



POWER COUNTY BOARD OF COMMISSIONERS

Meeting Minutes
Commission Chambers
543 Bannock Ave.
American Falls, ID 83211
www.powercounty.is.us

Monday, August 28, 2017, 9:00 a.m.

I. CALL TO ORDER

The Board of County Commissioners met in regular session Monday, August 28, 2017, and called the meeting to order at the hour of 9:07 am, in the Commission Chambers of the Power County Courthouse.

II. COMMISSIONERS/STAFF

PRESENT:	Commissioner Ron Funk, Chair Commissioner Delane Anderson Commissioner Bill Lasley
ABSENT:	None
STAFF:	Sharee Sprague, Clerk Laura Carlon, Deputy Clerk Maureen Schelske, Deputy Auditor Anson Call, Legal Counsel
OTHER PARTIES PRESENT:	Assessor Mary Annen Chief Deputy Assessor Kim Olson Chief Deputy Treasurer Teri Kendall Chief Deputy Sheriff Max Sprague
	Sheriff Jim Jeffries Lance Funk Di Jones Connie Shepherd

III. AGENDA

A. NOTICES/REPORTS

1. **Public Hearing Preparation:** The Commission reviewed the proposed budget for the public hearing and made the following corrections, which did not change the levy impact to the taxpayers;
 - Adjust the contract line in the Fair Board fund to satisfy the contractual obligation of the county.
 - Reduce the professional services line in the Water Bond fund to allow annual fees to be inserted to satisfy the contractual obligation of the county.
 - Adjust current expense transfer amount to the fair board to match the needed funds to meet contractual obligations and satisfy such funds from the current expense contingency line.

- Correct a budget line in Computer Arts software to include the shared employee transfer to appropriately calculate in the budget totals. The budget total changes, however, there revenue source is accurately calculating, therefore, there is not impact to the published levy totals.
- 2. **Airport Fueling Station Card Reader:** Commissioner Anderson reports that a software update malfunction caused the airport fueling station to be locked down during the eclipse and required a \$450.00 software upgrade software.
- 3. **Planning and Zoning Update:** Commissioner Anderson reported that resident Tyler Jenkins observed building activity going on in the property adjacent to his sawmill, he inquired if a building permit had been issued. We responded that it was on Fort Hall Indian Reservation Property and we have no permitting authority over it. Building Administrator Andi Higgins will follow up and report back to the Commissioners.
- 4. **School Resource Officer:** Commissioner Lasley reports that American Falls School District has advised that they can only offer \$18,000.00 per year for the next five (5) years toward employing a school resource officer at the school during the academic year. Sheriff Jim Jeffries advises that the county would need more a commitment from either the school or collaboratively with other entities. The Commission suggested that the Sheriff meet directly with community boards to educate them, clearly answer questions and inquire about a joint partnership.
- 5. **Idaho Association of Counties (IAC) Resolutions:** Commissioner Anderson inquired if the county would be interested in drafting a resolution to make the public defender an elected official. Following discussion, no action was taken.

B. MOTIONS:

1. **Agenda Amended and Approved:** A motion to amend the agenda for Monday, August 28, 2017, to include Industrial Commission Board Appointments, Planning and Zoning Update, SRO Update and IAC Resolutions on the grounds that information was provided to the Board after the posting of the meeting and said items necessitate action prior to the next regular scheduled meeting and then approve the agenda was presented by Commissioner Lasley with a second by Commissioner Anderson. Following audible call of the Board, motion unanimously carried.
2. **Tax Cancellation Request Trans fuel holdings:** Applicant Lance Funk appeared on behalf of Transfuels. Assessor Mary Annen explained that on August 16, 2017, a Warrant of Distraint was issued against Transfuels for failure to pay taxes on personal property located on PPY0107-03. Assessor Annen reports that the trailer was not licensed until 12/28/2016, which accounts for the 2017 taxes. The county will need to do a cancellation for the 2017 taxes when issued. If trailer is licensed, then property is not taxed, if the trailer is not licensed, then the property is taxed. Assessor deems that second half of 2016 taxes are due. Assessor Annen reports that Transfuels listed the equipment in question on the 2016 and 2017 property assessment.

Mr. Funk attests that if the trailers were licensed, taxes should not be assessed. Mr. Funk advises that there are multiple trailers utilized at the site and that Transfuels moves them from site to site. Mr. Funk states that the trailer in question is now licensed and

recognizes that some taxes are due, however does not agree with the assessed value being used to calculate the tax.

Upon conclusion, a motion to reduce the second half of taxes for 2016 on Parcel Number PPY0107-03 to reduce the amount due to \$2,192.85 including penalties and interest, therefore cancelling \$3,089.36 in taxes, \$62.79 penalty and \$12.25 fees was presented by Commissioner Anderson with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.

3. **Power County Ambulance Administration & Financial Report:** Di Jones appeared before the Commission and presented financial reports for the ambulance district. A motion to approve Ambulance report for July 2017 as submitted by Entrada was presented by Commissioner Anderson, with a second by Commissioner Lasley. Following an audible call of the board, motion unanimously carried.
4. **Idaho Office of Emergency Management:** Di Jones presented the Idaho Office of Emergency Management grant agreement. Upon conclusion a motion to accept the 2017 EMPG Grant award in the amount of \$11,639.00 presented by Commissioner A Lasley, with a second by Commissioner Anderson. Following an audible call of the board, motion unanimously carried.
5. **Treasurer Updates:** Clerk Sharee Sprague presented updates on behalf of Treasurer Deanna Curry and presented the Board of Commissioners with a LGIP monthly statement, Treasurer's Cash, Joint Quarterly Report ending July 31, 2017. Reports were discussed and reviewed by the Board and following discussion, a motion to accept the reports was presented by Commissioner Lasley with a second by Commissioner Funk. Following an audible call of the board, motion unanimously carried.
6. **Indigent Claims:** A motion to deny claim 2017-78 was presented by Commissioner Lasley with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried.
7. **Claims:** A motion to approve the claims approval report in the amount of \$94,477.90 was presented by Commissioner Anderson with a second by Commissioner Lasley. Following an audible call of the board, the motion unanimously carried. Upon approval of the Board, the summary of claims paid are as follows;

FUND	Paid
0001 GENERAL FUND (CURRENT EXPENSE)	\$ 24,071.98
0002 SICK BANK COMPENSATION	\$ -
0003 FAIR BOARD	\$ 326.92
0004 POWER COUNTY AMBULANCE DIST.	\$ 2,625.91
0005 POWER COUNTY ABATEMENT DIST.	\$ -
0006 DISTRICT COURT	\$ 653.75
0008 JUSTICE FUND	\$ 12,772.16
0009 DRUG COURT	\$ 81.50
0010 ENHANCED 911 SERVICES	\$ 4,430.14
0015 ELECTIONS	\$ 48.02
0016 INDIGENT	\$ 11,043.55

0017 JUNIOR COLLEGE TUITION	\$	-
0020 REVALUATION	\$	16,100.00
0023 SOLID WASTE (LANDFILL)	\$	1,259.64
0024 TORT	\$	-
0027 WEEDS	\$	1,259.84
0038 WATERWAYS	\$	16,827.28
0039 MUSEUM/HISTORICAL SOCIETY	\$	-
0050 PAYMENT IN LIEU OF TAXES	\$	2,977.21
0051 BOND - WATER RIGHTS	\$	-
Total Amount Paid	\$	94,477.90

8. **Second Amendment Ordinance:** Legal counsel Anson Call presented Ordinance 2017-02, an ordinance to repeal Power County Ordinance 96-01 as it is no longer enforceable under Idaho Code Title 18, was presented by Commissioner Funk with a second by Commissioner Lasley. Following an audible call of the board, motion unanimously carried.
9. **Senior Center Grant:** Clerk Sharee Sprague presented the Idaho Community Development Block Grant regarding the Senior Center remodel and advised that legal counsel Anson Call approves of the execution of the same. Upon conclusion, a motion to execute the Idaho Community Development Block Grant regarding the Senior Center remodel was presented by Commissioner Lasley with a second by Commissioner Funk. Following an audible call of the board, motion unanimously carried.
10. **Industrial Commission Board:** A motion to re-appoint active industrial commission board members for a period of one year was presented by Commissioner Funk with a second by Commissioner Lasley. Following audible call of the board, motion unanimously carried and the Industrial Commission Board members are as follows:
 - Bob Cox
 - Vicki Meadows
 - Dan Hammond
11. **FISCAL YEAR 2018 PUBLIC BUDGET HEARING:** Commissioner Funk proclaimed the public hearing on Power County proposed fiscal year 2018 budget to be open for public comment at 5:10 pm. At the outset parties in attendance were advised that Idaho Code 31-1605 requires the county commissioners to conclude public budget hearing, fix and determine the amount of the budget on or before September 11, 2017. Clerk Sharee Sprague provided a summary of changes affixed in the budget. Carol Schreiber and Marge Glascock presented questions to the Board. Teri Kendall, Chief Deputy Treasurer, and Kim Olson, Chief Deputy Assessor, appeared on behalf of their respective offices. Following public hearing and opportunity for questions, comments and/or objections, a motion to close the public budget hearing at 5:39 pm and adopt the budget in the total amount of \$12,624,492.00 was presented by Commissioner Anderson with a second by Commissioner Lasley. Following audible call of the Board motion unanimously passed. Upon conclusion, the Board directed legal counsel Anson Call to draft a resolution for execution on September 11, 2017.

