



# POWER COUNTY BOARD OF COMMISSIONERS

**Meeting Minutes**  
**Commission Chambers**  
**543 Bannock Ave.**  
**American Falls, ID 83211**  
[www.powercounty.id.us](http://www.powercounty.id.us)

**Monday, December 4, 2023, 9:00 a.m.**

## I. CALL TO ORDER

The Board of County Commissioners met in regular session Monday, December 4, 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 Lissette Aguirre, Deputy Clerk Cathy Miles, Deputy Auditor Nate Cuoio, Legal Counsel
OTHER PARTIES PRESENT:	Assessor Laura Porath Treasurer Deanna Curry Building Administrator Andi Higgins Chief Kristi Permann Deputy Chief Chad Chlarson
	Celia Klassen Kay Terry Deb Kendell Janet Hubbs

## III. AGENDA

### A. NOTICES/REPORTS

1. **Personnel Updates:** Payroll Clerk Lissette Aguirre advised she has received a request for clarification regarding holiday Pay from an Ambulance employee. Clerk Sharee Sprague reports she believes the personnel policy is very clear in that if the employee is scheduled off on the holiday, they claim 7.2 holiday pay, however if they are scheduled to work they would claim 7.2 holiday compensation hours. By consensus, the Commission concurred.
2. **Prosecutor Update:** Chairman Funk reported that he and legal counsel Nate Cuoio have been diligently working with Deputy Attorney General Jeff Nye to find some sort of coverage during the prosecutor vacancy. Chairman Funk reported that Clerk Sprague has been making connections daily thru IAC and the Courts to work toward

some resolution. Clerk Sprague reported that the Sixth Judicial District Administrative Judge (ADJ) has reached out to Idaho State Bar Counsel and the Idaho Supreme Court for support toward a resolution. Clerk Sprague reports that the ADJ was directed to have the county may a written request thru the Idaho Prosecuting Attorney Association (IPAA) who have indicated that upon receipt of such request, they would convene an emergency Board meeting and thought they could get some support for Power County for the interim. Clerk Sprague reports that it was advised that the county may need to file a Writ of Mandamus requiring assistance from the AG’s Office, but further statutory research is currently underway. Clerk Sprague report shat she and IAC Director Seth Grigg discussed some possible legislative changes, which Mr. Grigg advised he will be working with the IPAA and other justice partners to begin finding a resolution to the barrier Power County is dealing with right now. Clerk Sprague provided an update on Oneida Counties resolution to their vacancy and encouraged the Commission to reach out to their Board for information and/or options. Chairman Funk reported that American Falls City Mayor had indicated that they had a letter authorizing their contracted attorney to prosecute outside of criminal defense work being completed within the County, however, upon request for a copy of said letter he was advised that they cannot locate it and were advised by their legal counsel to not release the letter if they find it. Upon conclusion, the Commission directed legal counsel to make a written request for support with the IPAA.

**B. MOTIONS:**

1. **Agenda Amended and Approved:** A motion to amend the agenda for Monday December 4, 2023, to remove Landfill Update on the grounds that the matter be tabled to the next regular held Board of County Commissioners meeting was presented by Commissioner Funk with a second by Commissioner Lasley. Commissioner Anderson was absent. Following audible call of the Board, motion unanimously carried.
2. **Cancellation of Taxes:** Power County Assessor Laura Porath presented a cancellation of taxes on several parcel numbers. A motion to cancel taxes the total amount of \$7,657.69 as reported by Assessor Porath and Treasurer Curry was presented by Commissioner Anderson with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried and taxes were cancelled on the following parcels;

Parcel No.	Reason for Cancellation	Cancelled Amount
RPA0500-00	New Homeowner's Application	\$ 2,150.16
RPA0222-00	New Homeowner's Application	\$ 1,176.22
RPC0355-00	New Homeowner's Application	\$ 1,439.19
RPA1246-00	New Homeowner's Application	\$ 2,150.16
RPD0270-05	Homeowner's came off by mistake	\$ 741.96
TOTAL TAXES CANCELLED		\$ 7,657.69

