

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, August 13<sup>th</sup>, 2012. Present were Commissioners Ron Funk and Delane Anderson. Also present was Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney F. Randall Kline.

SHOSHONE-BANNOCK TRIBES – JURISDICTIONAL ISSUES: Commissioner Funk announced that it was the date and time scheduled to hear public comments or concerns regarding jurisdictional issues within the common boundaries of the Fort Hall Indian Reservation and Power County. At the outset, Commissioner Funk reported that the public hearing would be recorded. Following the opportunity for public testimony, the public hearing adjourned at 9:27 o'clock a.m.

COMMISSIONER AGENDA (I.C. #67-2343): Following a review of I.C. #67-2343, and good cause appearing therefore, it was moved by Commissioner Funk, seconded by Commissioner Anderson, to amend the August 13<sup>th</sup>, 2012, Commissioner Agenda to include the following item:

Power County Misdemeanor Probation – Ada Probation Services, Inc.  
Service Contract (Expires 09/30/2012)

Carried.

POWER COUNTY MISDEMEANOR PROBATION – ADA PROBATION SERVICES, INC. (SERVICE CONTRACT): Kim Helmandollar of Ada County Misdemeanor Probation Services appeared before the Commissioners via speaker telephone to report that the Misdemeanor Probation Services Agreement with Power County, which expires September 30<sup>th</sup>, 2012, will not be renewed due to their recent loss of the Ada County contract. Following discussion, the Commissioners agreed to investigate options for future adult misdemeanor probation services and further discussion of this matter was tabled until August 27<sup>th</sup>, 2012.

POWER COUNTY SHERIFF – ENHANCED 911 (ANNUAL REVIEW): Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Anderson, to reauthorize the \$1.25 per line per month fee on cellular and telephone lines in Power County to fund the enhanced 911 emergency system. Carried.

POWER COUNTY CENTENNIAL COMMITTEE – STATUS REPORT: Commissioner Anderson reported that Paula Jones of Three Rivers RC&D will be seeking grant funding for Power County to place a centennial monument and memorial garden in the northwest corner of the Courthouse parking lot, and presented copies of the conceptual images prepared for the Power County Centennial Committee.

AMERICAN FALLS RURAL FIRE DISTRICT – EXTRICATION AGREEMENT:

Following discussion with Power County Prosecutor Randy Kline, it was moved by Commissioner Anderson, seconded by Commissioner Funk, to approve and execute the Agreement for Extrication Services between Power County Emergency Medical Services and American Falls Rural Fire District as presented. Carried.

JUNIOR COLLEGE – CERTIFICATE OF RESIDENCY:

Moved by Commissioner Anderson, seconded by Commissioner Funk, to approve the Certificate of Residency submitted by the College of Southern Idaho. Carried.

IDAHO DEPARTMENT OF COMMERCE – GREAT RIFT BUSINESS DEVELOPMENT (MEMORANDUM OF UNDERSTANDING):

Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Funk, to approve and execute the Memorandum of Understanding between the Idaho Department of Commerce and Power County for the purpose of implementing the Rural Idaho Economic Development Professional Program a/k/a Great Rift Business Development Organization, in Power County for the period July 1<sup>st</sup>, 2012, through June 30<sup>th</sup>, 2013. Carried.

POWER COUNTY COMMISSIONERS – PETITION FOR JUDICIAL REVIEW (POWER COUNTY CASE #2012-206):

The Commissioners reviewed the “Letter of Engagement” and “Statement of Legal Services & Charges” dated August 13<sup>th</sup>, 2012, from Michael Kane, attorney at law, confirming that the Board of Power County Commissioners and it’s individual members have retained the office of Michael Kane & Associates, PLLC, to assist them in all matters pertaining to the Petition for Judicial Review on file in Power County Case #2012-206 at their governmental hourly billing rate of \$175 per hour.

IDAHO ASSOCIATION OF COUNTIES – ANNUAL CONFERENCE:

Bingham County Commissioner Cleone Jolley appeared before the Board of Commissioners via speaker telephone to report that he has scheduled a joint meeting of Idaho Association of Counties 5<sup>th</sup> and 6<sup>th</sup> Districts on Monday September 17<sup>th</sup> at 4:30 p.m., to be held in conjunction with the Idaho Association of Counties Annual Conference.

