



POWER COUNTY BOARD OF COMMISSIONERS

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

Monday, October 10, 2023, 9:00 a.m.

I. CALL TO ORDER

The Board of County Commissioners met in regular session Monday, October 10, 2023, and called the meeting to order at the hour of 9:00 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
Mariano Villa, Deputy Clerk
Cathy Miles, Deputy Auditor
Nate Cuoio, Legal Counsel

OTHER PARTIES PRESENT: Jeff Rankin
Brittney Herrgesell
Sheriff Josh Campbell
Chief Deputy Sheriff Kasey Kendall
Launa Snow
Jennifer Thaxton

III. AGENDA

A. NOTICES/REPORTS

1. **Mayor Blad Update (Pocatello):** Clerk Sharee Sprague advised that Mayor Blad was called to Washington DC and would be unable to attend. By consensus, the Commission vacated the discussion.

B. MOTIONS:

1. **Agenda Amended and Approved:** A motion to amend the agenda for Monday, October 10, 2023, to include PAPS Mountain Right of Way Agreement, MoU for legal services with Nate Cuoio, and letters for 4-H State Fair winners 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 Funk. Following audible call of the Board, motion unanimously carried.

2. **Claims:** At the outset, Clerk Sharee Sprague reported that there were breakfast charges incurred for Juvenile Probation Convention, wherein the hotel included a full breakfast as a part of their amenities. Clerk Sprague advised that the employee did not expend the full amount allotted for other meals and if the Commission agreed to allow the difference to cover breakfasts, the employee would need to remit a check for \$13.70 payable to ICCU to be compliant with the Power County Travel policy. Upon conclusion, a motion to approve only authorize \$3.47 to ICCU charged against 08-09-0439-00 and approve the remainder of the claims approval report in the amount of \$104,756.00 was presented by Commissioner Anderson with a second by Commissioner Funk. 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)	\$ 13,988.76
0004 POWER COUNTY AMBULANCE DIST.	\$ 1,692.35
0006 DISTRICT COURT	\$ 3,556.89
0008 JUSTICE FUND	\$ 9,443.15
0009 DRUG COURT	\$ 205.00
0011 HEALTH DISTRICT	\$ 30,520.10
0015 ELECTIONS	\$ 1,649.72
0016 INDIGENT	\$ 66.63
0023 SOLID WASTE (LANDFILL)	\$ 42,273.11
0027 WEEDS	\$ 191.61
0038 WATERWAYS	\$ 840.11
0050 PAYMENT IN LIEU OF TAXES	\$ 328.57
Total Amount Paid	\$ 104,756.00

3. **Landfill Update:** Landfill Director Jeff Rankin advised that they are having issues with their vehicle and will either need to invest significant funds into repairs or need a new vehicle. The Commission directed Assessor Porath to look into a new vehicle for their office needs at which time the truck can be transferred to the landfill. Mr. Rankin presented bid options from Total Scales for the equipment project in the amount of \$1,280.00 for the RS-232 Communication and stainless-steel enclosure and \$826.00 estimated for installation and calibration. Mr. Rankin advised that he would like to re-bid the metal pickup for the landfill. Mr. Rankin advised that he will be seeking bids to dig the new pit. Commissioner Anderson inquired if the swipe card system is functioning yet. Mr. Rankin reported that he is working with Mr. Stringham and they are close to launching it. Mr. Rankin advised that he has had to divert some of the Lamb Weston job waste to Pocatello as they cannot keep up with the amount of refuse coming in. Upon conclusion a motion to approved the bid from Total Scales for the equipment project in the amount of \$1,280.00 for the RS-232 Communication and stainless-steel enclosure and \$826.00 estimated for installation and calibration was presented by Commissioner Funk with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried.
4. **Juvenile Probation:** Brittney Herrgesell appeared and provided an update on Juvenile Probation services. Ms. Herrgesell reported that the State review went well and she received good feedback and direction regarding policy and procedure, which she will work toward implementing following discussion with the Commission and meetings. Ms. Herrgesell

requested consideration to have another probation officer to assist in the management of her caseload of 30 juveniles. Commissioner Lasley advised he believes the caseload can be managed and suggested that such requests should be a part of her next budget request for consideration by the Commission. Ms. Herrgesell advised that she will coordinate with the Sheriff to assure she has the appropriate security measures available for home searches. Commissioner Lasley presented the Memorandum of Agreement with Mini-Cassia for Juvenile Detention and Ms. Herrgesell advised it was in the best interest of the County to execute same. Upon conclusion, a motion to execute the Memorandum of Agreement with Mini-Cassia for Juvenile Detention was presented by Commissioner Lasley with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried.