3. **Claims:** Deputy Auditor Cathy Miles appeared and presented claims filed for payment. A motion to approve the claims approval report in the amount of \$62,794.53 was presented by Commissioner Funk with a second by Commissioner Lasley. Commissioner Anderson was absent. Following an audible call of the board, the motion

unanimously carried. Upon approval of the Board, the summary of claims paid are as follows;

<b>FUND</b>	<b>Paid</b>
0001 GENERAL FUND (CURRENT EXPENSE)	\$ 11,285.48
0004 POWER COUNTY AMBULANCE DIST.	\$ 1,815.39
0006 DISTRICT COURT	\$ 404.88
0008 JUSTICE FUND	\$ 11,140.22
0009 DRUG COURT	\$ 235.43
0010 ENHANCED 911 SERVICES	\$ 1,544.06
0011 HEALTH DISTRICT	\$ 315.28
0015 ELECTIONS	\$ 1,163.42
0023 SOLID WASTE (LANDFILL)	\$ 4,358.46
0027 WEEDS	\$ 451.62
0038 WATERWAYS	\$ 24.61
0039 MUSEUM	\$ 155.84
0050 PAYMENT IN LIEU OF TAXES	\$ 29,899.84
<b>Total Amount Paid</b>	<b>\$ 62,794.53</b>

4. **Convene as Ambulance District Board at 10:05 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 Funk. Following an audible call of the board, the motion unanimously carried.
5. **Power County Ambulance:** Chief Kristi Permann and Deputy Chief Chad Chlaron appeared before the Board and apologized for missing the last meeting due to emergency responses within the county. Chief Permann advised that the damage to the Mocha Shack will be less than insurance deductible so they will not be filing a claim on that incident. Chief Permann reports that they have a new worker's compensation claim filed. Chief Permann reports that Dylan Vanderpool has begun plowing at the Ambulance Building and the Commission inquired if the City would be covering that as they are responsible for the grounds. Chief Permann advised that Dr. Sandy not in favor of eliminating all paramedic lines. The parties discussed the paramedic requirement and assurance that all areas receive the same service and the lack of volunteerism. Chief Permann advised that she doesn't believe throwing money at the situation resolves the issues. Chief Permann reported that the 2004 Chevrolet Suburban VIN#1GNFK16Z64J181919 vehicle isn't used and currently has a dead battery and inquired if the vehicle should be scheduled for surplus. The parties discussed alternate uses of the vehicle and upon conclusion, directed Chief Permann to replace the battery for now and tabled surplus discussion to a later date. The parties discussed employee accruals and compliance with the 40 hour maximum compensatory hour limitation. Upon conclusion, a motion to pay out employees for any compensatory hours in excess of 40 in next payroll and direct administration to manage scheduling over the next couple of months to get comp accruals off the books as much as possible was presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.

6. **Personnel Updates:** Clerk Sharee Sprague advised Power County Ambulance hired a part-time paid per call employee, Trenton Boyer and request that Boyer receive compensation for calls and requests he receive \$15.00 per hour. Upon conclusion, a motion to accept the salary approval form as reported was presented by Commissioner Lasley with a second by Commissioner Anderson. Following audible call of the Board, motion unanimously carried.
7. **Reconvene as Board of County Commissioners at 11:19 am:** A motion to adjourn as the Power County Ambulance District Board and reconvene as the Power County Commissioners was presented by Commissioner Lasley with a second by Commissioner Funk. Following an audible call of the board, the motion unanimously carried.
8. **Museum:** Deb Kendell reported that ICCU had presented previous members to donate money toward the museum. Ms. Kendell advised that she presented the ICCU application to the current members for discussion. Ms. Kendell reports that the museum board would like to advocate 1 floor of the Annex replacement building. Commissioner Anderson reports the Hospital PT building is to be cleared out next March and recommends using that location as a smaller visitor center. Ms. Kendell reports that many of the members have different ideas on how to proceed. Ms. Kendell recommends keeping the Ringe house and removing the garage and adding onto the back of the house to provide for a better scenario for the future of the museum. Ms. Kendell advises that we need to build for the future to accommodate future donations. Celia Klassen reported she would advocate for the house of the building, whichever provides for the most space. Concern with layout of the Ringe house. Commissioner Funk advised he is second guessing changing the Ringe House to a museum and keeping it as a rental home. The parties discussed alternate options and constitutional obligations of the Commission. Upon conclusion, a motion to appoint Kay Terry to the museum board and to re-affirm Dorris Garrison to another three (3) year term was presented by Commissioner Anderson, with a second by Commissioner Lasley. Upon audible call of the board, the motion unanimously carried and the Museum Board members and terms are as follows;

