

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, October 24<sup>th</sup>, 2011. Present were Commissioners Vicki Meadows, Chairman, Ron Funk and Delane Anderson. 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 Anderson, seconded by Commissioner Funk, to amend the October 24<sup>th</sup>, 2011, Commissioner Agenda to include the following items:

- Power County Sheriff – Idaho Emergency Communications Commission Grant Award Documents
- Power County Sheriff – Hate Crimes Investigation (Reward)

Carried.

POWER COUNTY SHERIFF – IDAHO EMERGENCY COMMUNICATIONS COMMISSION (GRANT AWARD): Following discussion with Power County Sheriff Jim Jeffries, it was moved by Commissioner Anderson, seconded by Commissioner Funk, to approve and execute the Idaho Emergency Communications Commission Grant Award in the amount of \$57,900 to upgrade Power County's Enhanced 911 Center. Carried.

POWER COUNTY SHERIFF – HATE CRIME INVESTIGATION (REWARD): Following discussion with Power County Sheriff Jim Jeffries, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to ratify Power County's contribution of \$1,000 to the Power County Sheriff's reward fund for any information which results in the arrest and conviction of any individual involved in the recent hate crimes perpetrated against the Rockland Congregational Church. Carried.

POWER COUNTY COMMUNICATIONS – TABLE MOUNTAIN REPEATER SITE: Don Haskins of the Power County Highway District appeared before the Commissioners to report on the progress of the access road being constructed to the Table Mountain Repeater Site. Mr. Haskins reported that Idaho Power has completed the power project and concrete will be poured at the site sometime this week; however, it is unlikely that the site will be fully operational by November 4<sup>th</sup>, 2011. Following discussion, the Commissioners assured Mr. Haskins that the Power County Highway District would be fully reimbursed for all costs involved in getting the access road constructed.

2011 REAPPORTIONMENT COMMITTEE: The Commissioners then reviewed Legislative Plan L87 which was unanimously adopted by the 2011 Idaho Reapportionment Committee on October 14<sup>th</sup>, 2011, and keeps Power County wholly within Legislative District #27, along with all of Cassia County and a portion of Twin Falls County.

DOCTORS CLINIC – RENOVATIONS: Commissioner Meadows reported that Power County's Building & Grounds Supervisor Gary Thomson is obtaining quotes to renovate the Power County Doctors Clinic. Following discussion, the commissioners agreed to table further consideration of this matter until October 31<sup>st</sup>, 2011.

POWER COUNTY HOSPITAL DISTRICT – FLEX PROGRAM GRANTS (LETTER OF SUPPORT): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to issue a letter supporting the Power County Hospital District's FLEX Program Grant Application to the Idaho Office of Rural Health and Primary Care to obtain funding to pay for a three year license for an Interqual Web Program that will enable the medical staff to make more informed decisions regarding inpatient admissions. Carried.

COLLEGE OF SOUTHERN IDAHO – CERTIFICATE OF RESIDENCY: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Certificate of Residency submitted by the College of Southern Idaho. Carried.

POWER COUNTY BUILDING & GROUNDS – 528 GIFFORD: Commissioner Anderson reported that Great Basin Asbestos Services suspects that traces of asbestos may exist in the siding on the structure located at 528 Gifford Avenue; however, a full asbestos abatement study has not been completed. Following discussion, the Commissioners agreed to table further consideration of this matter until October 31<sup>st</sup>, 2011.

POWER COUNTY SHERIFF – JAIL REMODEL: Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss remodel of the Power County Jail. Also present were Architect Lee Dille of Design Place, PLLC, and Gary Ferguson d/b/a BGM Builders. At the outset, Mr. Ferguson recommended that the Commissioners consider hiring Mr. Dille to design Power County's jail remodel plans. The Commissioners, Sheriff Jeffries and Mr. Dille then discussed several options for remodel. Following discussion, Mr. Dille agreed to review the various options and prepare an official design plan and cost estimate and further consideration of this matter was tabled until October 31<sup>st</sup>, 2011.

