

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, February 13th, 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.

POWER COUNTY AIRPORT – NON-COMMERCIAL AIRPORT HANGER LEASE (JEWEL ANN WILLIAMS JACOBS): Lyle Eliassen, Attorney at Law, appeared before the Commissioners to discuss assignment of Jewel Ann Williams Jacobs' Non-Commercial Airport Lease to Gary Lee, and presented the Commissioners with signed and notarized "Assignment of Lease" and "Bill of Sale". Following discussion, the Commissioners agreed to enter into a Non-Commercial Airport Hanger Lease directly with Mr. Lee rather than as assignee on the Jacobs Non-Commercial Airport Lease. The Commissioners instructed Prosecuting Attorney Kline to prepare a proposed Non-Commercial Airport Lease for Mr. Lee's consideration and further discussion of this matter was tabled until February 27th, 2012.

POWER COUNTY CONFLICT PUBLIC DEFENDER – CONTRACT: Power County Prosecuting Attorney Randy Kline appeared before the Commissioners to report that Lyle Eliassen d/b/a Eliassen Law Office has now executed the Agreement for Conflict Public Defender Services. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Agreement between Power County and Lyle Eliassen d/b/a Eliassen Law Office for Conflict Public Defender Services in Power County for the period January 1st, 2012, through September 30th, 2013, as presented. Carried.

POWER COUNTY COMMUNICATIONS – TABLE MOUNTAIN REPEATER SITE (EASEMENTS): Power County Prosecuting Attorney Randy Kline reported on the status of the ingress and egress easements for the Table Mountain Repeater Site, the terms of which are currently being negotiated; accordingly, further consideration of this matter was tabled until March 26th, 2012.

POWER COUNTY COMMUNICATIONS – TABLE MOUNTAIN REPEATER SITE (FEDERAL AVIATION ADMINISTRATION TOWER REQUIREMENTS): Paul Clark of Clark Wireless appeared before the Commissioners to discuss the installation of an aviation safety light on the 180 foot tower situated atop the Table Mountain Repeater site. At the outset, Mr. Clark reported that the Federal Aviation Administration (FAA) does not require safety lighting on towers under 200 feet; however, the Commissioners discussed whether a warning light should be installed as a matter of public safety given the elevation of the site. Following discussion, Mr. Clark agreed to provide the Commissioners with a cost estimate and further consideration of this matter was tabled until March 12th, 2012.

POWER COUNTY BUILDING & GROUNDS – DOCTORS CLINIC: The Commissioners contacted Marilyn Williams at the Doctors Clinic by telephone to discuss the status of the renovation project. Ms. Williams reported that the painter is scheduled to begin work within the next several days. Following discussion, the Commissioners agreed to obtain quotes to replace the carpeting and further consideration of this matter was tabled until March 12th, 2012.

2011 IDAHO LEGISLATIVE SESSION: Power County Assessor Douglas Glascock appeared before the Commissioners to discuss 2012 Legislative issues pertinent to Power County, including the Idaho Association of Commerce & Industry's proposed legislation to redefine and exclude "personal property" from taxation. At the outset, Assessor Glascock reported that the Idaho Assessors' Association and the Idaho Association of Counties will also be preparing proposed definitions for Legislative consideration, and agreed to keep the Commissioners advised as proposed definitions become available.

2011 REAPPORTIONMENT COMMITTEE: The Commissioners then reviewed Legislative Plan L93 which was unanimously adopted by the reconvened 2011 Idaho Reapportionment Committee on January 27th, 2012, and keeps Power County wholly within Legislative District #28, along with a large portion of Bannock County.

POWER COUNTY WEED BOARD: Moved by Commissioner Meadows, seconded by Commissioner Anderson, to reappoint Neil Norman to serve an additional term of two (2) years on the Power County Weed Board (January, 2014). Carried.

POWER COUNTY PLANNING & ZONING BOARD: Moved by Commissioner Funk, seconded by Commissioner Meadows, to reappoint Bill Lasley to serve an additional term of three (3) years on the Power County Planning & Zoning Board (January, 2015).

POWER COUNTY GUARDIANSHIP BOARD: Moved by Commissioner Funk, seconded by Commissioner Meadows, to reappoint Becky Smith and Teri Kendall each to serve an additional term of two (2) years on the Power County Guardianship Board (January, 2014). Carried.

POWER COUNTY AIRPORT – LANCE FUNK D/B/A PLEASANT VALLEY AVIATION (COMMERCIAL AIRPORT LEASE): Lance Funk d/b/a Pleasant Valley Aviation appeared before the Commissioners to report that he has authorized his attorney to provide copies of 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 and to the Commercial Airport Lease or the real property thereupon situated to Power County Prosecuting Attorney Randy Kline. Following discussion, the Commissioners agreed that they would need additional time to review the documentation and suggested that Mr. Funk make arrangements to meet directly with the Power County Airport Board to discuss his "aviation related" and "non-aviation related" use of the premises; accordingly, further consideration of this matter was tabled until February 27th, 2012.

COMMISSIONER MINUTES: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Power County Commissioner Minutes for January 9th, 11th, 17th, 18th and 23rd, 2012, as presented. Carried.

