove the structure prior to the September 30th deadline. Following discussion, the Commissioners and Mr. Thomson agreed that the structure removal deadline should be extended until Tuesday, October 11th, 2011, and this matter was tabled until that time.

POWER COUNTY BUILDING & GROUNDS – CONCRETE DEMOLITION, BACKFILL & PAVING (CALL FOR BIDS): Following discussion, the Commissioners agreed to accept quotes for excavation, concrete and backfill work that needs to be done on County grounds adjacent to the Power County Courthouse. Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Meadows, to publish a "Call for Bids" in the September 28th, 2011, edition of the Power County Press with notification that bids will be accepted by the Power County Clerk's Office until 5:00 p.m. Friday, October 7th, 2011. Carried. The Commissioners agreed to table further consideration of this matter until October 11th, 2011.

POWER COUNTY BUILDING & GROUNDS – ZIMMERMAN FARM LEASE: The Commissioners reviewed the Extension of Farm Lease Agreement between Power County and David Zimmerman for 73.4 farmable acres of County property, which Lease Agreement will expire on November 1st, 2014. At the outset, Commissioner Anderson reported that Mr. Zimmerman has sub-let said acreage during the 2011 growing season, contrary to the provisions of said Lease. Following discussion, the Commissioners instructed Power County Prosecuting Attorney Randy Kline to give Mr. Zimmerman written notice of the Lease violation and request that he make arrangements to meet directly with the Board of Power County Commissioners to discuss this matter further.

POWER COUNTY CLERK – DESIGNATION OF POLLING PLACES (I.C. #34-302): Following discussion with Power County Clerk Christine Steinlicht and a review of I.C. #34-302, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to designate the following Power County Precinct Polling Places for the November 8th, 2011, Consolidated Elections, with the understanding that Power County Clerk Christine Steinlicht will make every effort to contact the registered voters within the common boundaries of Power County and the City of Pocatello, all of whom reside

wholly within Power County Precinct #6, and suggest that they apply for an absentee ballot for the City of Pocatello election:

- Power County Precinct #1 – Power County EMS Building
560 N. Oregon Trail, American Falls
- Power County Precinct #2 – American Falls Public Library
308 Roosevelt, American Falls
- Power County Precinct #3 – Power County Courthouse Annex
500 Pocatello Avenue, American Falls
- Power County Precinct #4 – Rockland City Hall
135 S. Main Street, Rockland
- Power County Precinct #6 – Power County Courthouse
543 Bannock Avenue, American Falls
- Power County Precinct #7 – Power County Courthouse
(Absentee) 543 Bannock Avenue, American Falls

Carried.

POWER COUNTY COMMISSIONER DISTRICTS – REAPPORTIONMENT (I.C. #31-704): Power County Clerk Christine Steinlicht appeared before the Commissioner to review I.C. #31-704 regarding reapportionment of Commissioner Districts, which must be completed on or before January 31st, 2012. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve the quote submitted by Whisper Mountain Professional Services, Inc., in the amount of \$800 to assist in the redistricting of the Power County Commissioner Districts. Carried.

FISCAL YEAR 2012 – SALARY WORKSHEET: The Commissioners reviewed the salary worksheet prepared by Power County Clerk Chris Steinlicht for fiscal year 2012. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute the fiscal year 2012 salary worksheet as presented. Carried.

POWER COUNTY SEARCH & RESCUE – FISCAL YEAR 2012 BUDGET: Power County Search & Rescue Commander Ron Stilwell appeared before the Commissioners to discuss the Search & Rescue's fiscal year 2012 PILT appropriation. Following discussion, the Commissioners agreed that the Power County Search & Rescue PILT appropriation, as approved, does not include any carry-over of unexpended funds from fiscal year 2011; and, further, that any equipment needs for the Power County Search & Rescue should be presented to the Board of Commissioners as a possible PILT Capital Equipment expenditure.

POWER COUNTY SEARCH & RESCUE – SURPLUS EQUIPMENT: Following discussion with Power County Sheriff Jim Jeffries and Power County Search & Rescue Commander Ron Stilwell, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to declare the following items as surplus County property, each

with a value in excess of \$250.00, to be sold at public auction, under the direction and supervision of Power County Sheriff Jim Jeffries, in accordance with I.C. #31-808:

1990 Ford Van – VIN #1A9GB26212N406117

2002 SUB Tri-Hull Boat & Honda Outboard Motor – VIN #SUB26501E202

2002 Apache SeaMaster 1500 Tandem Axel Trailer – VIN #1A9GB26212N406117

Carried.