Clerk Sprague explained the travel policy to Ms. Herrgesell advising that per diem or reimbursements for meals cannot be requested when provided by the Hotel or Conference. Clerk Sprague advised that if the allotted per diem amounts were totaled and offsets provided for reimbursements requested whether they were for the correct meal or not and the Commission authorized payment toward non-covered meals from per diem amounts not exhausted by covered meals, Ms. Herrgesell would need to provide reimbursement to the County in the amount of \$13.47 to remain compliant with the personnel policy. By consensus, the Commission agreed to bulk receipts provided against per diems allotted and accept the \$13.47 as reimbursement. The Commission clarified supporting documents required for travel and the policy to Ms. Herrgesell.

5. **Sheriff's Office Update:** Sheriff Josh Campbell and Chief Deputy Sheriff Kasey Kendall provided an Office update to the Commission. Sheriff Campbell presented the Memorandum of Understanding with Bannock County for 911 Call Handling and Routing (VESTA) advising that the concern with language directing payments to Bannock County instead of Day Wireless has been cleared up. A motion to execute the Memorandum of Understanding with Bannock County for 911 Call Handling and Routing (VESTA) was presented by Commissioner Lasley with a second by Commissioner Anderson. Following audible call of the Board, motion unanimously carried. Sheriff Campbell presented the Idaho Department of Transportation FY2024 Traffic Enforcement Grant Project Agreement (TEGPA) advising that the focus will be impaired mobilization. A motion to execute the Idaho Department of Transportation FY2024 Traffic Enforcement Grant Project Agreement (TEGPA) was presented by Commissioner Funk with a second by Commissioner Lasley. Following audible call of the Board, motion unanimously carried. Sheriff Campbell updated the commission on the installation of the DVRS at Table Mountain advising that Idaho Power had capped the county building, therefore, they have had to work to get power re-installed and ready for install. Sheriff Campbell advises that one of the towers has significant damage from woodpeckers, therefore, they are working to secure bids for replacement. Commissioner Anderson requested the Sheriff look at options to raise the tower for additional coverage, to which the Sheriff concurred. Commissioner Anderson inquired if combo locks could be installed and Sheriff Campbell confirmed it was possible and advised he will begin to work on getting them installed. Commissioner Funk advised that the property is now being rented out and farmed and they received some complaints that the property is being accessed without contact and accommodation with the land owner. Sheriff Campbell agreed to remedy the situation. The Commission advised they have received complaints that private dishes have been installed and requested the Sheriff to investigate and assure that any private dishes be removed and assure that all other dishes located on the site have a written agreement with the county. Sheriff Campbell reports the DVRS installation should be completed by the state proposed upgrade deadline this spring.

Sheriff Campbell reported that the Spillman project moving forward still awaiting final information to present to the Commission. Sheriff Campbell reports that the first few years will be tight, but once we can move to read only on the current system, it should result in a significant savings to the county. Sheriff Campbell reports that by the year (5) the read only cost is anticipated to be around \$4,500.00 annually. Commissioner Lasley advised that Bannock County Commissioner Hough would like to visit over all shared areas of service before moving forward.

6. **Resolution 2023-14 Change Precinct 3 Polling Location:** Resolution 2023-14 a Resolution designating precincts and polling locations for the November 7, 2023 election came before the Commission at 11:25 am. The following parties acknowledged roll call of attendance;
 - Bill Lasley, Commissioner
 - Ron Funk, Commissioner
 - Delane Anderson, Commissioner
 - Sharee Sprague, Elected ClerkElected Clerk Sharee Sprague read Power County Resolution 2023-14 a Resolution designating precincts and polling locations for the November 7, 2023 election into the record. Upon conclusion, Chairman Funk called for discussion. No discussion having been offered, a motion to approve Resolution 2023-14 as read into the record by Elected Clerk Sharee Sprague was presented by Commissioner Funk with a second by Commissioner Anderson. Following audible call, motion unanimously carried, the resolution was adopted and the matter concluded at 11:28 am.
7. **Convene as Ambulance District Board at 11:30 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 Anderson with a second by Commissioner Lasley. Following an audible call of the board, the motion unanimously carried.
8. **Resolution 2023-10 Ambulance FY2023 Budget Corrections:** Resolution 2023-10 a resolution to adjust FY2023 Ambulance Budget to accept Unanticipated Grant Funding, restructure personnel budget lines and make budget corrections came before the Commission at 11:30 am. The following parties acknowledged roll call of attendance;
 - Bill Lasley, Commissioner
 - Ron Funk, Commissioner
 - Delane Anderson, Commissioner
 - Sharee Sprague, Elected ClerkElected Clerk Sharee Sprague read Power County Resolution 2023-10, a resolution to adjust FY2023 Ambulance Budget to accept Unanticipated Grant Funding, restructure personnel budget lines and make budget corrections into the record. Upon conclusion, Chairman Funk called for discussion. No discussion having been offered, a motion to approve Resolution 2023-10 as read into the record by Elected Clerk Sharee Sprague was presented by Commissioner Lasley with a second by Commissioner Anderson. Following audible call, motion unanimously carried, the resolution was adopted and the matter concluded at 11:38 am.
9. **Reconvene as Board of County Commissioners at 11:38 am:** A motion to adjourn as the Power County Ambulance District Board and reconvene as the Power County Commissioners was presented by Commissioner Funk with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
10. **Resolution 2023-11 County FY2023 Budget Corrections:** Resolution 2023-11 a resolution to adjust FY2023 County Budget to accept Unanticipated Funding and make budget corrections came before the Commission at 11:39 am. The following parties acknowledged roll call of attendance;
 - Bill Lasley, Commissioner