A motion to declare the public hearing closed was presented by Commissioner Anderson with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.

C. POINTS OF ORDER:

1. **Clark Radio Update:** Clerk Sharee Sprague advised that Mr. Clark was unavailable to meet today and they are coordinating another date to meet with the Commission. Sheriff Jeffries recommends that the county retain access to the PAPS repeater site as the proposed work around by Clark Radio is considerable.

IV. EXECUTIVE SESSION:

1. **Executive Indigent Session pursuant to I.C. §74-206 2:31 pm:** A motion to enter into executive session pursuant to I.C. §74-206, to consider records that are exempt from disclosure under Chapter 3, Title 9, Idaho Code, specifically indigent medical applications was presented by Commissioner Funk with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.
2. **Executive Indigent Session pursuant to I.C. §74-206 2:40 pm:** A Motion to exit executive session pursuant to I.C. §74-206, to consider records that are exempt from disclosure under Chapter 3, Title 9, Idaho Code, specifically indigent medical applications was presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
3. **Executive Legal Advice Session pursuant to I.C. §74-206(f) 3:37 pm:** A motion to enter into executive session pursuant to I.C. §74-206(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 was presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
4. **Executive Legal Advice Session pursuant to I.C. §74-206(f) 3:46 pm:** A Motion to exit executive session pursuant to I.C. §74-206(f), was presented by Commissioner Lasley with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.
5. **Executive Personnel Session I.C. 74-206(1)(b) 3:56 pm:** A motion to enter into executive session to consider personnel actions pursuant to Idaho Code 74-206(1)(b) was presented by Commissioner Funk with a second by Commissioner Anderson. Following audible call of the Board, motion unanimously carried.
6. **Executive Personnel Session I.C. 74-206(1)(b) 4:57 pm:** A motion to exit into executive session pursuant to Idaho Code 74-206(1)(b) was presented by Commissioner Lasley with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried.
7. **Executive Personnel Session I.C. 74-206(1)(b) 5:48 pm:** A motion to enter into executive session to consider personnel actions pursuant to Idaho Code 74-206(1)(b) was presented by Commissioner Anderson with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried.
8. **Executive Personnel Session I.C. 74-206(1)(b) 6:03 pm:** A motion to exit into executive session pursuant to Idaho Code 74-206(1)(b) was presented by Commissioner Anderson

with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried.

V. ASSESSMENTS/CONCLUSIONS:

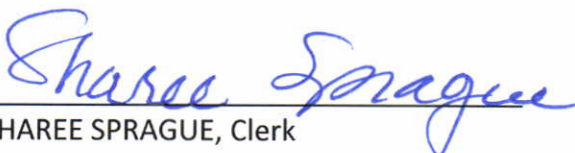
1. **Next Meeting:** The next regular session for the board to meet is slated for September 11, 2017.
2. **Adjourn:** Having no further business to come before the Board, a motion to adjourn was presented by Commissioner Anderson with a second by Commissioner Funk. Following audible call of the Board, motion carried and the meeting was adjourned at 6:10 pm.

The foregoing minutes were approved by the Board of County Commissioners during the Regular Board Meeting held September 11, 2017.



COMMISSIONER FUNK, Chairman

ATTEST:



SHAREE SPRAGUE, Clerk