

## POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, November 25<sup>th</sup>, 2013. Present were Commissioners Ron Funk, Chairman, Delane Anderson and Norman Wright. Also present was Power County Clerk Christine Steinlicht.

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 Wright, to amend the November 25<sup>th</sup>, 2013, Commissioner Agenda to include the following items:

- Power County Commissioners – Surplus County Property (I.C. #31-801)
- Power County Sheriff – Jail Remodel
- U.S. Senator Jim Risch – Status Conference
- Power County Treasurer – Order for Cancellation of Taxes

Carried.

CHRISTMAS EVE COURTHOUSE CLOSURE: Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Wright, to authorize closure of the Power County Courthouse and related offices on Tuesday, December 24<sup>th</sup>, 2012, at 12:00 o'clock noon. Carried.

POWER COUNTY EMPLOYEES – CHRISTMAS RECOGNITION: Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Wright, to give monetary gifts of \$50 to each full-time employee and \$25.00 to each part-time employee in lieu of a Power County Christmas party. Carried.

POWER COUNTY GUARDIANSHIP BOARD: Commissioner Funk reported that Sutton Reese and Jim Morse have resigned their positions on the Power County Guardianship Board effective immediately, creating two vacancies on said Board. Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Wright, to appoint Marlene Henery and Bill Lasley to fill the vacant positions on the Power County Guardianship Board (January, 2015). Carried.

COUNTY BOARD APPOINTMENTS: Following discussion, it was moved by Commissioner Wright, seconded by Commissioner Anderson, to publish notice in the Power County Press of the various County Boards that will have vacancies to be filled in January, 2014, with the understanding that the Chairperson of each Board will be contacted by the Commissioners to discuss their desires and/or suggestions for filling those vacancies. Carried. Further discussion of this matter was tabled until December 30<sup>th</sup>, 2013.

POWER COUNTY PERSONNEL MANUAL – VACATION/COMPENSATORY CARRY-OVER: The Commissioners then discussed Power County's accrual register of vacation and compensatory time being carried by each Power County employee. Following discussion, it was

moved by Commissioner Funk, seconded by Commissioner Anderson, to send a memorandum to County employees reminding them of the maximum accrual carry-overs allowed under the Power County Personnel Manual. Carried. Further consideration of this matter was tabled until January 13<sup>th</sup>, 2014.

POWER COUNTY RADIO COMMUNICATIONS ADVISORY BOARD: Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Wright, to appoint Stuart Pankratz to replace Norman Wright as the City of American Falls representative to the Power County Radio Communications Advisory Board (January, 2016). Carried.

DOCTOR'S CLINIC – VALLEY FOOT & ANKLE (LEASE AGREEMENT): Moved by Commissioner Funk, seconded by Commission Wright, to approve and execute the Partial Power County Medical Clinic Lease Agreement between Power County and Valley Foot & Ankle for the period September 1<sup>st</sup>, 2013, through September 30<sup>th</sup>, 2014, and contains an automatic renewal provision unless either party gives fourteen (14) days written notice. Carried. Following discussion, Commissioner Funk agreed to secure Dr. Dean Williams' signature on said Lease Agreement prior to recording by the Power County Clerk.

POWER COUNTY COMMISSIONERS – SURPLUS PROPERTY (I.C. #31-801): Following a review of Idaho Code #31-801, it was moved by Commissioner Anderson, seconded by Commissioner Wright, to declare Commissioner Funk's ten year old laptop as surplus County property with a value of less than \$250, to be gifted to Ron Funk. Carried. Commissioner Funk abstained.

POWER COUNTY BUILDINGS & GROUNDS – TREE REMOVAL QUOTES: Following discussion, it was moved by Commissioner Wright, seconded by Commissioner Anderson, to approve the quote submitted by Jonathan Zundel Arborist, Inc., in the amount of \$350 to remove an additional tree adjacent to the Power County Courthouse. Carried.

POWER COUNTY BUILDINGS & GROUNDS – DOCTOR'S CLINIC REMODEL (SOUTHEASTERN IDAHO PUBLIC HEALTH DISTRICT): Architect Lee Dille d/b/a Design Place, PLLC, appeared before the Commissioners to present the list of sub-contractors and/or suppliers on the Southeastern Idaho Public Health District renovation project. Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Wright, to reject Architectural Building Supply as a sub-contractor. Carried. Following further discussion, it was moved by Commissioner Funk, seconded by Commissioner Anderson, to immediately approve and execute the "Standard Form of Agreement Between Owner and Contractor" upon approval by Power County Prosecuting Attorney Ryan Petersen. The Commissioners then acknowledged that Power County will be required to submit the appropriate building permit fee to the City of American Falls on this renovation project.

POWER COUNTY SHERIFF – JAIL REMODEL: Architect Lee Dille d/b/a Design Place, PLLC, appeared before the Commissioners with Power County Sheriff Jim Jeffries to discuss the Power County Jail remodel project. At the outset, Sheriff Jeffries again reiterated the security concerns associated with the interior jail doors not functioning properly. Following discussion, the Commissioners instructed Prosecuting Attorney Ryan Petersen to immediately issue a letter

to Architectural Building Supply giving official notice of the liability issues and demanding satisfaction. Sheriff Jeffries then reported that he will be contacting Sierra Heating & Cooling to discuss a leak in the cell showers.

POWER COUNTY SHERIFF – DISPATCH CENTER (COOLING QUOTE): Following discussion with Power County Sheriff Jim Jeffries, it was moved by Commissioner Wright, seconded by Commissioner Funk, to approve the quote submitted by Sierra Heating & Cooling in the amount of \$3,820 to install a cooling unit in the Power County Dispatch Center. Carried.

U.S. SENATOR JIM RISCH – STATUS CONFERENCE: Jeremy Field of U. S. Senator Jim Risch's Pocatello office appeared before the Commissioners to discuss federal issues pertinent to Power County. Mr. Field reported that federal funding under the Secure Rural Schools Act, which requires that a portion of the revenues derived from National Forest lands be paid to States for use by the Counties in which the lands are situated for the benefit of public schools and roads, is on track to be funded at 95% during the current fiscal year; however, County PILT payments have not been reauthorized.

COMMUNICATIONS – KINPORT REPEATER SITE (SYRINGA WIRELESS): Power County Sheriff Jim Jeffries appeared before the Commissioners to report that he has entered into a Cooperative Agreement with the Bannock County Sheriff's office to partner in a communications agreement with Syringa Wireless to utilize a microwave to the Master site located in Meridian, Idaho, at an annual rate significantly less than the State of Idaho's annual microwave fee.

POWER COUNTY SHERIFF – COMMUNICATIONS (IDAHO BUREAU OF HOMELAND SECURITY – MOU/MICROWAVE FEE): Following discussion with Power County Sheriff Jim Jeffries, the Commissioners agreed that the Memorandum of Understanding between Idaho Bureau of Homeland Security and Power County to utilize the State's microwave to the Master site located in Meridian, Idaho, will not be renewed, since Power County has partnered with Bannock County in a communications agreement with Syringa Wireless to provide these services.

POWER COUNTY RURAL ADDRESS SYSTEM – FORT HALL INDIAN RESERVATION (EMERGENCY COMMUNICATIONS COMMISSION E-911 GRANT): Power County Sheriff Jim Jeffries appeared before the Commissioners to present a copy of the Idaho Attorney General's Opinion regarding the Shoshone-Bannock Tribe's eligibility to receive E-911 grant funding via the Idaho Emergency Communications Commission, wherein the Attorney General made the following findings:

- The Fort Hall Indian Reservation is not recognized as a County within the State of Idaho and has not taken the necessary steps to properly establish itself as a 911 service area. Thus, the Tribe is ineligible to receive an ECC grant.
- The Idaho Emergency Communications Act does not provide for a grant applicant, i.e. Shoshone-Bannock Tribe, to be "sponsored" by a County or other 911 service area.

- Because the Shoshone-Bannock Tribe is a sovereign nation under the regulatory jurisdiction of the US Government, neither the ECC nor any County have regulatory jurisdiction over the Tribe or the Fort Hall Reservation.

Sheriff Jeffries then reported that the ECC has withdrawn the E-911 grant award to the Shoshone-Bannock Tribes in the amount of \$236,850.75 and those funds will be retained by the ECC for distribution during the FY 2015 E-911 grant process.

POWER COUNTY URBAN RENEWAL AGENCY (URA) – TAX INCREMENT FINANCE DISTRICTS: The Commissioners reviewed the appointments to be made to the Power County Urban Renewal Agency to include the following entities and/or communities of interest:

- Power County
- Power County Industrial Development Corporation
- Power County Highway District
- City of American Falls
- American Falls Chamber of Commerce
- Two individuals from the agricultural community
- One individual involved in the heavy industrial community
- One at-large member

American Falls Chamber of Commerce President Kurtis Workman appeared before the Commissioners to discuss the Chamber's representative to the URA. Following discussion, Mr. Workman agreed to discuss this matter with the Chamber Board and submit names for the Commissioners' consideration; accordingly, further consideration of this matter was tabled until December 30<sup>th</sup>, 2013.

THREE RIVERS RESOURCE, CONSERVATION & DEVELOPMENT – COOPERATIVE AGREEMENT (STATUS REPORT): Paula Jones of Three Rivers Resource, Conservation & Development appeared before the Commissioners to report on the status of the grant projects previously approved by the Board of Commissioners. The Commissioners and Ms. Jones then discussed potential future projects. Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Wright, to authorize Paula Jones of Three Rivers RC&D to pursue grant funding to place an additional street light at the Power County Centennial Park. 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 month ending October 31<sup>st</sup>, 2013. Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Wright, to approve the Statement of Treasurer's Cash as presented. Carried.

POWER COUNTY TREASURER – ORDER FOR CANCELLATION OF TAXES: Following discussion with Power County Treasurer Deanna Curry, it was moved by Commissioner Wright, seconded by Commissioner Anderson, to approve the Order for Cancellation of Taxes in the amount of \$5,041.28. Carried.

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

Current Expense	\$ 7,790.22
Ambulance District	3,401.09
District Court	2,505.06
Justice Fund	10,036.86
Misdemeanor Probation/Drug Court	665.52
Enhanced 911 Services	103.99
Indigent Services	1,152.62
Solid Waste	29,810.06
Weeds	8,224.70
Waterways	3,000.00
PILT	9,880.79

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Funk, seconded by Commissioner Wright, 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 1:30 o'clock p.m.:

Commissioner Funk – Aye  
Commissioner Anderson – Aye  
Commissioner Wright – Aye

Carried. Moved by Commissioner Funk, seconded by Commissioner Anderson, to adjourn from Executive Session at 2:00 o'clock 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  
Commissioner Wright – Aye

Carried.

INDIGENT CASE #2013-121-I: Moved by Commissioner Funk, seconded by Commissioner Wright, to deny indigent medical application #2013-121-I since the application was processed as incomplete as provided by I.C. #31-3505(A). Carried.

INDIGENT CASE #2013-099-I: Moved by Commissioner Funk, seconded by Commissioner Anderson, to approve payment to Portneuf Medical Center as payment in full under indigent medical application #2013-099-I. Carried.

INDIGENT CASE #2013-113-I: Moved by Commissioner Funk, seconded by Commissioner Anderson, to deny indigent medical application #2013-113-I since applicant has other resources sufficient to pay the medical expenses incurred as provided by I.C. #31-3502(25). Carried.

POWER COUNTY ASSESSOR – ArcGIS (MAP/DATA MANAGEMENT): Power County Deputy Assessors Donna Thornton and Daisy Hernandez appeared before the Commissioners to present a quote from ArcGIS to contract for software and support to install ArcView mapping and data GIS management in the Power County Assessor's office. Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Wright, to approve the quote submitted by ArcGIS in the amount of \$6,300, to be paid from PILT GPS/mapping funds (50-00-570-00), with the understanding that continuing support will be paid via funds allocated to the Power County Assessor. Carried.

COMPUTER ARTS, INC. – ADMINISTRATIVE ACCESS (SECURITY ISSUES): Tyler Robinson of Computers Arts, Inc., appeared before the Commissioners to discuss security risk and potential liability associated with individuals granted administrative access to Power County's network. Also present from Computer Arts were Garn Herrick, Jonathan Huse and Spencer Goodmensen. At the outset, Mr. Robinson reported that Computer Arts will be implementing the principal of "least privilege", which would limit administrative access privileges to individuals or employees within County IT departments or under contract only. Following discussion, and a rebuttal by Prosecuting Attorney Ryan Petersen who has requested administrative access, the Commissioners agreed to review the materials provided by Computer Arts and revisit this issue should the need arise.

EXECUTIVE SESSION (I.C. #67-2345)(1)(b): Moved by Commissioner Funk, seconded by Commissioner Wright, 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 Commissioners agreed that Clerk Steinlicht should be excused from the executive session and the following roll call vote was taken at 3:00 o'clock p.m.:

Commissioner Funk – Aye  
Commissioner Anderson – Aye  
Commissioner Wright – Aye

Carried. The Commissioners reconvened in the presence of Clerk Steinlicht at 3:30 o'clock p.m., at which time it was moved by Commissioner Funk, seconded by Commissioner Anderson, 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 Funk – Aye  
Commissioner Anderson – Aye  
Commissioner Wright – Aye

Carried.

POWER COUNTY AMBULANCE DISTRICT: Moved by Commissioner Wright, seconded by Commissioner Anderson, to recess as Power County Board of Commissions 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 October 31<sup>st</sup>, 2013, it was moved by Commissioner Wright, seconded by Commissioner Anderson, to approve the report as presented in the amount of \$85,758.90, including any write-offs or adjustments. Carried.

AMBULANCE DISTRICT – STATUS REPORT: Power County Ambulance District Director Di Jones appeared before the Commissioners to report on the status of current, available EMT's and recent Ambulance runs.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Wright, seconded by Commissioner Funk, 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 Commissioners agreed that Clerk Steinlicht should be excused from the executive session and the following roll call vote was taken at 4:10 o'clock p.m.:

Commissioner Funk – Aye  
Commissioner Anderson – Aye  
Commissioner Wright – Aye

Carried. The Commissioners reconvened in the presence of Clerk Steinlicht, at which time it was moved by Commissioner Funk, seconded by Commissioner Anderson, to adjourn from Executive Session at 4:20 o'clock 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  
Commissioner Wright – Aye

Carried.

AMBULANCE DISTRICT – PERSONNEL EVALUATIONS: Following discussion with Power County Ambulance District Director Di Jones, the Commissioners instructed Ms. Jones to conduct employee evaluations and submit a report to the Commissioners on or before December 9<sup>th</sup>, 2013.

Moved by Commissioner Wright, seconded by Commissioner Funk, to recess as Power County Ambulance District Board and reconvene as Power County Board of Commissioners.

POWER COUNTY DISASTER SERVICES – 2013 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) (HOMELAND SECURITY): Following discussion with

Power County Disaster Services Director Di Jones, it was moved by Commissioner Anderson, seconded by Commissioner Funk, to approve and execute the following 2013 EMPG documents:

- Award Document and Special Conditions
- Assurances and Certifications
- 2013 EMPG Guide

Carried.

POWER COUNTY DISASTER SERVICES – 2013 STATE HOMELAND SECURITY GRANT (SHSG) (HOMELAND SECURITY): Following discussion with Power County Disaster Services Director Di Jones, it was moved by Commissioner Funk, seconded by Commissioner Wright, to approve and execute the following 2013 SHSG documents:

- Award Document and Special Conditions
- Assurance and Certifications
- Memorandum of Understanding

Carried.

POWER COUNTY DISASTER SERVICES – 2012 HOMELAND SECURITY GRANT PROGRAM (HSGP) – COST SHARE AGREEMENT: Power County Disaster Services Director Di Jones appeared before the Commissioners to review the correspondence from Colonel Brad Richy, Director of the Idaho Bureau of Homeland Security (BHS), regarding the 2012 HSGP cost share agreement, and specifically that BHS has requested an extension for Counties to close out their 2012 HSGP beyond the current date of July 31<sup>st</sup>, 2014.

POWER COUNTY DISASTER SERVICES – STATUS REPORT: Power County Disaster Services Director Di Jones appeared before the Commissioners to discuss the operations of the Power County Disaster Services department.

EXECUTIVE SESSION (I.C. #67-2345)(1)(b): Moved by Commissioner Wright, seconded by Commissioner Funk, 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 Commissioners agreed that Clerk Steinlicht should be excused from the executive session and the following roll call vote was taken at 4:45 o'clock p.m.:

Commissioner Funk – Aye  
Commissioner Anderson – Aye  
Commissioner Wright – Aye

Carried. The Commissioners reconvened in the presence of Clerk Steinlicht at 6:00 o'clock p.m., at which time it was moved by Commissioner Wright, 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 Funk – Aye  
Commissioner Anderson – Aye  
Commissioner Wright – Aye

Carried.

Adjourned.

  
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RON FUNK, Chairman

  
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CHRISTINE STEINLICHT, Clerk