<b>Name</b>	<b>Term Expires</b>
Dave Bethke	January, 2025
Janet Hubbs	January, 2025
Celia Klassen	January, 2026
Deb Kendell	January, 2026
Terrel Sorenson	January, 2026
Doris Garrison	January, 2027
Kay Terry	January, 2027

Commissioner Anderson reported that he was able to find heated storage for the books at Morgan's Storage LLC for storage of the history books at \$125.00 per month for a 10x18 storage area. Commissioner Lasley inquired if that would be viable to also store the organ and piano. Upon conclusion, a motion to authorize rental of a heated 10 x 18 storage unit, make the most of the limited space pay for a monthly rate not to exceed \$125.00 and to authorize the payment of the deposit in the amount of \$150.00 to be

paid from Museum budget was presented by Commissioner Anderson, with a second by Commissioner Lasley. Upon audible call of the board, the motion unanimously carried.

9. **Building & Grounds**: Chester Taylor appeared and presented a bid for a 36,000 BTU MULTI-PORT Fujitsu HVAC system for the Doctor’s Clinic in the amount of \$12,800.00. However at the outset, Mr. Taylor reported that when contacted to cancel the job authorized over two (2) years ago, Sierra Heating stepped up and advised they could install an upgraded HVAC system to the Doctor’s Clinic for \$10,600.00, which he was currently working to install. Upon conclusion, a motion to authorize the installation of the HVAC system thru Sierra Heating and Cooling not to exceed \$10,600.00 was presented by Commissioner Lasley, with a second by Commissioner Funk. Upon audible call of the board, the motion unanimously carried. Mr. Taylor requested a clear policy on operations for maintenance jobs as it causes confusion and delays once he is given a directive and then vendors advise that a Commissioner has provided a different direction recognizing that the vendor may not be providing fully accurate information, however that also adds to the delays and frustrations. Commissioner Lasley reports that all communication with contractors etc. should be directed back thru Chet and committed to refer all vendor calls he receives directly to Chet and Chet can schedule updates and changes back to the Commission if necessary. Commissioner Funk and Anderson concurred with that process and also committed to direct calls received directly to Chet. Mr. Taylor reported that there was a gas leak at the adult probation garage. Mr. Taylor advised that the leak was traced to a capped off line previously used for a gas dryer in the garage. Mr. Taylor reported the faulty line is in the process of getting removed completely. Mr. Taylor advised that the Ferguson house furnace motor has been ordered and space heaters have been deployed in the interim. Clerk Sprague recommends that once the heater is repaired that the space heaters be relocated to the back of the probation office for the D6 Treatment room and that part of the building does not have any heat. By consensus, the Commission concurred and authorized the relocation of the heaters.
10. **Surplus Property**: Commissioner Lasley reported that the fair board 1973 International CB Loadstar 1600 Vin# 106620H333269 currently in the control of the Fair Board needs to be approved for surplus and removed from inventory. Following discussion, a motion to have the 1973 International CB Loadstar 1600 published for surplus by sealed bid was presented by Commissioner Lasley with a second by Commissioner Funk. Commissioner Anderson was absent. Following an audible call of the board, the motion unanimously carried.
11. **Cancellation of HTR Payments Taxes**: Treasurer Deanna Curry reports that the cancellation of taxes requested by Assessor Laura Porath and approved by the Commission earlier today created HTR credits that would either need to be paid or cancelled and notices sent to the taxing districts. Clerk Sharee Sprague reported that on November 27, 2023, the Commission authorized the payment of the HTR credits from the County general fund. Treasurer Curry advises that the HTR credit for said parcels are as follows;

Parcel No.	Reason for Cancellation	HTR Credit
RPA0222-00	New Homeowner's Application	\$ 114.06
RPA1246-00	New Homeowner's Application	\$ 440.16

RPD0270-05	Homeowner's came off by mistake	\$	121.12
TOTAL HTR CREDIT		\$	675.30

Upon conclusion, a motion to direct the Auditor to pay the Power County Tax Collector \$675.30 to correct the error and hold the taxing districts harmless was presented by Lasley with a second by Commissioner Funk. Commissioner Anderson was absent. Following an audible call of the board, the motion unanimously carried.