- Ron Funk, Commissioner
- Delane Anderson, Commissioner
- Sharee Sprague, Elected Clerk

Elected Clerk Sharee Sprague read Power County Resolution 2023-11 a resolution to adjust FY2023 County Budget to accept Unanticipated Grant Funding and make budget corrections into the record. Upon conclusion, Chairman Funk called for discussion. No discussion having been offered, a motion to approve Resolution 2023-11 as read into the record by Elected Clerk Sharee Sprague was presented by Commissioner Lasley with a second by Commissioner Anderson. Following audible call, motion unanimously carried, the resolution was adopted and the matter concluded at 11:57 am.

11. **Building & Grounds:** Launa Snow appeared before the Commission and provided an update on Rent Rates for county properties. Ms. Snow advised that the management rate for the new contract increased to 15%. A motion to execute the property management agreement between Snow Properties and Power County was presented by Commissioner Lasley, with a second by Commissioner Funk. Following audible call of the board the motion was unanimously carried. A motion to remove 579 Bannock Avenue from the Snow property management contract and designate said property as the new Power County Museum, authorize construction of ADA ramp and new sign and direct Chet Taylor is also instructed to remove Youth Center and Museum signs from 500 Pocatello Avenue was presented by Commissioner Anderson, with a second by Commissioner Lasley. Following audible call of the board the motion was unanimously carried.
12. **Approval of Past Meeting Minutes:** A motion to accept minutes as printed for meetings held on September 18, 2023 and October 3, 2023, was presented Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
13. **Certificate of Residency Application for Junior College Tuition I.C. §33-2110:** Clerk Sharee Sprague presented Application for Certificate of Residency for Junior College Tuition assistance as filed by Brian Morales. Deputy Auditor Cathy Miles advised that they contacted Mr. Morales and he submitted additional documentation to assert residency and verified that he has a tax identification number, she confirmed that he started the process of obtaining a driver's license, but did not complete it and therefore is not licensed. Deputy Clerk Lissette Aguirre confirmed that Mr. Morales graduated from American Falls High School. Commissioner Anderson inquired if we should be granting these if the applicant is not a citizen. Clerk Sprague reported that the statutes for Junior College Tuition are silent on the citizenship issue and suggests that moving forward we obtain school attendance records on these types of applications to assist in the residency vetting. Upon conclusion, a motion to approve the application of Application for Certificate of Residency for Junior College Tuition assistance as filed by Brian Morales was presented by Commissioner Lasley, with a second by Commissioner Funk. Following audible call of the Board, Commissioners Funk and Lasley voted in favor of the motion and Commissioner Anderson voted against the motion on the ground that the applicant is not a citizen. Motion carried by majority vote.
14. **Personnel:** Extension Agent Administrative Assistant Jennifer Thaxton appeared before the Commission and requested additional time to utilize her compensation hours accrued in the absence of an Agent. Upon conclusion, to allow Ms. Thaxton extend use of all compensation hours to the end of the calendar year was presented Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried. The Commission requested Ms. Thaxton provide the names of all the State 4-H winners to Clerk Sprague and directed Clerk Sprague to send congratulatory correspondence with their signatures.

Clerk Sharee Sprague reports that Mika Hunzeker has resigned from the Ambulance District and is eligible for the following separation benefits;

- 28.7 hours of current compensation pay for a total of \$395.49
- 60 hours of Vacation pay for a total of \$826.80
- 0 hours worked during the last payroll for a total of \$0
- Employee is eligible for COBRA 2 (Two) Months of Insurance Coverage through the County

Upon conclusion a motion to authorize the payout for Mika Hunzeker as reported was presented Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.

Clerk Sharee Sprague reports that Jesse Johnston has resigned from the PT- VET Services/EMS Coordinator. Clerk Sprague advised that she had a party for consideration, but did not want to reach out for a replacement without the support of the Commission. Upon conclusion, the Commission directed Clerk Sprague to move forward with contacting and/or searching out a suitable replacement.

Clerk Sharee Sprague reports that the Treasurer's Office approved the following step increases for her office;

- Teri L Kendall receive \$46,885.00 annually or \$25.76 hourly as compensation for completion of assigned job duties.
- Brittini Jones receive \$33,579.00 annually or \$18.45 hourly as compensation for completion of assigned job duties.

Upon conclusion accept personnel changes for the Treasurer's Office as reported was presented Commissioner Lasley with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.

Payroll Clerk Lissette Aguirre appeared before the Commission and reported that on October 10, 2023, Ambulance Chief Kristi Permann provided a copy of an email from Keith Miller dated September 14, 2023, resigning from the Ambulance District outside of services needed in the Rockland Area.

Payroll Clerk Lissette Aguirre requested clarification on how to proceed with personnel requests received by Chief Permann that did not coincide with the paperwork filed by the employees. Upon conclusion, the Commission tabled direction on this matter pending discussion with Chief Permann.

The Commission discussed the status of the tablet installation with Mr. Stringham and upon conclusion directed Mr. Stringham to determine the best fit and order tables for the ambulances.

15. **Adoption of Personnel Policy:** Clerk Sharee Sprague presented the Personnel Policy presented to Department Heads and Elected Officials on February 13, 2023. Upon conclusion, a motion to adopt the Personnel Policy effective October 10, 2023, was presented Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
16. **Ada County Pathology Agreement:** Clerk Sharee Sprague presented the Ada County Pathology Agreement for execution. Upon conclusion a motion to execute the Ada County Pathology Agreement was presented Commissioner Lasley with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.
17. **Nate Cuoio legal services:** Clerk Sharee Sprague presented the Memorandum of Understanding for legal services with Nate Cuoio for execution. Upon conclusion a motion to execute the

Agreement was presented Commissioner Anderson with a second by Commissioner Lasley. Following an audible call of the board, the motion unanimously carried.

18. **Lifting of the Burn Ban:** Sheriff Campbell reported that he and Chief Wilkinson are in support of lifting Burn Ban executed on August 14, 2023 by Power County Resolution 2023-09 be lifted. Upon conclusion a motion to lift the Burn Ban effective immediately was presented Commissioner Lasley with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.
19. **Indigent Burial:** Upon conclusion of discussion, a motion to approve the burial application filed by Davis Rose Mortuary was presented Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
20. **Family Dollar Liquor License:** Clerk Sharee Sprague reported that liquor license #19 issued for Family Dollar listed the manager's name doing business as Family Dollar Store #26564 as that was how the application was presented. Clerk Sprague advised that Family Dollar Corporate Office requested the license be changed to remove the manager's name. Clerk Sprague reported that the State License was issued to Family Dollar Store doing business as Family Dollar Store and has directed her team to follow the State License issuance on the County licenses for continuity and clarification. Clerk Sprague advised that she reported the request to legal counsel Nate Cuoio for direction on the correct process to change the license. Clerk Sprague advised that Mr. Cuoio advised that the issue seems clerical in nature and therefore, an update be provided to the Commission and reflected in the minutes and that the license be changed and no motion or new recording would be necessary. Upon conclusion by consensus the Commission accepted the update and signed the corrected license.

IV. EXECUTIVE SESSION:

1. **Executive Legal Advice Session pursuant to I.C. §74-206(1)(f) 10:48 am:** : 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. 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 11:20 am.
2. **Executive Personnel Session I.C. 74-206(1)(b) 12:48 pm:** A motion to enter into executive session to consider personnel actions pursuant to Idaho Code 74-206(1)(b) was presented by Commissioner Lasley with a second by Commissioner Anderson. 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 1:14 pm.

V. ASSESSMENTS/CONCLUSIONS:

1. **Next Meeting:** The next regular session for the board to meet is slated for October 23, 2023

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 Lasley. Following audible call of the Board, motion carried and the meeting was adjourned at 3:25 pm.

The foregoing minutes were approved by the Board of County Commissioners during the Regular Board Meeting held November 17, 2023.

ATTEST:



SHAREE SPRAGUE, Clerk



COMMISSIONER FUNK, Chairman