POWER COUNTY SHERIFF – JAIL REMODEL: Power County Sheriff Jim Jeffries appeared before the Commissioners to report that the Idaho Sheriffs' Association Jail Standards Committee has unanimously approved to accept Power County's jail remodel plan. Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Meadows, to approve the jail remodel plans submitted by Architect Lee Dille d/b/a Design Place, PLLC, and to authorize Mr. Dille to proceed with any required "call for bid" process. Carried. Further consider of this matter was tabled until February 27th, 2012.

POWER COUNTY SHERIFF – ENHANCED 911 SERVICES (TELECOMMUNICATION FEES): Power County Sheriff Jim Jeffries appeared before the Commissioners to present a copy of the Idaho Emergency Communication Commission's presentation at the Idaho Association of Counties' Mid-Winter Conference on February 8th, 2012. At the outset, Sheriff Jeffries reported that, pursuant to page 9 of the presentation, the Idaho Enhanced 911 Commission's sub-committee, which was appointed to identify the proper use of enhanced 911 telecommunication fees for "basic" and "enhanced" 911 services, will not have written findings available until the Idaho Association of Commissioners & Clerks 2012 Summer Conference in June. Paul Clark of Clark Wireless then appeared before the Commissioners to present copies of two mediation recommendations issued by the Idaho Emergency Communications Commission to the following entities:

- Blaine County, the City of Sun Valley, the City of Hailey and the Wood River Fire Protection District; and
- Canyon County and the City of Caldwell.

Following discussion, the Commissioners agreed that Sheriff Jeffries should compile and submit a list of individuals he believes should serve on a "communications advisory board" and further consideration of this matter was tabled until February 27th, 2012.

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 #2012-35-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2012-35-I for emergency services received by applicant from December 24th through December 26th, 2011, but to deny the payment of subsequent medical expenses incurred, since the services provided after December 26th, 2011, were not "medically necessary" as provided by I.C. #31-2502(18). Carried.

INDIGENT CASE #2012-36-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2012-36-I. Carried.

INDIGENT CASE #2012-29-I: Following a request for reconsideration, and good cause appearing therefore, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2012-29-I. Carried.

INDIGENT CASE #2012-38-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2012-38-I. Carried.

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

Current Expense	\$ 16,114.58
Ambulance District	3,238.27
Abatement District	16,060.00
District Court	11,613.14
Justice Fund	87,728.72
Misdemeanor Probation/Drug Court	679.00
Enhanced 911 Services	1,669.73
Elections	1,791.43
Indigent	2,603.81
Solid Waste	17,006.15
Weeds	11.13
Waterways	2,146.78
PILT	4,025.33

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. Present were Power County Treasurer Deanna Curry and Chief Deputy Assessor Mary Annen.

HARDSHIP EXEMPTION APPLICATION (I.C. #63-711): Applicant appeared before the Commissioners to review the Hardship Exemption Application on Power County Parcel #RPA0113-00. Following discussion and a review of the evidence presented, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve the Hardship Exemption Application in the amount of \$710.82 and to refund that portion of 2011 taxes and fees that would have been exempted under a qualifying circuit breaker application in the amount of \$448.92. Carried.

There being no further business to come before the Board, the Power County Board of Equalization recessed until February 27th, 2012.

POWER COUNTY BUILDINGS & GROUNDS – 276 ROOSEVELT: Following discussion with Commercial Realtor Wes Leisy, it was moved by Commissioner Anderson, seconded by Commissioner Meadows, to extend seller's option to purchase Power County Parcel #RPA0812-00 for an additional sixty (60) days, with the understanding that the property will be offered "as is" and without warranty in an amount that will fully satisfy the outstanding taxes, fees and costs owing against the parcel to Power County. Carried. Further consideration of this matter was tabled until February 27th, 2012.

POWER COUNTY BUILDING & GROUNDS – COLD CREEK ROAD: Following discussion with Power County Treasurer Deanna Curry and Prosecuting Attorney Randy Kline, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to reschedule public auction of Power County Parcels #RPD1382-00 and #RPD1383-00, which are owned by Power County pursuant to Tax Deed, for Monday, April 9th, 2012, at 9:00 a.m. on the front steps of the Power County Courthouse. Carried.

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 and execute the Order for Cancellation of Taxes in the amount of \$1,207.99 as presented. Carried.

AMERICAN FALLS CHAMBER OF COMMERCE – 2012 MEMBERSHIP RENEWAL: Moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute the 2012 Application for Membership Renewal with the American Falls Chamber of Commerce. Carried.

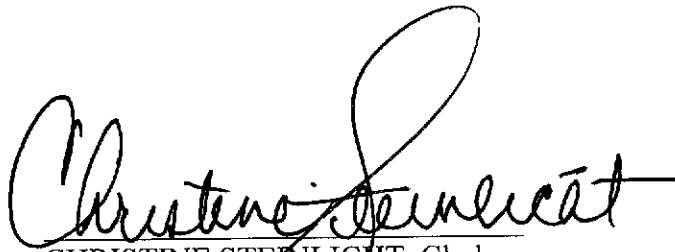
EXECUTIVE SESSION (I.C. #67-2345): At the request of Power County Prosecuting Attorney Randy Kline, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to move into executive session pursuant to I.C. #67-2345, to communicate with legal counsel for the public agency or to discuss the 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.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk