

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, January 23rd, 2012. 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 Meadows, seconded by Commissioner Funk, to amend the January 23rd, 2012, Commissioner Agenda to include the following items:

- Idaho Association of Counties – Secure Rural Schools (Community Trust Pilot Program)
Power County Resolution #2012-01
- Power County Treasurer – Cold Creek Road (Parcels #RPD1382-00 and #RPD1383-00)
Public Auction (Tax Deed)

Carried.

IDAHO ASSOCIATION OF COUNTIES – SECURE RURAL SCHOOLS (COMMUNITY FOREST TRUST PILOT PROGRAM – POWER COUNTY RESOLUTION #2012-01): Following discussion with Seth Griggs of the Idaho Association of Counties (IAC), it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute Power County Resolution #2012-01, which is a resolution urging congress to establish a community forest pilot program in the State of Idaho. Carried.

POWER COUNTY ELECTED OFFICIALS/DEPARTMENT HEADS: Present for the Elected Officials/Department Heads meeting were:

- Vicki Meadows, Commissioner Chair
- Ron Funk, Commissioner
- Delane Anderson, Commissioner
- Christine Steinlicht, Clerk
- Douglas Glascock, Assessor
- Deanna Curry, Treasurer
- Jim Jeffries, Sheriff
- Randy Kline, Prosecuting Attorney
- Mark Rose, Coroner
- Connie Shepherd, Juvenile Probation Department
- Robert Steinlicht, Building Department
- Curtis Munk, Weed Department
- Reed Findlay, Agriculture Extension Department
- Craig Heward, Transfer Station/Landfill
- Di Jones, Ambulance/Disaster Services

2012 LEGISLATIVE SESSION – IDAHO DEPARTMENT OF COMMERCE & INDUSTRY (IACI) (PERSONAL PROPERTY TAX EXEMPTION): The following individuals met with the Power County elected officials and department heads to discuss the Idaho Association of Commerce & Industry’s draft legislation for the elimination of personal property taxes, which IACI intends to pursue during the 2012 Legislative Session:

City of American Falls
Stuart Pankratz, Council Member
Norm Wright, Council Member

American Falls School District #381
Dallas Clinger, Trustee
Ron Bolinger, Superintendent

Rockland School District #382
Jim Woodworth, Superintendent

Highway District
Wade Povey, Commissioner Chair
Gilbert Hofmeister, Commissioner
Bob Wetzel, Commissioner

Power County Hospital District
Dallas Clinger, Administrator

At the outset, Dr. Ron Bolinger, American Falls School District #381 Superintendent reported on the current status of the proposed legislation and presented a copy of the “2011 Estimated Personal Property Taxes”, which includes operating property, within the State of Idaho. Dr. Bolinger then reported that personal property tax dollars State-wide total \$133,660,218; however, Governor Otter’s budget proposal calls for only \$45,000,000 in tax relief which would leave a significant shortfall to reimburse taxing entities if personal and operating property were exempted from taxation. Following discussion, the Power County elected officials and other Power County taxing district representatives agreed to contact their respective State associations and regional counterparts to request support in opposing IACI’s proposed personal property tax exemption legislation in its current form.

2012 IDAHO ASSOCIATION OF COUNTIES MID-WINTER CONFERENCE: The Power County Elected Officials and Department Heads then discussed the tentative agenda for the Idaho Association of Counties Mid-Winter Conference scheduled for February 6th through 10th, 2012, in Boise. Seth Griggs of the Idaho Association of Counties appeared before the Commissioners via speaker telephone to report that the Idaho Association of Counties’ priority legislation, by unanimous consent of the IAC Legislative Committee, will be opposing the Idaho Association of Commerce & Industry’s draft legislation to eliminate the taxation of personal and operating property in Idaho beyond the \$100,000 exemption granted by the Legislature in 2008.

2012 LEGISLATIVE SESSION – SULLIVAN & REBERGER (LETTER OF AGREEMENT):

Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Anderson, to approve and execute the Letter of Agreement with Sullivan & Reberger to contract for public policy services involving State legislative strategic advice, planning and representation during the 2012 Legislative Session. Carried.

STATE INSURANCE FUND (WORKERS COMPENSATION) – SAFETY

INSPECTIONS/POLICY: The Power County elected officials and department heads then discussed the State Insurance Fund's recommendation that Power County adopt a safety policy that includes inspections and follow up action, and reviewed the sample policy and checklist forms provided. Following discussion, the Commissioners suggested that each elected official and department head contact their respective association and/or regional counterpart to obtain information and/or copies of policies and forms being used; accordingly, further consideration of this matter was tabled until February 27th, 2012.