POWER COUNTY CONFLICT PUBLIC DEFENDER: Following telephone conference with Power County's interim Conflict Public Defender Jared Steadman of the law firm Merrill & Merrill, Chartered, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to publish "NOTICE OF CALL FOR SEALED BIDS" in the November 2<sup>nd</sup> and 9<sup>th</sup>, 2011, editions of the Power County Press inviting all individuals who are licensed to practice law in the State of Idaho, and in good standing with the Idaho State Bar Association, to submit a sealed bid for contracted conflict public defender services in Power County commencing December 1<sup>st</sup>, 2011, and continuing until September 30<sup>th</sup>, 2013, with all sealed proposals to be submitted to the Power County Clerk by 5:00 p.m. on November 25<sup>th</sup>, 2011. Carried. Further consideration of this matter was tabled until bid opening on November 28<sup>th</sup>, 2011, at 11:30 a.m.

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 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 #2011-21-I: Moved by Commissioner Meadows, seconded by Commissioner Anderson, to deny indigent medical application #2011-21-I, since applicant is not a resident of Power County as defined by I.C. #31-3506(2)(A). Carried.

POWER COUNTY COMMISSIONER DISTRICTS – REAPPORTIONMENT: Derrick Sharp of Whisper Mountain Professional Services, Inc., appeared before the Commissioners to discuss reapportionment of Power County's Commissioner District boundaries following the decennial federal census to ensure equal representation. Mr. Sharp then presented several reapportionment proposals that would reset Commissioner District boundaries in accordance with redistricting guidelines. Following discussion, the Commissioners agreed to review the proposals submitted and this matter was tabled until November 14<sup>th</sup>, 2011.

CLAIMS: Moved by Commissioner Anderson, seconded by Commissioner Funk, to approve the claims as presented, amended and supplemented, excluding any and all claims to Anderson Body & Glass. Carried.

Current Expense	\$ 42,985.46
Ambulance District	1,326.17
District Court	2,048.23
Justice Fund	9,554.03
Misdemeanor Probation/Drug Court	1,504.02
Enhanced 911 Services	45.32
Elections	1,562.17
Indigent	1,858.28
Junior College	9,850.00
Solid Waste	26,514.04
Weeds	13,803.73
PILT	199.21

Moved by Commissioner Funk, seconded by Commissioner Meadows, to approve any and all claims presented by Anderson Body & Glass.

Upon a call for the question, the following roll call vote was taken:

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

Carried.

POWER COUNTY RURAL ADDRESS SYSTEM (IDAHO ENHANCED 911) – FORT HALL INDIAN RESERVATION: Power County Prosecuting Attorney Randy Kline appeared before the Commissioners to discuss the Fort Hall Tribal Council's intentions to adopt a rural address system within the boundaries of the Fort Hall Indian Reservation, which conflicts with Power County's current Rural Address System. At the outset, Prosecutor Kline reported that, as requested by the Board of Power County Commissioners, he is holding the written notice to all households within the common boundaries of Power County and the Fort Hall Indian Reservation that obtaining a "new address" under the Shoshone-Bannock Tribe's proposed enhanced 911 system is not necessary, and may ultimately be detrimental to the health, safety and welfare of the many non-tribal residents in that area when an E-911 emergency call is required. Following discussion, the Commissioners agreed that they may need additional time to review the Notice and further consideration of this matter was tabled until October 31<sup>st</sup>, 2011.

SOUTHEASTERN DISTRICT HEALTH DEPARTMENT – FORT HALL INDIAN RESERVATION (SEWAGE DISPOSAL REGULATIONS): Power County Prosecuting Attorney Randy Kline appeared before the Commissioners to review the formal written request to the State of Idaho's Director of Environmental Quality Toni Hardesty, that the memorandum from the Idaho Department of Environmental Quality to the Southeastern District Health Department dated September 8<sup>th</sup>, 2011, giving official notice that 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 be withdrawn until Power County's input, objections and concerns have been properly and publically addressed, with copies of said request to be provided to Idaho Governor C.L. "Butch" Otter and Attorney General Lawrence Wasden. Following discussion, the Commissioners agreed that they may need additional time to review the written request and further consideration of this matter was tabled until November 14<sup>th</sup>, 2011.

POWER COUNTY CLERK – VEHICLE & EQUIPMENT LIST: Power County Clerk Christine Steinlicht appeared before the Commissioners to present Power County's updated Vehicle & Equipment list for period ending September 30<sup>th</sup>, 2011.

POWER COUNTY CLERK – QUARTERLY REPORT (I.C. #31-1611): Power County Clerk Christine Steinlicht appeared before the Commissioners pursuant to I.C. #31-1611 to present her quarterly report for the period ending September 30<sup>th</sup>, 2011.

