



POWER COUNTY BOARD OF COMMISSIONERS

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

Monday, December 18, 2023, 9:00 a.m.

I. CALL TO ORDER

The Board of County Commissioners met in regular session Monday, December 18, 2023, and called the meeting to order at the hour of 9:02 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 Cathy Herseim, Deputy Auditor Nate Cuoio, Legal Counsel	
OTHER PARTIES PRESENT:	Assessor Laura Porath Treasurer Deanna Curry Britney Herrgesell Celia Klassen	Skyler Johns, Esq. Sara Klahn, Esq. Timothy Deeg Chris Pratt

III. AGENDA

A. NOTICES/REPORTS

1. **Juvenile Probation Update and Discussion:** Juvenile Probation Director Britney Herrgesell presented a written update for use during the discussion. At the outset, Ms. Herrgesell requested formal apology from Commissioners and Clerk Sprague for accusing her of mis-appropriation of funds. Ms. Herrgesell reports that she was accused of violating the travel policy that was not actually provided at the time of discussion. Ms. Herrgesell reports that it was printed in the minutes that she requested hiring another person, but she had not made the request to hire, but merely reported that the review board had discussed her caseload and needs in the office. Commissioner Lasley advised that the pennies and change provided for payment did not total up the \$20.00 he provided in lieu of the bag of loose pennies provided to process payment thru the clerk's office. Ms. Herrgesell advised she was not aware that he had done so. Ms. Herrgesell confirmed that she went to the bank and requested

\$17.17 in pennies to pay the reimbursement so that she would not incur interest and was later advised by the bank that they forgot to include two (2) rolls of pennies. Ms. Hergesell advises that if the county is going to require documentation and/or deny travel reimbursements, they should full vet that all parties have an updated written policy in hand. Ms. Herrgesell is requesting that the Commission auditorily record all meetings moving forward. The Commission advised that they will table the matter to allow time to have a clear understanding and ability to render a decision. Ms. Herrgesell presented the details from the written update provided. The commission directed Ms. Herrgesell to research transportation options for the juvenile discussed and report back. Ms. Herrgesell inquired about website changes and the Commission advised that last year departments received an email about revamping their pages and working with Rave Communication. The Commission directed Ms. Herrgesell to check with Steve Stringham and then work with Mike Jones and Rave for updates to the page. Clerk Sprague inquired if their department knows how to make routine updates to their page. Ms. Herrgesell advised that they do not and Clerk Sprague advised they will coordinate a time to explain that process to their team. Ms. Herrgesell reports she will be out of the office from January 2 – 10, 2024, her Administrative Assistant will be in the office to manage day to day needs and she will coordinate with the Prosecutor for other needs.

B. MOTIONS:

1. **Agenda:** A motion to approve the agenda for Monday, December 18, 2024, was presented by Commissioner Lasley with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried.
2. **Approval of Past Meeting Minutes:** A motion to accept minutes as corrected for meetings held on November 13, 17, 27, December 4 and December 12, was presented Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
3. **PRT Rural Grant Funding:** Clerk Sharee Sprague provided a letter of support for urbanized grant funding for Pocatello Transit System. Upon conclusion, a motion to execute the letter of support as printed was presented by Commissioner Anderson with a second by Commissioner Lasley. Following an audible call of the board, the motion unanimously carried.
4. **Public Defense Compliance Report:** Clerk Sharee Sprague reported that the county expended \$166,519.47 in public defense for FY2023. Clerk Sprague advised that the county received \$51,000.00 in support assistance of which all can be attributed to employee costs for the Public Defense Office. Clerk Sprague reports that the Public Defense Commission included workload compliance funds in the compliance report, however, those funds were approved, expended and reported in FY2022 compliance report, which was reported in the FY 2023 compliance report. Upon conclusion, a motion to execute the FY2023 compliance report was presented by Commissioner Funk with a second by Commissioner Lasley. Following an audible call of the board, the motion unanimously carried.
5. **Building & Grounds:** Celia Klassen advised that she reached out to Rod Garner regarding securing his old grocery store site for the museum. Ms. Klassen reports that Mr. Garner

advised he is not interested in renting it, but may be interested in selling the property, however it is not on the market yet and there may be other interest. Ms. Klassen reports that ICCU has expressed interest in donating some funds, Commissioner Anderson would assist in working with SEICAA for grant options. The Commission directed Clerk Sprague to contact Mr. Garner and schedule him before the Commission for discussion. Clerk Sharee Sprague requested clarification on what should be inspected at the Ambulance Building Inspection. By consensus, the Commission advised to only have the Ambulance bay and Ambulance areas owned by the County inspected.

The Commission directed the Clerk to advise Snow Properties to finish inspection and repairs to 579 Bannock as though it will be rented out.

6. **Cancellation of Taxes:** Power County Assessor Laura Porath and Treasurer Deanna Curry presented a cancellation of taxes on several parcel numbers. A motion to cancel taxes the total amount of \$4,189.44 as reported by Assessor Porath and Treasurer Curry was presented by Commissioner Lasley 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
MHZ0108-01	New Homeowner's Application	\$ 36.50
PPY0018-02	Personal property exemption error	\$ 13.10
RPA0266-00	Homeowner's exemption removed in error	\$ 1379.10
RPA0275-02	Homeowner's exemption on land removed in error	\$ 267.03
RPB0012-00	Homeowner's exemption removed in error	\$ 1,391.36
RPD2490-03	Homeowner's exemption removed in error	\$ 814.35
RPA1202-00	Landfill fees were reported wrong	\$ 90.00
RPA0923-00	Landfill fees were reported wrong	\$ 198.00
TOTAL TAXES CANCELLED		\$ 4,189.44

Treasurer Deanna Curry reports that parcels RPA0266-00, RPA0275-02 and RPB0012-00 also qualified for HTR credit and requested the Commission to provide for payment on those as was previously granted. Treasurer Curry reports the total impact is \$588.66. Upon conclusion, a motion to direct the Auditor to issue demand payment from account 01-18-526-00 payable to the Power County Tax Collector \$588.66 to correct the error and hold the taxing districts harmless was presented by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, motion unanimously carried.