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

Current Expense	\$ 28,374.62
Ambulance District	3,076.06
Abatement District	16,060.00
District Court	5,306.88
Justice Fund	22,648.13
Misdemeanor Probation/Drug Court	2,137.00
Indigent Services	1,830.56
Elections	820.69
Indigent	13,026.94

Revaluation	96.00
Solid Waste	21,106.25
Weeds	2,260.77
Waterways	3,400.97
PILT	12,936.41

COMMISSIONER MINUTES: Moved by Commissioner Funk, seconded by Commissioner Anderson, to approve the Commissioner Minutes for July 2<sup>nd</sup>, 9<sup>th</sup>, 23<sup>rd</sup>, 30<sup>th</sup> and 31<sup>st</sup>, 2012. Carried.

POWER COUNTY PUBLIC DEFENDER – AGREEMENT FOR SERVICES: The Commissioners reviewed the Agreement for Indigent Legal Services executed by Robert Eldredge to provide public defender services in Power County from October 1<sup>st</sup>, 2012, through September 30<sup>th</sup>, 2014. Also present from Eliassen Law Office were Lyle Eliassen and Abe Lucas, who requested that the Commissioners initiate a formal bidding process for the Power County Public Defender contract. Following discussion with Power County Prosecuting Attorney Randy Kline, and a review of I.C. #19-859, et seq., the Commissioners agreed to table further consideration of this matter until August 27<sup>th</sup>, 2012, at 11:30 o'clock a.m.

POWER COUNTY CONFLICT PUBLIC DEFENDER – AGREEMENT FOR SERVICES: Power County Conflict Public Defender Lyle Eliassen appeared before the Commissioners with his associate, Abe Lucas, to review his Conflict Public Defender Agreement with Power County. Mr. Eliassen requested that, beginning October 1<sup>st</sup>, 2012, the monthly appropriation be increased to \$1,500. Following discussion, the Commissioners agreed to table further consideration of this matter until August 27<sup>th</sup>, 2012, at 11:30 o'clock a.m.

EXECUTIVE SESSION (I.C. #67-2345(1)(d): Moved by Commissioner Anderson, seconded by Commissioner Funk, to move into executive session pursuant to I.C. #67-2345(1)(d), 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 at 2:35 o'clock p.m.:

Commissioner Funk – Aye  
 Commissioner Anderson – Aye

Carried.

Moved by Commissioner Funk, seconded by Commissioner Anderson, to adjourn from Executive Session at 2:50 p.m. to take final action and make final decisions. Upon a call for the question, the following roll call vote was taken:

Commissioner Funk – Aye  
 Commissioner Anderson – Aye

Carried.

INDIGENT CASE #2012-59-I: Moved by Commissioner Funk, seconded by Commissioner Anderson, to deny indigent medical application #2012-59-I since the services provided were not emergent in nature as provided by I.C. #31-3502(12) and since the application was untimely filed as provided by I.C. #31-3505(1). Carried.

INDIGENT CASE #2012-0103: Moved by Commissioner Funk, seconded by Commissioner Anderson, to approve indigent medical application #2012-103. Carried.

BINGHAM COOPERATIVE, INC. – CFN FLEETWIDE FUEL DISCOUNT CARD: Brock Kelsey of Bingham Cooperative, Inc., appeared before the Commissioners to report that Bingham Cooperative is offering Power County offices and departments a fleetwide discount fuel card, which would allow discounted fuel purchases at “fuelman” locations across the United States and Canada. Following discussion, the Commissioners agreed to discuss this matter with Power County’s other elected officials and department heads at their next quarterly meeting scheduled for August 27<sup>th</sup>, 2012, at 9:30 a.m.

POWER COUNTY SHERIFF – BUREAU OF LAND MANAGEMENT (ENHANCED PATROL AGREEMENT): Power County Sheriff Jim Jeffries appeared before the Commissioners to report that the Bureau of Land Management has awarded Power County a service contract for enhanced patrol of all public lands administered by the BLM in Power County for the period July 1<sup>st</sup>, 2012, through June 30<sup>th</sup>, 2013.

Moved by Commissioner Anderson, seconded by Commissioner Funk, to adjourn the regular meeting of the Board of Power County Commissioners at 4:00 o’clock p.m.

  
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VICKI MEADOWS, Chairman

  
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CHRISTINE STEINLICHT, Clerk