



POWER COUNTY BOARD OF COMMISSIONERS

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

Monday, May 22, 2023, 9:00 a.m.

I. CALL TO ORDER

The Board of County Commissioners met in regular session Monday, May 22, 2023, and called the meeting to order at the hour of 8:26 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 Nate Cuoio, Legal Civil Counsel Jason Mackrill, Prosecutor
OTHER PARTIES PRESENT:	Kristi Permann Dallas Clinger Sunshine Gregory Phoenix Campbell Wesley Anderson Lieutenant Gary Krell Sergeant Ainnette Silva Marshal Mark Christensen Neal Timmerman Allan Johnson, DEQ Kathy Bergholm, DEQ Launa Snow Britney Herrgesell Kristin Jensen

III. AGENDA

A. NOTICES/REPORTS

1. **Power County Ambulance Administration:** Director Kristi Permann appeared before the Board. Ms. Permann reported that her administrative assistant Melanie Jennings had resigned advising she did not like the administrative portion of her job. Clerk Sharee Sprague Ms. Jennings personally delivered a sealed envelope to be forwarded to the Commission. Chairman Funk reported that the envelope contained letters of recognition citing concerns about the job and supervision of the position. Chairman Funk advised that the details of the letter and discussion would be addressed during executive session at a later date.

Ms. Permann advised that the medical director agreement and licensure for the district needs to continue forward. Ms. Permann reported that there was a wreck over the weekend and there were some concerns about the extrication protocol. Ms. Permann reports that the extrication guidelines have not been updated since 2011. Sheriff Lieutenant Gary Krell appeared to answer questions about a call. Upon conclusion, Ms. Permann was directed to discuss the details and protocol directly with Sheriff Campbell. Power County Hospital CEO Dallas Clinger and Power County Hospital DON Sunshine Gregory presented professionalism and personnel concerns to the Commission regarding Chief Permann and transport availability by the Ambulance District. Ms. Gregory advised that they were required to utilize Acute Rescue, but would prefer to keep funding local. Upon conclusion, the Commission advised that while we are short staffed, transport may not be available at times and Acute Rescue services may be necessary. The Commission advised they will discuss the other concerns at a later date in executive session.

2. **Acute Rescue:** Wesley Anderson and Phoenix Campbell appeared advising that they are a for profit ambulance company, which he started in 2011. Mr. Anderson advised that his home base is in the Boise area, but they expanded to this part of the state at the request of Portneuf Medical Center. Mr. Anderson advises that he sets on sustainability board and staffing issues that Power County is experiencing are universal across the state and nation. Mr. Anderson advises that they focus customer service, medical treatment and transportation. Mr. Anderson explained the memorandum of understanding (MOU) that he has with other counties and entities around the state. Mr. Anderson advises that he is coming to provide information and an alternative option. Mr. Anderson advised that their billing is very aggressive, therefore their payment success is upwards of 85%. Mr. Anderson advised that he maintains a strong relationship with the only person that approves Medicaid claims for critical care in the State of Idaho, and he knows and understands the system well. Mr. Anderson reports that he only has five (5) people without medical training to some level, two (2) of which are billing agents. Mr. Anderson reports that they contract with most Idaho insurance companies as a preferred provider. Legal counsel Nate Cuoio requested contact information for counties they are currently serving and copies of the MOUs if available, which were provided.
3. **M2 Front Entrance Update:** Sergeant Ainnette Silva, Court Marshal Mark Christensen and Neal Timmerman of M2 appeared before the Commission and discussed front entrance and courthouse security operational protocol. Upon conclusion, Mr. Timmerman agreed to reach out to the contractor that installed ADA doors and the matter was tabled for further discussion at a later date.
4. **DEQ Annual Update:** Katy Bergholm Regional Administrator for DEQ appeared and introduced the new Regional Engineering Manager Allan Johnson. Mr. Johnson reported that the re-charge aquifer program is managed by IDWR and they only review at the request of IDWR. Ms. Bergholm explained that IDWR is in charge of water quantity and DEQ is water quality. Ms. Bergholm advised that David Goings has retired and due to HR and software transitions with the state, hiring is currently frozen. Ms. Bergholm advised that all the ARPA funds have been awarded and they are now in the

middle of completion of the projects. Ms. Bergholm reported that the EPA very focused on air quality and have received a bunch of grant funding, focusing on climate changes etc. for Idaho needs. Mr. Johnson offered to be resource to the planning and zoning committee regarding new developments. Mr. Johnson advised that Bingham, Bannock, Bear Lake and Franklin all keep him updated on local projects and identified issues that required attention. Ms. Berholm advised that IDHW is concerned with the function of septic systems, but does not monitor concerns of septic leaching into water. Mr. Johnson agreed to reach out to Dept. of Ag inspectors to check on concerns reported regarding the truck wash operation.

B. MOTIONS:

1. **Agenda:** A motion to approve the agenda for Monday, May 22, 2023, was presented by Commissioner Lasley with a second by Commissioner Anderson. Following audible call of the Board, motion unanimously carried.
2. **Convene as Ambulance District Board at 9:17 am:** A motion to adjourn as the Power County Board of County Commissioners and convene as the Power County Ambulance District Board was presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
3. **Reconvene as Board of County Commissioners at 11:07 am:** A motion to adjourn as the Power County Ambulance District Board and reconvene as the Power County Commissioners was presented by Commissioner Anderson with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.
4. **Policy Discussion:** Nate Cuoio advised there was a question about paid leave for paid military leave. Mr. Cuoio advises that there is not provision in the county policy. Mr. Cuoio advises that Idaho Code provides that state employees to provide 120 hours annually for service. Upon conclusion a motion to mirror the state policy and update the County policy to reflect the same was presented by Commissioner Anderson with a second by Commissioner Lasley. Following an audible call of the board, the motion unanimously carried.
5. **Treasurer Updates:** Treasurer Deanna Curry presented the Board of Commissioners with a LGIP monthly statement, Treasurer's Cash, Joint Quarterly Report ending April 20, 2023. Treasurer Curry reports that the Wells Fargo CD in the amount of \$248,000.00 with a rate of 2.75% that matured on April 10, 2023, which was replaced at Wells Fargo for the same amount with a rate of 4.65%. Reports were discussed and reviewed by the Board and following discussion, a motion to accept the reports and direct the Treasurer to reach out to City of Pocatello Mayor Blad regarding delinquent property at the airport was presented by Commissioner Lasley with a second by Commissioner Funk. Following an audible call of the board, motion unanimously carried.
6. **Building and Grounds:** At the outset, Chester Taylor advised that the slope of the physical therapy building and alley cause a natural slope to the corner between the Adult probation house and garage and has caused the area to sink 3-4 inches. Mr. Taylor reports that he had the parking lot construction contractor look at the area and

they recommended installing a French drain. Commissioner Anderson reports that the physical therapy building will be removed by 2025 and recommends waiting until then to address the issue. By consensus, the Commission thanked Mr. Taylor for the information and directed that they finish current jobs before starting anything new. Mr. Taylor advised that the property manager advised him that the County had intended on replacing the sewer line to the 579 Bannock Avenue and requested confirmation. The Commission did not recall that approval, but will research the answer and get back with Mr. Taylor.

Lee Dille appeared and reported the parking lot is underway. Mr. Dille reported that he was unable to receive any additional written bids for the compaction study for the parking lot. Mr. Dille reports that he received a verbal from a new company for about \$2,000.00. Commissioner Lasley inquired why we didn't discuss any of this on the front end. Commissioner Anderson advised we did that before and when the parking lot sunk, it was advised that the cause was weather related. Mr. Dille reports that the contractor may do their own study, but they would not be required to, nor would they be required to share the results thereof with the county. Prosecutor Jason Mackrill advised they could forgo the study and if the job fails, you could sue the contractor or you could pay for the study and if the job fails, you could sue both parties. Commissioner Funk inquired if weather would play into the liability and success of the lawsuit, which Prosecutor Mackrill conceded. Following discussion, a motion to decline impact study was presented by Commissioner Anderson with a second by Commissioner Lasley. Following an audible call of the board, motion unanimously carried. Mr. Dille presented an application and certificate for payment on the parking lot. The commission recognized that some of the elements were not completed, however, it was around half of the total bid. Mr. Dille confirmed that he will assure the remaining jobs are completed. Upon conclusion, a motion to authorize a demand payment be paid from 41-00-807-00 to RS Jobber Inc. in the amount of \$76,348.65 was presented by Commissioner Funk with a second by Commissioner Lasley. Following an audible call of the board, motion unanimously carried. The Commission reviewed the updated bid from 21st Century Remodeling to repair and slope the men's restroom in the Courtroom lobby. Upon conclusion, a motion to accept the updated bid from 21st Century Remodeling to slope and repair floor in men's restroom in the amount of \$13,665 was presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, motion unanimously carried.

7. **Snow Property Management:** Launa Snow appeared and advised that the advocacy house is vacant and presented recommended updates and repairs before renting. Upon conclusion, a motion to authorize repairs as submitted, direct Ms. Snow to use her judgement on the material choices, up to \$9,000.00 was presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, motion unanimously carried.
8. **Economic Development Grant Support Letter:** Economic Developer Kristen Jensen appeared and requested a support letter for the new Economic Development Grant. Ms. Jensen reported match funds go toward marketing and some of her conference

travel and provided the Commission with a copy of the marketing magazine. Upon conclusion, a motion to authorize a letter of support for the Economic Development Grant with matching funds of \$5,000.00 was presented by Commissioner Anderson with a second by Commissioner Lasley. Following an audible call of the board, motion unanimously carried.