POWER COUNTY BUILDING & GROUNDS – DOCTOR’S CLINIC: Commissioner Meadows reported that the Doctor’s Clinic is in need of refurbishing, including minor carpentry work, painting and carpeting. Following discussion, the Commissioners agreed to refer this matter to Power County Building & Grounds Supervisor Gary Thomson to obtain quotes for these repairs and upgrades and this matter was tabled until October 24th, 2011.

COMPUTER ARTS, INC – FISCAL YEAR 2012 CONTRACTS: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute the annual software and support contracts between Power County and Computer Arts, Inc., for fiscal year 2012 as presented. Carried.

POWER COUNTY ABATEMENT DISTRICT: Moved by Commissioner Meadows, seconded by Commissioner Anderson, to recess as Power County Board of Commissioners and reconvene as Power County Abatement District Board. Carried.

VECTOR DISEASE CONTROL INTERNATIONAL – MOSQUITO ABATEMENT: Tim Bennett of Vector Disease Control International appeared before the Commissioners to present his Mosquito Surveillance and Control Report for Power County for August, 2011.

Moved by Commissioner Meadows, seconded by Commissioner Anderson, to recess as Power County Abatement District Board and reconvene as Power County Board of Commissioners. Carried.

POWER COUNTY COMMUNICATIONS – TABLE MOUNTAIN REPEATER SITE: Power County’s Table Mountain Project Director Ken Estep appeared before the Commissioners to report on the status of the Table Mountain Repeater Site project. Also present was Power County Sheriff Jim Jeffries, Deputy Sheriff Kevin Ostler and Building Administrator Robert Steinlicht. Power County Disaster Services Director Di Jones appeared via speaker telephone. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute Idaho Power Work Order #27353646 in the amount of \$32,794.00 to install a single phase primary overhead line extension and overhead service to serve the Table Mountain Repeater Site. Carried. Disaster Services Director Jones then reported the status of the Homeland Security Grant Funding, which will be applied entirely to the Table Mountain Repeater Site Project, and more specifically to Clark Radio, to-wit:

- GAN numbers have been obtained for the 2008 Homeland Security Grant Funding in the amount of \$16,933.23 – Clark Radio need only invoice the Idaho Department of Homeland Security for payment.
- GAN number application has not yet been made for the 2009 Homeland Security Grant Funding in the amount of \$18,307.91 – Ms. Jones anticipates an application will be prepared and submitted within the next ten (10) days.
- GAN number application has not yet been made for the 2010 Homeland Security Grant Funding in the amount of \$38,167.08 – Ms. Jones anticipates an application will be prepared and submitted within the next ten (10) days.

Following discussion, the Commissioners agreed that the balance owing Clark Radio, in the amount of \$275,581.78, will be paid through Power County PILT fund at the appropriate time.

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

AMBULANCE – EMS DISPATCH PROTOCOL: Power County Ambulance District Director Di Jones appeared before the Commissioners via speaker telephone to review the proposed “Power County EMS Dispatch Guidelines”. Also present was Power County Sheriff Jim Jeffries. At the outset, Sheriff Jeffries reported that he had provided copies of the proposed guidelines to Power County Sheriff Dispatch personnel and requested that the Commissioners allow additional time for their review. Following discussion, the Commissioners agreed to table further consideration of this matter until October 11th, 2011.

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

SOUTHEASTERN DISTRICT HEALTH DEPARTMENT – FORT HALL INDIAN RESERVATION (SEWAGE DISPOSAL REGULATIONS): Steve Pew, Maggie Mann and Ken Estep of the Southeastern District Health Department appeared before the Commissioners to review the memorandum from the Idaho Department of Environmental Quality to the Southeastern District Health Department dated September 8th, 2011, giving official notice that, effective immediately, the Shoshone-Bannock Tribes shall have concurrent authority and jurisdiction, along with the State of Idaho, to regulate subsurface sewage disposal systems within the boundaries of the Fort Hall Indian Reservation, including those systems of non-tribal members located on non-tribal member owned lands, and directing the Health Department to refer those persons seeking sewage disposal permits to the Tribes. Also present was Power County Building Administrator Robert Steinlicht. Following discussion, the Commissioners agreed to give formal written notice to the Idaho Department of Environmental Quality and the Southeastern District Health Department that Power County’s input, objections or concerns were never

solicited, addressed or considered prior to the State's determination and that Power County has no intention of ceding jurisdiction to the Shoshone-Bannock Tribes. Following further discussion, the Commissioners instructed Bob Steinlicht to maintain the status quo regarding the issuing of permits within the common boundaries of the Fort Hall Indian Reservation and Power County.