12. **2024 Commissioner Calendar**: Clerk Sharee Sprague presented to the Commission the 2024 Board of County Commissioners 2024 Calendar. With no further discussion a motion to approve the 2024 Commissioner regular meeting publication was presented by Commissioner Lasley with a second by Commissioner Funk. Commissioner Anderson was absent. Following an audible call of the board, the motion unanimously carried.
13. **Volunteer Recognition**: Clerk Sharee Sprague that Search and Rescue had contacted the office requesting to provide their volunteers with a recognition gift to be paid from their county budget lines and were referred to the Sheriff. Clerk Sprague reported that Sheriff Campbell requested verification from the outside auditor on the viability of the request. Clerk Sprague reported that the outside auditor advised that it was not appropriate to use budgeted funds for that recognition and recommended that the Search and Rescue use their fundraising monies to recognize their volunteers. Clerk Sprague advised that the outside auditor verified that any cash value gift given to full-time employees must be taxed and verified that if we provide the \$25.00 Amazon gift cards acquired thru the point system on the county credit card to employees, we will still be required to tax the employee as it has cash value. Clerk Sprague recommended re-allocating the gift cards to all the volunteers for the county advising that she confirmed with the outside auditor that the volunteers would get a 1099 should the gift card push them over the IRS threshold at the end of the year. Upon conclusion, a motion to reallocate the gift cards from employees to volunteers and keep the previously approved employee recognition dollars at the amount approved on November 17, 2023, was presented by Commissioner Lasley with a second by Commissioner Funk. Commissioner Anderson was absent. Following an audible call of the board, the motion unanimously carried.

**C. POINTS OF ORDER:**

1. **Landfill**: Clerk Sharee Sprague reported that Landfill Director Jeff Rankin had reported he provided an update on November 17<sup>th</sup> and didn't have anything more to report and had a conflict today and would not be unavailable. Clerk Sprague reports that we did receive a new claim for ICRMP at the Landfill that Mr. Rankin could provide an update at a later date. Upon conclusion, the matter was tabled by consensus of the Board.
2. **Building Administration/Weed Control Update**: Building Administrator Andi Higgins reported that the Lamb Weston construction is set to be completed March 27<sup>th</sup>. Ms. Higgins advises that Lamb Weston has been able to retain some employees due to layoffs from other businesses in the area. Ms. Higgins reports that the commute between Pocatello and American Falls has doubled to the increase in traffic by employees. Ms. Higgins reports that they need time to get on the Agenda to update the County Code to clean up the Ordinances and she will need fourteen (14) days notice to allow publication of the public hearing. Commissioner Lasley inquired if tablets have

been deployed to the Planning and Zoning Board members. Ms. Higgins reported that IT Director Steve Stringham had some concerns and progress is sitting with him at this point. Commissioner Lasley reported that he will reach out to Mr. Stringham and see what can be done to move forward. Ms. Higgins the State paperwork and funding applications are running behind as the State has been busy managing the quag-sega mussels' invasion in the Twin Falls area.

#### IV. EXECUTIVE SESSION:

1. **Executive Personnel Session I.C. 74-206(1)(b) 10:23 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. 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 11:03 am.

#### V. ASSESSMENTS/CONCLUSIONS:

1. **Next Meeting:** The next regular session for the board to meet is slated for December 18, 2023.
2. **Adjourn:** Having no further business to come before the Board, a motion to adjourn was presented by Commissioner Funk with a second by Commissioner Anderson. Following audible call of the Board, motion carried and the meeting was adjourned at 1:42 pm.

The foregoing minutes were approved by the Board of County Commissioners during the Regular Board Meeting held December 18, 2023.

ATTEST:

  
SHAREE SPRAGUE, Clerk

  
COMMISSIONER FUNK, Chairman