9. **Claims:** A motion to approve the claims approval report in the amount of \$162,858.41 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)	\$ 15,458.55
0002 SICK BANK COMPENSATION	\$ -
0003 FAIR BOARD	\$ 10,250.00
0004 POWER COUNTY AMBULANCE DIST.	\$ 945.48
0005 POWER COUNTY ABATEMENT DIST.	\$ 16,060.00
0006 DISTRICT COURT	\$ 1,212.65
0008 JUSTICE FUND	\$ 25,316.84
0009 DRUG COURT	\$ 164.39
0010 ENHANCED 911 SERVICES	\$ 1,320.81
0011 HEALTH DISTRICT	\$ 55.48
0015 ELECTIONS	\$ 4,616.22
0016 INDIGENT	\$ 11.23
0017 JUNIOR COLLEGE TUITION	\$ -
0020 REVALUATION	\$ 10,620.00
0023 SOLID WASTE (LANDFILL)	\$ 53,889.48
0024 TORT	\$ 2,007.02
0027 WEEDS	\$ 136.41
0038 WATERWAYS	\$ 5,534.50
0039 MUSEUM	\$ 819.77
0041 AMERICAN RESCUE PLAN ACT	\$ 1,918.96
0050 PAYMENT IN LIEU OF TAXES	\$ 12,520.62
0051 BOND - WATER RIGHTS	\$ -
Total Amount Paid	\$ 162,858.41

10. **Memorandum of Agreement SUDS/CBAS Funding:** Juvenile Probation Director Brittney Herrgesell presented the Memorandum of Agreement to support Community Based Alternative Services (CBAS) and Substance Use Disorder Services (SUDS) between the Idaho Department of Juvenile Corrections and Power County which provides for treatment cost reimbursement. Upon conclusion a motion to execute the Memorandum of Agreement to support CBAS and SUDS between the Idaho Department of Juvenile Corrections was presented by Commissioner Lasley with a

second by Commissioner Funk. Following an audible call of the board, motion unanimously carried.

11. **May 16 Election Canvass:** A motion to accept the May 16, Election Canvass as printed was presented Commissioner Anderson with a second by Commissioner Lasley. Following an audible call of the board, the motion unanimously carried.
12. **Surplus Property:** Steve Stringham presented surplus items at no value for disposal. Upon conclusion a motion to surplus property as reported at a zero value was presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, motion carried.
13. **I.T. Update:** IT Director Steve Stringham appeared and reported that we have 100 Sendio licenses at a cost of \$2,310 from 5/28/23 to 5/27/24. Mr. Stringham advised the Commission that the appliance is outdated and would cost \$3,000 to replace and have an annual maintenance fee of \$700. Mr. Stringham reported the cost to switch to a virtual appliance license would be a one-time charge of \$1,000.00. Commissioner Lasley reported the Board had previously authorized that transfer for this year. Mr. Stringham concurred, however, needs an authorized signer to execute the agreement. Upon conclusion, a motion to authorize the Chair to sign agreement with Sendio for the virtual appliance and user licenses was presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, motion unanimously carried.
Mr. Stringham advised that the Public Defender's replacement phone was attributed against the investigation phone and if we cancel that line, the county would incur a \$498.75 cancellation fee. Mr. Stringham was directed to see if the phone could be attached to another phone or leave the phone on as to not incur the cancellation fee.
14. **Personnel:** Clerk Sharee Sprague updated the Commission that Charles Bray was hired to spray weeds at the authorized rate of \$21.00. Clerk Sprague advised the Commission that the Landfill personnel had worked comp hours, however, neglected to report the 1.5 increment for hours worked over forty (40) hours. Clerk Sprague advised that they have added a code to the web time portal to report such hours in a transparent way and help with oversight in the future. Clerk Sprague reported that Payroll Deputy Lissette Aguirre audited the personnel payroll reporting logs for the employees since hire and determined that parties need to be paid or compensated for overtime hours as follows;
 - Federico Garza Jr. 4.25 hours for a total due of \$69.44
 - Joseph Workman 27.5 hours for a total due of \$417.17Upon conclusion, a motion to pay out landfill personnel for the overtime hours due at their current rate of pay was presented Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
15. **Approval of Past Meeting Minutes:** A motion to accept minutes as printed for meetings held on May 8, 15, and 18, 2023, was presented Commissioner Anderson with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.

16. **Agenda:** A motion to approve the agenda for Monday, May 22, 2023, was presented by Commissioner Lasley with a second by Commissioner Anderson. Following audible call of the Board, motion unanimously carried.