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY – FORT HALL INDIAN RESERVATION (SEWAGE DISPOSAL REGULATIONS): Bruce Olenick of the Idaho Department of Environmental Quality appeared before the Commissioners to review the State Department of Environmental Quality's memorandum dated September 8th, 2011, to the Southeastern District Health Department regarding subsurface sewage disposal systems with the boundaries of the Fort Hall Indian Reservation. Mr. Olenick reported that the State of Idaho Attorney General has opined that the Shoshone-Bannock Tribe does, in fact, possess the authority to adopt and enforce subsurface sewage disposal regulations for non-tribal members located on non-tribal member owned lands within the Fort Hall Indian Reservation. Mr. Olenick further reported that, since the Tribe's regulations mirror the State's regulations, and in an effort to spare applicants the inconvenience and burden of obtaining and purchasing multiple permits, DEQ has elected to refer persons seeking permits to the Tribes. Mr. Olenick further reported that in the event an applicant chooses not to follow referral to tribe, the State Department of Environmental Quality will issue permits; however, those applicants will be advised that the Tribe may seek legal recourse. Following discussion, the Commissioners advised Mr. Olenick that Power County will be giving formal written notice to the Idaho Department of Environmental Quality and the Southeastern District Health Department that Power County's input, objections or concerns were never solicited, addressed or considered prior to the State's determination, that Power County has no intention of ceding jurisdiction to the Shoshone-Bannock Tribes, and that Power County intends to maintain the status quo regarding the issuing of permits within the common boundaries of the Fort Hall Indian Reservation and Power County.

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY – QUARTERLY REPORT: Bruce Olenick of the Idaho Department of Environmental Quality appeared before the Commissioners to present his quarterly report on environmental quality issues pertinent to Power County. Also present was Great Rift Business Development Director Kristen Jensen.

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 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 #2012-15-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2012-15-I. Carried.

INDIGENT CASE #2012-11-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to deny indigent medical application #2012-11-I since applicant has other resources sufficient to pay the medical expenses incurred pursuant to I.C. #31-3502(25) and since Power County is not the obligated County under I.C. #31-3506(2). Carried.

INDIGENT CASE #2012-07-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to deny indigent medical application #2012-07-I, since the application was processed as incomplete pursuant to I.C. #31-505(A). Carried.

INDIGENT CASE #2012-08-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to deny indigent medical application #2012-08-I, since the services rendered were not emergent in nature as provided by I.C. #31-3502(12). Carried.

INDIGENT CASE #2012-13-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2012-13-I. Carried.

INDIGENT CASE #2012-10-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2012-10-I. Carried.

INDIGENT CASE #2012-09-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2012-09-I as to the emergency and necessary medical care received at Portneuf Medical Center from August 10th through 19th, 2011; however, to deny payment by Power County or the State Catastrophic Health Care Fund for any and all medical care received at Behavior Health Center from and after August 19th, 2011. Carried.

INDIGENT CASE #2011-11-I: Following a request for reconsideration, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2011-11-I. Carried.

DOUGLAS J. BALFOUR – CONTRACT (FISCAL YEAR 2012): Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve the two Contracts for Services between Power County and Douglas J. Balfour, Chartered, for legal services during fiscal year 2012 as presented. Carried.

POWER COUNTY TRANSFER STATION/LANDFILL – EQUIPMENT PURCHASE: The Commissioners reviewed several quotes to purchase equipment for use at the Power County Transfer Station & Landfill. Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Funk, to accept the quote submitted by Western States Rental for the purchase of a low hour rental return 2011

430E 4XM Caterpillar Backhoe, Serial #0SWC00363, for the total amount of \$95,033.40, less gross trade allowance of \$35,000, for a total purchase price of \$60,033.40. Carried.

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

Current Expense	\$ 24,152.82
Ambulance District	8,395.30
District Court	7,947.93
Justice Fund	68,717.12
Misdemeanor Probation/Drug Court	3,430.14
Enhanced 911 Services	172.97
Elections	1,183.59
Indigent	51,839.21
Revaluation	1,000.00
Solid Waste	61,628.98
Weeds	10,982.42
Waterways	1,843.03
PILT	53,901.98

Adjourned.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk