

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, July 29th, 2013. Present were Commissioners Vicki Meadows, Chairman, Ron Funk and Delane Anderson. Also present were Power County Clerk Christine Steinlicht and Power County Prosecuting Attorney Ryan S. Petersen.

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 July 29th, 2013, Commissioner Agenda to include the following items:

- Junior College – Certificates of Residency
- Power County Sheriff – Enhanced 911 Grant
- Executive Session (I.C. #67-2345) – Personnel Issues
- Power County Treasurer – Solid Waste Disposal Fee Refund (Parcel #RPD0768-00)

Carried.

POWER COUNTY RURAL ADDRESS SYSTEM – FORT HALL INDIAN RESERVATION (ENHANCED 911): The Commissioners reviewed the written request of the Fort Hall Business Counsel that Power County endorse the Shoshone-Bannock Tribes' application to the Idaho Emergency Communications Commission to receive an enhanced 911 grant to provide an E-911 telephone system and related equipment within the boundaries of the Fort Hall Indian Reservation. Also present was Power County Sheriff Jim Jeffries, who expressed his concern that the Tribes' proposed Rural Address System conflicts with Power County's current Rural Address System 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, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the letter to the Idaho Emergency Communications Commission requesting that the Shoshone Bannock Tribes' grant application be denied, which was prepared by Power County Prosecuting Attorney Ryan Petersen. Carried.

POWER COUNTY CONFLICT PUBLIC DEFENDER – CONTRACT FOR SERVICES: Abe Luca of Eliassen Law Office appeared before the Commissioners to discuss the proposed contract for conflict public defender services between Power County and Eliassen Law Offices during the period October 1st, 2013, through September 30th, 2015. Following discussion with Power County Prosecuting Attorney Ryan Petersen, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to convert the conflict public defender contract to an "hourly" rate rather than a "flat fee" contract rate. Carried. Prosecuting Attorney Petersen agreed to prepare an updated contract for the Commissioners consideration and further discussion of this matter was tabled until August 12th, 2013.

AMERICAN FALLS RURAL FIRE DISTRICT – EXTRICATION AGREEMENT: Following discussion with Power County Prosecuting Attorney Ryan Petersen, 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 for the period October 1st, 2013, through September 30th, 2014, as presented. Carried.

GERALD FEHRINGER YOUTH CENTER – LEASE AGREEMENT: Following discussion with Power County Prosecuting Attorney Ryan Petersen, the Commissioners agreed to schedule a meeting with the Gerald Fehringer Youth Center Board to discuss renewal of the Lease Agreement between Power County and American Falls Youth Ministry, Inc. d/b/a Gerald Fehringer Youth Center for the period October 1st, 2012, through September 30th, 2013; accordingly, further consideration of this matter was tabled until August 12th, 2013.

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

ENTRADA, INC. – AMBULANCE DISTRICT BILLINGS (ACCOUNTS RECEIVABLE REPORT): Following a review of the accounts receivable report provided by Entrada, Inc., for the ambulance billing period ending June 30th, 2013, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve the report as presented in the amount of \$72,282.09. Carried.

POWER COUNTY AMBULANCE DISTRICT – RESOLUTION #2013-08 (FEE SCHEDULE): Commissioner Meadows announced that it was the date and time scheduled for Public Hearing to provide interested individuals the opportunity to express their views, both orally and in writing, on proposed Power County Resolution #2013-08, which is a resolution regarding the setting of rates to be charged to individuals receiving ambulance services. Following a full reading of Resolution #2013-08, and there being no public objection, it was moved by Commissioner Funk, seconded by Commissioner Anderson, to approve and execute Power County Resolution #2013-08 as presented and published. Carried.

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

MOSQUITO ABATEMENT – VECTOR DISEASE CONTROL INTERNATIONAL, INC.: Tim Bennett of Vector Disease Control International, Inc., appeared before the Commissioners to present the Mosquito Surveillance and Control Report for Power County for June, 2013.

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

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

POWER COUNTY ADULT MISDEMEANOR PROBATION – DISHION ENTERPRISES INCORPORATED (CONTRACT): Following discussion with Power County Prosecuting Attorney Ryan Petersen, the Commissioners agreed to schedule a meeting with Wade Dishion d/b/a Dishion Enterprises, Inc., to discuss renewal of the adult misdemeanor probation Contract between Power County and Dishion Enterprises, Inc., for the period October 1st, 2012, through September 30th, 2013; accordingly, further consideration of this matter was tabled until August 12th, 2013.

POWER COUNTY PROSECUTING ATTORNEY – APPOINTMENT OF SPECIAL COUNSEL CRAIG CHRISTENSEN (BANKRUPTCY ATTORNEY): Power County Prosecuting Attorney Ryan Petersen appeared before the Commissioners to report that Craig Christensen is still in the process of reviewing the proposed Resolution to accept appointment as special counsel to deal specifically with bankruptcy issues involving Power County as a creditor; accordingly, further consideration of this matter was tabled until August 26th, 2013.

POWER COUNTY PROSECUTING ATTORNEY – TRESPASS ORDINANCE: Power County Prosecuting Attorney Ryan Petersen appeared before the Commissioners to discuss implementing a general “trespass” ordinance within Power County to expand the Idaho Statute’s definition of “trespass” to address the concerns unique to Power County, which could include enhancements for subsequent penalties. Also present was Power County Sheriff Jim Jeffries, who concurred that the trespass ordinance as proposed could benefit the Power County Sheriff’s office when patrolling certain areas. Following discussion, the Commissioners suggested that Prosecutor Petersen prepare a proposed Ordinance and further consideration of this matter was tabled until August 26th, 2013.

POWER COUNTY SHERIFF – BOAT DOCK REGULATIONS (ORDINANCE): Power County Sheriff Jim Jeffries appeared before the Commissioners to review Power County Ordinance #2009-03, which is an ordinance to regulate and control the use of the public west side boat dock at the American Falls Reservoir, and specifically Article II, Section I of said ordinance prohibiting swimming within three hundred (300) feet of said boat dock. Following discussion, Sheriff Jeffries and the Commissioners agreed that the ordinance may need to be expanded to include other boat docks on the American Falls Reservoir and Snake River within Power County; accordingly, this matter was referred to Power County Prosecuting Attorney Ryan Peterson to prepare a draft ordinance for the Commissioners consideration and further discussion of this matter was tabled until August 26th, 2013.

POWER COUNTY SHERIFF – TRI-COUNTY SHERIFFS’ ASSOCIATION (MUTUAL ASSISTANCE COMPACT): Following discussion with Power County Sheriff Jim Jeffries, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve and execute the Mutual Assistance Compact between Power, Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Clark, Custer, Franklin, Fremont, Jefferson, Lemhi, Madison, Oneida and Teton Counties to permit the parties to cooperate to their mutual advantage by providing services and equipment during law enforcement emergencies. Carried.

POWER COUNTY SHERIFF – POWER COUNTY JAIL (ELECTRONIC MEDICAL RECORDS): Power County Sheriff Jim Jeffries appeared before the Commissioners to present a proposed Agreement between Power County and CorEMR, LLC, to provide computer hardware and electronic medical records software in connection with the provision of medical services to inmates at the Power County Jail. Following discussion, the Commissioners agreed to table further consideration of this matter until August 12th, 2013.

POWER COUNTY SHERIFF – ENHANCED 911 GRANT: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute the Idaho emergency Communications Commission Grant Application in the amount of \$98,885 to install and maintain an updated mapping system at the Power County Dispatch Center. Carried.

POWER COUNTY SHERIFF – JAIL REMODEL (ARCHITECT REPORT – WORK CHANGE ORDER): Power County Sheriff Jim Jeffries appeared before the Commissioners with Architect Lee Dille d/b/a Design Place, PLLC, to present the Architect's monthly report on the Power County law enforcement building renovation project. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute the following Change Order prepared by Architect Lee Dille d/b/a Design Place, PLLC:

- Change Order #008 in the amount of \$6,986.00

Carried.

POWER COUNTY BUILDINGS & GROUNDS – DOCTORS CLNIC RENOVATION (SOUTHEAST IDAHO PUBLIC HEALTH DISTRICT): Lee Dille of Design Place, PLLC, appeared before the Commissioners to present an updated floor plan for renovation of the Southeast Idaho Public Health District facility located in the lower level of the Doctors Clinic. Following discussion, the Commissioners agreed to review the proposed plan with Dr. Dean Williams, and further consideration of this matter was tabled until August 12th, 2013.

POWER COUNTY FAIR – CITY OF AMERICAN FALLS (RELEASE/INDEMNITY AGREEMENT): Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve and execute the Release of Liability and Indemnity Agreement to the City of American Falls for the placement of five 300 gallon garbage cans at the Power County Fairgrounds during the Power County Fair, August 6th – 10th, 2013, which the City of American Falls has agreed to dump daily. Carried.

POWER COUNTY WATERWAYS – WEST RAMP RENOVATION PROJECT (FUNDING REQUEST): Commissioner Anderson presented a copy of a preliminary rendering of a proposed renovation project at the public west side boat dock at the American Falls Reservoir, which rendering was prepared by an architectural firm and is "to scale". At the outset, Commissioner Meadows reported that involvement of the Power County Waterways Board, the Bureau of Reclamation, the Bannock County Waterways Board and the Power County/American Falls communities would be critical to determine whether the proposed project is viable and

affordable prior to seeking grant funding or contributions. Commissioner Anderson reported that the Power County Waterways Board will be meeting on July 31st, 2013, to review the plan.

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

Current Expense	\$ 17,715.65
Ambulance District	3,900.71
District Court	2,600.71
Juvenile Justice	35,015.89
Misdemeanor Probation/Drug Court	240.00
Enhanced 911 Services	2,102.10
Elections	37.75
Indigent	16,889.67
Junior College	500.00
Revaluation	550.06
Solid Waste	4,174.25
Weeds	14,925.82
Waterways	2,136.02
PILT	91,849.69

ALCOHOL BEVERAGE LICENSES (I.C. #23-903): Commissioner Meadows announced that it was the date and time for the consideration of a number of alcohol beverage licenses. There being no public objection, it was moved by Commissioner Funk, seconded by Commissioner Anderson, to approve the following 2013-2014 alcohol beverage licenses:

#7 – Bill L. Beck d/b/a Bill’s Pro Shop for the sale of bottled or canned beer to be consumed on the premises and retail wine.

#8 – American Legion Roland Evans Post #3 d/b/a Freddie’s Roadhouse for the sale of draught and bottled or canned beer to be consumed on the premises and retail liquor.

#9 – El Jaliciense, Inc. d/b/a Tres Hermanos for the sale of bottled or canned beer to be consumed on the premises.

#10 – El Jaliciense, Inc. d/b/a L&J Brothers for the sale of bottled or canned beer to be consumed on the premises.

#11 – Vernessa & Trent Rupe d/b/a Rupe’s Rockland Café for the sale of bottled or canned beer to be consumed on the premises and bottled or canned beer not to be consumed on the premises.

#12 – NCP International, Inc. d/b/a Pizza Hut #2140 for the sale of bottled or canned beer to be consumed on the premises.

#13 – CHS, Inc. d/b/a Bingham Cooperative for the sale of bottled or canned beer not to be consumed on the premises.

#14 – Jennifer Carroll d/b/a Willow Bay Marina & Café for the sale of bottled or canned beer to be consumed on the premises, bottled or canned beer not to be consumed on the premises and wine by the drink.

#15 – Randy Adams d/b/a Pocatello Trap Shooting Club, Inc., for the sale of bottled or canned beer to be consumed on the premises.

Carried.

POWER COUNTY BUILDINGS & GROUNDS – COURTHOUSE ANNEX (PARKING LOT):

Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve the quote submitted by Eagle Rock Excavation in the amount of \$24,914.60 to remove old asphalt and repave the parking area at the Power County Courthouse Annex. Carried. Following discussion, the Commissioners agreed that Power County Buildings & Grounds Maintenance Supervisor Gary Thomson should coordinate the Power County SCILD Crew to stripe paint the parking area.

POWER COUNTY BUILDINGS & GROUNDS – 569 BANNOCK AVENUE (DRIVEWAY REPAIRS): Following discussion, the Commissioners agreed that the driveway located at the County's property at 569 Bannock Avenue will not be repaired at this time.

POWER COUNTY FAIRBOARD – PROPERTY IMPROVEMENTS: Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, approve the quote submitted by BGM Builders in the amount of \$6,500 to replace several concrete slabs at the Power County Fairgrounds, to be paid from PILT Property Improvements. Carried.

POWER COUNTY BUILDINGS & GROUNDS – COURTHOUSE ANNEX (TREE REMOVAL/REPLACEMENT): Commissioner Anderson reported that the Power County Historical Society will meet on Thursday, August 8th, 2013, and may be submitting a request that trees be planted on the Power County Courthouse Annex grounds to replace the trees that were removed.

EXECUTIVE SESSION (I.C. #67-2345)(1)(b): Moved by Commissioner Meadows, seconded by Commissioner Anderson, to move into executive session pursuant to I.C. #67-2345(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee or staff member. Upon a call for the question, the following roll call vote was taken at 1:30 o'clock p.m.:

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

Carried. The Commissioner reconvened at 2:00 o'clock p.m., at which time it was moved by Commissioner Anderson, seconded by Commissioner Funk, to adjourn from executive session with the understanding that no decisions, determinations, actions, votes or final dispositions need

be recorded as a result of this executive session. Upon a call for the question, the following roll call vote was taken:

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

Carried.

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 period ending June 30th, 2013. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve Treasurer's Report as presented. Carried.

POWER COUNTY TREASURER – ORDERS 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 Orders for Cancellation of Taxes in the amount of \$4,840.58 and \$60.06 as presented. Carried.

POWER COUNTY TREASURER – SOLID WASTE DISPOSAL FEE REFUND: Following discussion with Power County Treasurer Deanna Curry, it was moved by Commissioner Anderson, seconded by Commissioner Meadows, to refund the \$60.00 solid waste disposal fee assessed and paid on Power County Parcel #RPD0768-00. 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 June 30th, 2013. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to approve the 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 reports for the period ending June 30th, 2013. Following discussion, it was moved by Commissioner Meadows, seconded by Commissioner Anderson, to approve the Clerk's report as presented. Carried.

POWER COUNTY CLERK – FISCAL YEAR 2013 BUDGET (FINAL FOR PUBLICATION): Following discussion with Power County Clerk Christine Steinlicht, it was moved by Commissioner Meadows, seconded by Commissioner Funk, to publish Notice of Public Hearing on Power County's final proposed budget for fiscal year 2014 in the August 14th and 21st, 2013, editions of the Power County Press. Carried. Further consideration of this matter was tabled until the public budget hearing scheduled for August 26th, 2013, at 5:30 p.m.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Funk, seconded by Commissioner Anderson, to move into executive session pursuant to I.C. #67-2345 to consider records that are exempt from disclosure pursuant to Chapter 3, Title 9, Idaho Code, specifically

indigent medical applications. Upon a call for the question, the following roll call vote was taken at 3:15 p.m.:

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

Carried. Moved by Commissioner Funk, seconded by Commissioner Anderson, to adjourn from Executive Session at 3:35 p.m. to take final action and make final decisions. 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 #2013-71-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to deny indigent medical application #2013-71-I, since the application was processed as incomplete as provided by I.C. #31-3505(A). Carried.

INDIGENT CASE #2013-85-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to deny indigent medical application #2013-85-I, since Power County is not the obligated County as provided by I.C. #31-3506(2)(A). Carried.


INDIGENT CASE #2013-73-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve indigent medical application #2013-73-I. Carried.

INDIGENT CASE #2013-70-I: Moved by Commissioner Meadows, seconded by Commissioner Funk, to approve the payment of emergent medical services provided applicant to the “point of stabilization” only, which services were rendered on May 5th, 2013, in the amount of \$1,124.00; but to deny any and all other medical services under indigent medical application #2013-70-I, since the balance of the application was processed as incomplete as provided by I.C. #31-3505(A), since the balance of medical services provided were not “emergent” in nature as provided by I.C. #67-7902(I), and since the applicant failed to provide proof that applicant is lawfully present in the United States prior to the receipt of public benefits as provided by Legislative Findings and I.C. #69-7901(1). Carried.

TAX CANCELLATION APPLICATION (I.C. #63-1302): Applicant appeared before the Board of Power County Commissioners to request that the property taxes, late penalty and interesting owing on Power County Parcels #PPD0831-03, #PPY0061-00, #RPD0830-03 and #RPD0831-00 be cancelled as provided by I.C. #63-1302. Also present was Power County Treasurer Deanna Curry. Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Anderson, to cancel one-half of all property taxes, late fees and penalty currently owing on said parcels in the amount of \$671.83, upon the condition that applicant immediately pay the remaining balance owing of \$681.73. Carried.

QUARTERLY JAIL INSPECTION (I.C. #20-622): The Commissioners then conducted their quarterly inspection of the Power County Jail and related facilities as provided by I.C. #20-622.

Adjourned.



VICKI MEADOWS, Chairman



CHRISTINE STEINLICHT, Clerk