POWER COUNTY CLERK/TREASURER – JOINT QUARTERLY REPORT (I.C. #31-2306): Power County Clerk Christine Steinlicht and Power County Treasurer Deanna Curry appeared before the Commissioners pursuant to I.C. #31-2306 to present their Joint Quarterly Report for the period ending September 30<sup>th</sup>, 2011.

POWER COUNTY TREASURER – ANNUAL REPORT (I.C. #31-2112): Power County Treasurer Deanna Curry appeared before the Commissioners pursuant to I.C. #31-2112 to present her annual report for the period ending September 30<sup>th</sup>, 2011.

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 monthly Statement of Treasurer's Cash for the period ending September 30<sup>th</sup>, 2011.

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 Funk, to approve and execute the Order for Cancellation of Taxes in the amount of \$1,057.20 as presented. Carried.

POWER COUNTY TREASURER – TAX DEEDED PROPERTY (PARCEL #RPA0331-08 – 558 ARTHUR): Power County Treasurer Deanna Curry appeared before the Commissioners with Power County Prosecuting Attorney Randy Kline to discuss tax deeded parcel #RPA0331-08. At the outset, Treasurer Curry reported that the personal property tax parcel (trailer house) which is situated upon Power County Parcel #RPA0331-08 is current on all tax obligations and no warrant of distraint is pending or anticipated. Following discussion with Power County Prosecuting Attorney Randy Kline, the Commissioners agreed to give written notice to the owner of the trailer house situated upon Power County's property located at 558 Arthur, American Falls, that the trailer must be immediately removed from the premises. Further consideration of this matter was tabled until November 14<sup>th</sup>, 2011.

POWER COUNTY TREASURER – TAX DEEDED PROPERTY (PARCEL #RPA0812-00 – 276 ROOSEVELT): Power County Treasurer Deanna Curry appeared before the Commissioners to discuss Parcel #RPA0812-00, which is located at 276 Roosevelt Street, American Falls, and is owned by Power County pursuant to Tax Deed. At the outset, Commissioner Anderson reported that the asbestos study being conducted by Great Basin Asbestos Services has not been completed. Following discussion, the Commissioners agreed to table further consideration of this matter until November 14<sup>th</sup>, 2011.

POWER COUNTY TREASURER – TAX DEEDED PROPERTY (PARCEL #RPD1382-00 – COLD CREEK ROAD): Following discussion with Power County

Treasurer Deanna Curry, the Commissioners agreed to table further consideration of this matter until November 14<sup>th</sup>, 2011.

POWER COUNTY TREASURER – TAX DEEDED PROPERTY (PARCEL #RPD1383-00 – COLD CREEK ROAD): Following discussion with Power County Treasurer Deanna Curry, the Commissioners agreed to table further consideration of this matter until November 14<sup>th</sup>, 2011.

POWER COUNTY TRANSFER STATION/LANDFILL – EQUIPMENT PURCHASE: Jim Betty of Western States Equipment appeared before the Commissioners to discuss the purchase of a 963D Caterpillar Waste Handler for use at the Power County Transfer Station/Landfill. At the outset, Commissioner Anderson reported that he has investigated the equipment other similarly sized Counties, i.e. Oneida and Butte, utilize to maintain the construction and demolition pits at their transfer stations or landfills, and the consensus is that the Bomag B5 Compactor is not suitable for landfill uses. Commissioner Anderson then requested an emergency expenditure by the Board of Commissioner as provided by I.C. #67-5247, for the following reasons:

- Western States Equipment Company has declared Power County's current 1980 Bomag B5 Compactor as "hazardous equipment" unsafe for further operation.
- Immediate danger exists to the health, safety and welfare of Power County Transfer Station and Landfill employees by continued or further use of the Bomag B5 Compactor, and immediate action by the Board is necessary to prevent or avoid that danger.

Accordingly, it was moved by Commissioner Anderson, seconded by Commissioner Meadows, to enter into a joint purchasing agreement under the State of Idaho, as provided by I.C. #67-2807, and accept the quote presented by Western States Equipment for the purchase of a 963D Caterpillar Waste Handler for use at the Power County Transfer Station and Landfill in the total amount of \$287,806.48, less scrap metal value of Power County's 1980 B5 Compactor in the amount of \$5,600, for a balance purchase price of \$282,206.48 to be paid as follows:

\$125,000.00 from Solid Waste Capital Equipment  
\$157,206.48 from PILT Contingency

Carried.

Adjourned.

  
VICKI L. MEADOWS, Chairman

  
CHRISTINE STEINLICHT, Clerk