LANCE FUNK D/B/A PLEASANT VALLEY AVIATION – COMMERCIAL AIRPORT

LEASE: Lance Funk d/b/a Pleasant Valley Aviation appeared before the Commissioners to discuss renewal of his Commercial Airport Lease with Power County. At the outset, Mr. Funk reported that the current owner of record of the airport hanger which is situated upon Power County Airport property is Brian Haynes d/b/a American Air and that he will not exercise his "option to purchase" or accept ownership transfer of the structure unless and until a long-term Commercial Airport Lease has been negotiated between himself and Power County. Following discussion, the Commissioners agreed that they would consider a long-term Commercial Airport Lease and made the following request:

- That Mr. Funk provide Power County with a copy of any and all documentation entered into between Brian Haynes d/b/a American Air and Lance Funk d/b/a Pleasant Valley Aviation regarding the transfer of any right, title or interest in to and to the Commercial Airport Lease or the real property thereupon situated; and
- That Mr. Funk meet directly with the Power County Airport Board to discuss any and all "aviation related" and "non-aviation related" use of the premises.

The Commissioners agreed to table further consideration of this matter until February 13th, 2012, at 10:30 a.m.

POWER COUNTY AIRPORT – NON-COMMERCIAL AIRPORT LEASE (WILL ROWE

AND RONALD MILLER): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute the second amended Non-Commercial Airport Lease as presented, which includes the following changes:

- Provides that tenant's use of the premises shall be for aviation related activities only, unless otherwise permitted by the Board of County Commissioners (paragraph #4).
- Clarifies tenant's responsibility to maintain insurance coverage (paragraph #11).

Carried.

POWER COUNTY AIRPORT – NON-COMMERCIAL AIRPORT LEASE (JEWEL ANN WILLIAMS JACOB): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute the second amended Non-Commercial Airport Lease as presented, which includes the following changes:

- Provides that tenant's use of the premises shall be for aviation related activities only, unless otherwise permitted by the Board of County Commissioners (paragraph #4).
- Clarifies tenant's responsibility to maintain insurance coverage (paragraph #11).

Carried.

POWER COUNTY AIRPORT – NON-COMMERCIAL AIRPORT LEASE (MIKE GLASER D/B/A DOUBLE POINT CONSTRUCTION): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute the second amended Non-Commercial Airport Lease as presented, which includes the following changes:

- Provides that tenant's use of the premises shall be for aviation related activities only, unless otherwise permitted by the Board of County Commissioners (paragraph #4).
- Clarifies tenant's responsibility to maintain insurance coverage (paragraph #11).

Carried.

POWER COUNTY AIRPORT – NON-COMMERCIAL AIRPORT LEASE (RALPH BREDDING): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute the second amended Non-Commercial Airport Lease as presented, which includes the following changes:

- Provides that tenant's use of the premises shall be for aviation related activities only, unless otherwise permitted by the Board of County Commissioners (paragraph #4).
- Clarifies tenant's responsibility to maintain insurance coverage (paragraph #11).

Carried.

POWER COUNTY AIRPORT – NON-COMMERCIAL AIRPORT LEASE (GEORGE MERRILL): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute the second amended Non-Commercial Airport Lease as presented, which includes the following changes:

- Provides that tenant's use of the premises shall be for aviation related activities only, unless otherwise permitted by the Board of County Commissioners (paragraph #4).
- Clarifies tenant's responsibility to maintain insurance coverage (paragraph #11).

Carried.

POWER COUNTY AIRPORT – NON-COMMERCIAL AIRPORT LEASE (HAYES RUDOLPH): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute the second amended Non-Commercial Airport Lease as presented, which includes the following changes:

- Provides that tenant's use of the premises shall be for aviation related activities only, unless otherwise permitted by the Board of County Commissioners (paragraph #4).
- Clarifies tenant's responsibility to maintain insurance coverage (paragraph #11).

Carried.

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 #2012-31-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to deny indigent medical application #2012-31-I, since applicant has other resources sufficient to pay the medical expenses incurred as provided by I.C. #31-3502(25) and since the application was processed as incomplete as provided by I.C. #31-3505A(1). Carried.

INDIGENT CASE #2012-30-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to deny indigent medical application #2012-30-I, since applicant has other resources sufficient to pay the medical expenses incurred as provided by I.C. #35-3502(25). Carried.

POWER SOIL CONSERVATION DISTRICT – ANNUAL REPORT: Ivan Permann, Marita Poulson and Jeff Stewart of the Power Soil Conservation District Board of Supervisors appeared before the Commissioners with Administrative Assistant Pegi Long to present their annual report. Mr. Permann then requested that the Commissioners submit their letter of intent to provide the Power Soil Conservation District with a contribution from Power County's fiscal year 2013 budget. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to submit a letter of intent to allocate \$6,500 to the Power County Soil Conservation District from the County's fiscal year 2013 budget. Carried.

POWER COUNTY AIRPORT BOARD: Moved by Commissioner Anderson, seconded by Commissioner Meadows, to appoint Kevin Ramsey to serve a term of three (3) years on the Power County Airport Board (January, 2015). Carried.

POWER COUNTY FAIRBOARD: Moved by Commissioner Meadows, seconded by Commissioner Anderson, to reappoint Bill Schroeder and Brett Leyshon each to serve an additional term of three (3) years on the Power County Fairboard. Carried.

POWER COUNTY HISTORICAL SOCIETY/MUSEUM BOARD: Moved by Commissioner Anderson, seconded by Commissioner Meadows, to reappoint Connie Rowland and Dianne May each to serve an additional term of three (3) years on the Power County Historical Society/Museum Board. Carried.

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

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| Current Expense | \$ 7,022.77 |
| Ambulance District | 2,146.27 |
| District Court | 2,094.56 |
| Justice Fund | 18,189.71 |
| Misdemeanor Probation/Drug Court | 738.91 |
| Enhanced 911 Services | 160.06 |
| Elections | 868.72 |
| Indigent Services | 9,908.84 |
| Solid Waste Services | 792.08 |
| Weeds | 62.31 |
| PILT | 3,983.48 |

POWER COUNTY BOARD OF EQUALIZATION (#63-501): The Board of Power County Commissioners then met as a Board of Equalization pursuant to I.C. #63-501. Present were Power County Assessor Doug Glascock and Power County Treasurer Deanna Curry.

HARDSHIP EXEMPTION APPLICATION (I.C. #63-711): Applicant appeared before the Commissioners to review the Hardship Exemption Application on Power County Parcel #MHZ0003-04. Upon a review of the testimony and evidence presented, it was moved by Commissioner Anderson, seconded by Commissioner Meadows, to cancel \$186.49 in property taxes, interest and penalty currently owing on Power County Parcel #MHZ0003-04, which was due and payable December 20th, 2011, leaving a 2011 balance owing of \$182.29. Carried.

HARDSHIP EXEMPTION APPLICATION (I.C. #63-711): Power County Chief Deputy Assessor Mary Annen appeared before the Commissioners to review the Hardship Exemption Application on Power County Parcel #RPA0089-00. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to table further consideration on the Hardship Exemption Application until February 13th, 2012, at 1:30 p.m. Carried.

POWER COUNTY ASSESSOR – MISSED PROPERTY ROLL (I.C. #63-533(2)): There being no requests or applications for equalization as provided by I.C. #63-533(2), it was moved by Commissioner Funk, seconded by Commissioner Meadows, to approve the Power County Assessor's Missed Property Roll as presented. Carried.

FINAL OCCUPANCY ROLL (I.C. #63-317, #63-501(2)): There being no requests or applications for equalization as provided by I.C. #63-317, #63-501(2), it was moved by Commissioner Funk, seconded by Commissioner Meadows, to approve the Power County Assessor's Final Occupancy Roll as presented. Carried.

There being no further business to come before the Board, the Power County Board of Equalization recessed until February 13th, 2012.

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 December 31st, 2011. Moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and accept the Power County Treasurer's Report as presented. Carried.

POWER COUNTY CLERK/TREASURER – JOINT QUARTERLY REPORT (I.C. #31-2306): Power County Clerk Christine Steinlicht and Treasurer Deanna Curry appeared before the Commissioners pursuant to I.C. #31-2306, to present their Joint Quarterly Report for the period ending December 31st, 2011. Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and accept the Power County Clerk/Treasurer's Joint Quarterly Report as presented. Carried.

