

POWER COUNTY COMMISSIONER MINUTES

The Board of Power County Commissioners met in regular session on Monday, August 25th, 2014. Present were Commissioners Ron Funk, Chairman, Delane Anderson and Norman Wright. Also present was Power County Clerk Christine Steinlicht.

POWER COUNTY TRANSFER STATION & LANDFILL – ROOF QUOTES: Power County Transfer Station & Landfill supervisor Craig Heward appeared before the Commissioners to review the quotes he obtained to repair the roof at the Transfer Station. Also present was Power County Building Administrator Robert Steinlicht. Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Wright, to accept the quote submitted by Western Roofing in the amount of \$11,700. Carried.

POWER COUNTY TRANSFER STATION/LANDFILL – DUMPSTER SITE DISPOSAL (SOLID WASTE TRANSPORT CONTRACT): Commissioner Funk announced that it was the date and time scheduled to open sealed bids for solid waste services at the Power County Transfer Station and satellite dumpster sites. Also present was Power County Transfer Station/Landfill Supervisor Craig Heward. The Commissioners received and opened the sole sealed bids submitted by Snake River Dispose-All. Following discussion, the Commissioners agreed to schedule a meeting with William Jones d/b/a Snake River Disposal-All to discuss the bid details; accordingly, further consideration of this matter was tabled until September 8th, 2014.

POWER COUNTY TRANSFER STATION & LANDFILL – DUMPSTER SITE DISPOSAL (METAL/RECYCLING): Following discussion with Power County Transfer Station & Landfill Supervisor Craig Heward, the Commissioners agreed to schedule a meeting with Randy Moffit d/b/a Eastern Idaho Recycling & Salvaging, LLC, to discuss options for scrap metal recycling at the Power County Transfer Station and satellite dumpster sites; accordingly, further consideration of this matter was tabled until September 8th, 2014.

POWER COUNTY TRANSFER STATION & LANDFILL – VENT QUOTES: Power County Transfer Station & Landfill Supervisor Craig Heward appeared before the Commissioners to review the quote submitted to install a ventilation system in the Transfer Station to control excess dust and odor. Following discussion, the Commissioners agreed to take this matter under advisement until September 8th, 2014.

CRYSTAL SUMMIT RECREATION AREA – U.S. FOREST SERVICE/POCATELLO PATHFINDERS SNOWMOBILE CLUB (ADDENDUM MEMORANDUM OF UNDERSTANDING): Don “Rosie” Rosenberg and Bob Keller, the President and Secretary of the Pocatello Pathfinders Snowmobile Club appeared before the Commissioners to review the Memorandum of Understanding Addendum for care and maintenance of the Crystal Summit recreation area parking area and facilities. Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Wright, to amend the Addendum to include a provision that the site will be posted with a public notice that access to the Crystal Summit parking area is available by calling the Pocatello Pathfinders point of contact at a number specified. Carried. The Commissioners instructed Power County Prosecuting Attorney Ryan Petersen to prepare an updated Addendum and further discussion of this matter was tabled until September 8th, 2014.

POWER COUNTY SHERIFF – COURTHOUSE SECURITY (ADMINISTRATIVE ORDER):

Power County Sheriff Jim Jeffries appeared before the Commissioners to present a copy of the “Administrative Notice” issued by Sixth District Administrative Judge Stephen Dunn regarding security at the Power County Courthouse. Following discussion, the Commissioners and Sheriff Jeffries agreed that the notice will be posted on all entrances into the Power County Courthouse, and enforced by the Power County Sheriff.

POWER COUNTY SHERIFF – INMATE MEDICAL (BADGER MEDICAL):

Power County Sheriff Jim Jeffries appeared before the Commissioners to discuss the inmate medical agreement between Power County and Badger Medical. Following discussion and a review of I.C. #20-619, it was moved by Commissioner Wright, seconded by Commissioner Funk, to authorize the Power County Sheriff to charge a nominal fee of ten (\$10.00) dollars to any non-indigent inmate for the purpose of seeing the jail provided doctor or nurse for a medical complaint, with the understanding that this matter will be reviewed in ninety (90) days. Upon a call for the question, the following roll call vote was taken:

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

Carried.

HARDSHIP EXEMPTION APPLICATION (I.C. #63-711): Power County Treasurer Deanna Curry appeared before the Commissioners with applicant to consider the Hardship Exemption Application on Power County Parcel #RPA0884-00.

EXECUTIVE SESSION (I.C. #67-2345): Following discussion with Power County Prosecuting Attorney, Ryan Petersen, it was moved by Commissioner Anderson, seconded by Commissioner Funk, to move into executive session pursuant to I.C. #67-2345(1)(f), to communicate with legal counsel for the public agency 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 at 10:30 o'clock a.m.:

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

Carried.

The Commissioner reconvened at 11:00 o'clock a.m., at which time it was moved by Commissioner Anderson, seconded by Commissioner Wright, to adjourn from executive session 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.

HARDSHIP EXEMPTION APPLICATION (I.C. #63-711): Following executive session and a review of the evidence and testimony presented, it was moved by Commissioner Funk, seconded by Commissioner Wright, to forgive interest and penalties currently due and owing on Power County Parcel #RPA0884-00 for tax year 2010 in the amount of \$548.20, upon the condition that the balance of taxes owing for 2010 in the amount of \$1,311.69 be paid immediately, and upon the further condition that applicant make monthly payments in the amount of \$250 to satisfy the taxes, penalty and interest owing for tax years 2011, 2012 and 2013. Carried.

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

ENTRADA, LLC – ACCOUNTS RECEIVABLE: Following discussion with Power County Ambulance District Director Di Jones, it was moved by Commissioner Funk, seconded by Commissioner Anderson, to approve the Power County Ambulance District's accounts receivable report for the period ending July 31st, 2014, in the amount of \$72,711.90, including any write-off's and adjustments. Carried.

ENTRADA, LLC – BILLING SERVICES AGREEMENT: Following discussion, it was moved by Commissioner Wright, seconded by Commissioner Funk, to approve and execute the Billing Services Agreement between Power County and Entrada, LLC, which agreement is ongoing and terminated only by giving the other party at least ninety (90) days prior written notice, with the understanding that the Agreement will be reviewed annually. Carried.

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

POWER COUNTY COURTHOUSE SECURITY – EMPLOYEE CPR CERTIFICATION: Power County Clerk Steinlicht reported that the Power County Sheriff's Office will be rescheduling CPR certification for Courthouse and Annex employees to allow for "certification" rather than "re-certification". Also present was Power County Disaster Services Director Di Jones, who presented quotes to purchase backup batteries and supplies for the two defibrators currently on-site at the Power County Courthouse and to purchase two additional defibrators and cabinets. Following discussion, it was moved by Commissioner Wright, seconded by Commissioner Anderson, to authorize Power County Disaster Services Director Di Jones to make the purchases as presented. Carried.

POWER COUNTY BUILDINGS & GROUNDS (POWER COUNTY EMERGENCY SERVICES BUILDING): Power County Disaster Services Director Di Jones appeared before the Commissioners to discuss the shared use of the Power County Emergency Services Building and adjacent parking areas with the American Falls Rural Fire District and the City of American Falls. At the outset, Commissioner Wright reported that he and Ms. Jones had meet with American Falls Rural Fire District Board Chairman Lynn Scherer, American Falls Mayor Marc Beitia and Chief Police Brandon Wilkinson to discuss these matters; and, as a result, all disputed

issues have been resolved. Following discussion, the Commissioners and Ms. Jones agreed that joint quarterly meetings between Power County, City of American Falls and American Falls Rural Fire District would be beneficial to eliminate future confusion or misunderstanding.

POWER COUNTY TREASURER – MONTHLY REPORT (I.C. #63-2113): Power County Treasurer Deanna Curry appeared before the Commissioners pursuant to I.C. #63-2113, to present her Statement of Treasurer’s Cash for the month ending July 31st, 2014. Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Wright, to approve the Treasurer’s monthly report as presented. Carried.

POWER COUNTY TREASURER – ORDER FOR CANCELLATION OF TAXES: Following discussion with Power County Treasurer Deanna Curry, it was moved by Commissioner Funk, seconded by Commissioner Wright, to approve the Orders for Cancellation of Taxes in the amount of \$79.85 and \$20.27 as presented. Carried.

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

Current Expense	\$ 8,152.84
Ambulance District	1,685.41
District Court	2,655.40
Justice Fund	11,409.52
Enhanced 911 Services	50.21
Indigent	14,228.05
Revaluation	799.56
Solid Waste	276.82
Weeds	30,359.87
Waterways	2,973.79
PILT	14,625.04

POWER COUNTY PUBLIC DEFENDER – CONTRACT EXTENSION: Following discussion, it was moved by Commissioner Funk, seconded by Commissioner Wright, to approve and execute the Addendum Agreement between Power County and Robert Eldredge to provide public defender services for an additional one (1) year period, or until the “State Public Defender Commission” has established the parameters for public defense in Idaho. Carried.

AMERICAN FALLS YOUTH MINISTRY D/B/A GERALD FEHRINGER YOUTH CENTER – LEASE AGREEMENT ADDENDUM: Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Funk, to approve and execute the Lease Agreement Addendum between Power County and American Falls Youth Ministry d/b/a Gerald Fehringer Youth Center, for the period October 1st, 2014, through September 30th, 2015, which lease shall be reviewed annually and will renew automatically for additional one (1) year periods unless either party gives thirty (30) days written notice. Carried.

POWER COUNTY BUILDINGS & GROUNDS – DAVE ZIMMERMAN LEASE: Power County Deputy Prosecuting Attorney Ryan Sargent appeared before the Commissioners to

present a copy of the proposed specifications to offer lease of Power County's 73.4 farmable acres located in Section 22, Township 7 South, Range 31 E.B.M. currently leased to Dave Zimmerman for public bid. Following discussion, the Commissioners agreed table further consideration of this matter until September 8th, 2014.

IDAHO PUBLIC UTILITIES COMMISSION – IDAHO POWER: Power County Prosecuting Attorney Ryan Petersen appeared before the Commissioners to present his draft grievance letter to the Idaho Public Utilities Commission regarding concerns with Idaho Power's provision of electrical power to customers in Power County and requesting that the IPUC assist in resolving the concerns. Following discussion, it was moved by Commissioner Anderson, seconded by Commissioner Wright, to approve and execute the grievance letter as presented. Carried.

POWER COUNTY ASSESSOR – IDAHO DEPARTMENT OF TRANSPORTATION (ADMINISTRATIVE FEE): Power County Deputy Assessor Elna Neu appeared before the Commissioners to discuss the administrative fee Power County charges for vehicle registrations. Following discussion, it was moved by Commissioner Wright, seconded by Commissioner Anderson, to increase the Power County Assessor's administrative fee to \$2.00 and to eliminate all mailing fees, effective immediately. Carried.

EXECUTIVE SESSION (I.C. #67-2345): Moved by Commissioner Wright, 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 3:00 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 3:15 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 #2014-104-I: Moved by Commissioner Funk, seconded by Commissioner Wright, to deny indigent case #2014-104-I, since applicant has other resources sufficient to pay the medical expenses incurred as provided by I.C. #31-3502(25). Carried.

INDIGENT CASE #2014-102-I: Moved by Commissioner Funk, seconded by Commissioner Wright, to approve indigent medical application #2014-102-I. Carried.

ALCOHOL BEVERAGE LICENSE (I.C. #23-903): Commissioner Funk announced that it was the date and time scheduled for the consideration of an alcohol beverage license. There being no

public objection, it was moved by Commissioner Funk, seconded by Commissioner Wright, to approve the following 2014-2015 Alcohol Beverage License.

#19 – Candace Reynolds d/b/a The Willow and the Bay, LLC, 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 retail wine.

Carried.

FISCAL YEAR 2015 BUDGET – PUBLIC HEARING: Commissioner Funk announced that it was the date and time scheduled for public hearing on Power County’s proposed fiscal year 2015 budget as published. At the outset, Commissioner Funk advised those in attendance that Idaho Code #31-1605 requires that the Board of Power County Commissioners fully and finally fix and determine a fiscal year 2015 budget prior to the conclusion of the public budget hearing. Following public hearing and opportunity for questions, comments and/or objections, it was moved by Commissioner Funk, seconded by Commissioner Anderson, to approve Power County’s Fiscal Year 2015 Budget as published in the amount of \$11,306,844, which does not include any amounts to be raised from property taxes greater than the amounts advertised, with the understanding that all Contingency Funds shall contained therein be designated as follows:

- First, as a “General Reserve Appropriation” under I.C. #31-1605, and the Board of County Commissioners shall have the right to make an appropriation of these funds in the event of any unforeseen contingency arising, which could not reasonably have been foreseen at the time of making the budget, and which shall require the expenditure of money not provided for in the budget; and
- Second, as an “Accumulated Fund Balance” sufficient to achieve or maintain the operations of Power County on a cash basis as provided by I.C. #31-1605(A).

And to set elected officials salaries as follows:

Commissioner Ron Funk -- \$23,941
Commissioner Delane Anderson -- \$22,741
Commissioner Norman Wright -- \$22,741
Clerk Chris Steinlicht -- \$52,248
Assessor Douglas Glascock -- \$52,248
Treasurer Deanna Curry -- \$52,248
Sheriff Jim Jeffries -- \$57,002
Prosecuting Attorney Ryan Petersen -- \$39,140
Coroner Mark Rose -- \$11,118

Carried.



RON FUNK, Chairman



CHRISTINE STEINLICHT, Clerk