C. POINTS OF ORDER:

1. **City of American Falls IT MOU:** Clerk Sharee Sprague advised that this item should have been discussed while Nate Cuoio was present. Clerk Sprague advised that the City returned a signed copy of the MOU, however, the parties had agreed to thirty (30) days for removal of items from the server and the City changed it to sixty (60) days in the signed copy of the MOU. Clerk Sprague reported that she also had a concern on the term in the MOU as it did not clarify it was for FY2023 and if it is going to renew and continue, the terms may need to be adjusted to account for actual expenses of the County. Upon conclusion the Board tabled the matter to June 12, 2023.
2. **Notice of Lamb Weston 63-602NN Exemption Application:** Clerk Sharee Sprague inquired which attorney they would request to handle the exemption application and advised that Lamb Weston had provided possible dates for the public hearing with the latest date being June 13th. The parties discussed if proper notice to the taxing districts and publication could be legally attained by the June 13th date. Upon conclusion, the Commission directed Clerk Sprague to work with Nate Cuoio and request that he represent the county thru the exemption process.

IV. EXECUTIVE SESSION:

1. **Executive Personnel Session I.C. 74-206(1)(b) 8:26 am:** A motion to enter into executive session to consider personnel actions pursuant to Idaho Code 74-206(1)(b) was presented by Commissioner Lasley with a second by Commissioner Anderson. Chairman Funk conducted roll call on the motion;
 - Commissioner Funk, AYE
 - Commissioner Lasley, AYE
 - Commissioner Anderson, AYEFollowing roll call of the Board, motion unanimously carried. Upon conclusion of discussion, Commissioner Funk declared the meeting open at 9:13 am.
2. **Executive Personnel Session I.C. 74-206(1)(b) 9:32 am:** A motion to enter into executive session to consider personnel actions pursuant to Idaho Code 74-206(1)(b) was presented by Commissioner Lasley with a second by Commissioner Funk. Clerk Sharee Sprague conducted roll call on the motion;
 - Commissioner Funk, AYE
 - Commissioner Lasley, AYE
 - Commissioner Anderson, AYEFollowing roll call of the Board, motion unanimously carried. Upon conclusion of discussion, Commissioner Funk declared the meeting open at 9:52 am.

V. ASSESSMENTS/CONCLUSIONS:

1. **Next Meeting:** The next regular session for the board to meet is slated for June 12, 2023.


2. **Adjourn:** Having no further business to come before the Board, a motion to adjourn was presented by Commissioner Lasley with a second by Commissioner Funk. Following audible call of the Board, motion carried and the meeting was adjourned at 4:10 pm.

The foregoing minutes were approved by the Board of County Commissioners during the Regular Board Meeting held June 12, 2023.

ATTEST:



SHAREE SPRAGUE, Clerk



COMMISSIONER FUNK, Chairman

IT Surplus List

5/19/2023

Qty	Type	Manufacturer	Model	Serial	Reason	Notes	Asset Tag	Purchased	Action
1	Printer	HP	PSC 1315xi	CN494B50RY	Outdated	Museum	None		Dispose
1	Printer	HP	OfficeJet Pro L7780	MY7BE6500M	Outdated	Museum	none		Dispose
1	Dock	HP	xb3000 Notebook Expansion Base	2CE75163R3	Outdated	Museum	none		Dispose
1	Laptop	HP	Pavilion dv6700	CNF801BPMF	Outdated	Museum - Wiped	none	~2007	Dispose
1	Monitor	Acer	G246HL	MMLWAAA0017300930D852C	Died	Laura's monitor	none		Dispose
1	Printer	HP	LaserJet Pro M451	CNDF315475	Died	Old assessor printer	3362-0	~2013	Dispose
1	Desktop	Dell	OptiPlex 9020	66TPCZ1	Outdated	Drive - Wiped	None	12/20/2013	Dispose
1	Desktop	Dell	OptiPlex 7040	FP8YKB2	Outdated	Drive - Wiped	3422	9/19/2016	Dispose

These are items from the flood in the Treasurer's office - They were declared unsalvageable and have been replaced by insurance (payment received)

1	Desktop	Dell	OptiPlex 5090	CGHDMH3	Flood	Won't power up	None	10/1/2021	Dispose
1	Monitor	Dell	P2419H		Flood	Scratched	None	10/1/2021	Dispose
1	Printer	SII	Smart Label Printer 440	4401BC00855	Flood		None	~2006	Dispose
1	Printer	Canon	imageCLASS LBPb780dn	MXHA002763	Flood		None	~2012	Dispose
1	Scanner	Symbol	LS2208-SR20007R-UR Barcode Scanner	Y861JJ	Flood		None	~2011	Dispose

ATTACHMENT FOR MAY 22, 2023 FINAL MINUTES