POWER COUNTY CLERK – QUARTERLY FINANCIAL REPORT (I.C. #31-1611): Power County Clerk Christine Steinlicht appeared before the Commissioners pursuant to I.C. #31-1611, to present her Quarterly Financial Report for the period ending December 31st, 2012. Moved by Commissioner Funk, seconded by Commissioner Meadows, to approve and accept the Power County Clerk's Quarterly Financial Report as presented. Carried.

POWER COUNTY CLERK – ANNUAL FINANCIAL REPORT (I.C. #31-2307): Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Anderson, to approve and accept the Power County Clerk's Annual Financial Report as presented to the Board of Commissioners on January 9th, 2012. Carried.

POWER COUNTY BUILDING & GROUNDS – 276 ROOSEVELT: Power County Treasurer Deanna Curry appeared before the Commissioners to discuss the sale of Power County Parcel #RPA0812-00 (276 Roosevelt), which was obtained by Power County via Tax Deed. At the outset, Commissioner Anderson reported that closing of the Commercial Real Estate Purchase Agreement has been delayed due to Alliance Title Company's refusal to issue a policy of title insurance on the property until a warranty or other appropriate deed has been recorded by Power County. The Commissioners then contacted Commercial Realtor Wes Leisy by telephone, who reported that he has secured the original Deed required by Alliance Title, which deed will be included with the closing documents to be signed and recorded on Thursday, January 24th, 2012. Following further discussion, Treasurer Curry agreed to review and discuss these property tax issues at the Idaho Treasurer Association meeting scheduled for February 6th through 10th, 2012; accordingly, further discussion of this matter was tabled until February 13th, 2012.

POWER COUNTY BUILDING & GROUNDS – COLD CREEK ROAD: Following discussion with Power County Treasurer Deanna Curry, the Commissioners agreed to cancel public auction on Power County Parcels #RPD1382-00 and #RPD1383-00 scheduled for Monday, February 13th, 2012, until after the Idaho Association of Counties Mid-Winter Conference scheduled for February 6th through 10th, 2012; accordingly, further consideration of this matter was tabled until February 13th, 2012.

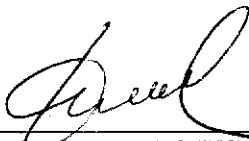
POWER COUNTY SHERIFF – LAW ENFORCEMENT CENTER AND JAIL REMODEL: Power County Sheriff Jim Jeffries appeared before the Commissioners with Architect Lee Dille d/b/a Design Place, PLLC, to present the amended draft plan for expansion and remodel of the Power County Law Enforcement Center and Jail. Following discussion, the Commissioners and Sheriff Jeffries agreed that the Idaho Sheriff Association's Jail Standards Committee should assess the proposed plan prior to proceeding further and consideration of this matter was tabled until February 27th, 2012.

POWER COUNTY SHERIFF – JAIL MEDICAL (BADGER MEDICAL): Power County Sheriff Jim Jeffries appeared before the Commissioners to report that Power County's credit balance with Badger Medical has significantly diminished; however, he and Badger Medical will continue to provide any and all mandatory medical services to inmates at the Power County Jail in the most cost effective manner.

POWER COUNTY BUILDINGS & GROUNDS – 528 GIFFORD: Commissioner Anderson reported that Gary Thomson has sold his ownership interest in and to that structure situated upon Power County Parcel #RPA1021-00, also known as 528 Gifford Avenue, to Troy Brazelton. Commissioner Anderson then reported that Mr. Brazelton has requested additional time to get the structure removed. Following discussion, the Commissioner agreed to table further consideration of this matter until February 27th, 2012.

2011 REAPPORTIONMENT COMMITTEE – IDAHO SUPREME COURT RULING: The Commissioner then discussed the ruling of the Idaho Supreme Court that the 2011 Redistricting Plan, which was adopted by unanimous vote of the Committee, is unconstitutional because it separates too many Counties into different Legislative Districts. Following discussion, the Commissioners agreed to execute a letter to the Idaho Redistricting Committee addressing Power County's concerns and desires for 2011 reapportionment. The Commissioners also agreed to review and discuss the Idaho Supreme Court's ruling further during the Idaho Association of Counties Mid-Winter Conference scheduled for February 6th through 10th, 2012; accordingly, further consideration of this matter was tabled until February 13th, 2012.

Adjourned.


VICKI MEADOWS, Chairman


CHRISTINE STEINLICHT, Clerk