7. **Treasurer Updates:** Treasurer Deanna Curry presented the Board of Commissioners with a LGIP monthly statement, Treasurer's Cash, Joint Quarterly Report ending November 30, 2023. Reports were discussed and reviewed by the Board and following discussion, a motion to accept the reports was presented by Commissioner Anderson with a second by Commissioner Funk. Following an audible call of the board, motion unanimously carried.
8. **Claims:** A motion to change the payment to Nolan Buffi be paid from Waterways grant funds if viable and if not thru PILT funding, approve reported claims in the amount of \$157,843.19 and authorize a demand payment to Olsen Taggart in the amount of \$2,340.00 was presented by Commissioner Lasley, with a second by Commissioner Funk. Following audible call of the Board, motion unanimously carried. 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)	\$ 21,975.16
0003 FAIR BOARD	\$ 500.00
0004 POWER COUNTY AMBULANCE DIST.	\$ 5,822.35
0005 POWER COUNTY ABATEMENT DIST.	\$ 16,060.00
0006 DISTRICT COURT	\$ 4,535.15
0008 JUSTICE FUND	\$ 11,433.59
0009 DRUG COURT	\$ 1,113.30
0011 HEALTH DISTRICT	\$ 373.05
0015 ELECTIONS	\$ 86.71
0016 INDIGENT	\$ 3,097.89
0020 REVALUATION	\$ 11,807.37
0023 SOLID WASTE (LANDFILL)	\$ 49,258.00
0027 WEEDS	\$ 126.85
0038 WATERWAYS	\$ 708.55
0039 MUSEUM	\$ 426.00
0050 PAYMENT IN LIEU OF TAXES	\$ 30,519.22
Total Amount Paid	\$ 157,843.19

The Commission directed Ms. Herseim to cancel the water, sewer and garbage at 500 Pocatello Ave.

9. **FY2024 Budget Change:** Clerk Sharee Sprague requests the Commission rescind the November 13, 2023, motion authorizing restructure of Prosecutor’s budget. Upon conclusion, a motion to rescind the November 13, 2023, motion authorizing adjustment to expenditure lines in fund 0008–03 Justice Fund Prosecuting Attorney and direct the Auditor to keep the outside service line to cover anticipated billing and reset all other the lines to the amounts approved on August 28, 2023, was presented Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried.
10. **Certificate of Residency Application for Junior College Tuition I.C. §33-2110:** Deputy Auditor Cathy Herseim presented the following Applications for Certificate of Residency for Junior College Tuition pursuant to Idaho Code 33-2110;
 - Cashlin Tilley application for assistance thru College of Southern Idaho for the 2023-2024 Fall and Spring Semesters. Ms. Tilley filed her application on December 11, 2023. Pursuant to IC 33-2110A(3) certificate of residency shall be submitted to the county clerk on or before December 1 for classes taken in the fall semester.
 - Kade Parish application for assistance thru College of Southern Idaho for the 2023-2024 Fall and Spring Semesters. Pursuant to IC 33-2110A(3) certificate of residency shall be submitted to the county clerk on or before December 1 for classes taken in the fall semester and on or before May 1 for the spring semester. Additionally, Mr. Parish reports that he registered to vote in Twin Falls County and his vehicle is registered in Twin Falls County. Mr. Parish also reports that he provides more than 50% of his support and has lived in Twin Falls county for at

least twelve (12) consecutive months prior to the state of this term. Pursuant to IC 33-2110A(1) directs that residency should be established prior to the date of first enrollment in community college.

Upon conclusion a motion to grant leniency and approve the applications for assistance by Commissioner Lasley with a second by Commissioner Anderson. Following an audible call of the board, the motion unanimously carried and the certificates of residency were approved as follows;

Applicant Name	Accredited College	Term Covered
Cashlin Tilley	College of Southern Idaho	2023-2024 Fall Semester Only
Kade Parish	College of Southern Idaho	2023-2024 Fall Semester Only

11. **I.T. Update:** I.T. Director Steve Stringham advised we need to do a short-term renewal with Barracuda to allow for the remaining back-ups to be transferred off to the new system. Mr. Stringham reports that he was able to negotiate six (6) months at a three (3) month rate. Upon conclusion a motion to approve the purchase with GHA Technologies in the amount of \$1,413.17 to be paid by demand with Mr. Stringham’s commitment that this will not be extended again was presented by Commissioner Lasley with a second by Commissioner Funk. Following an audible call of the board, motion unanimously carried.

C. POINTS OF ORDER:

1. **Water Rights:** Tim Deeg and Chris Pratt appeared on behalf of the Aberdeen American Falls Ground Water District to discuss Power County water rights. No decision was made.

IV. EXECUTIVE SESSION:


1. **Executive Personnel Session I.C. 74-206(1)(b) 11:18 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 12:17 pm.
2. **Executive Indigent Session pursuant to I.C. §74-206(1)(e) 12:30 pm:** A motion to enter into executive session pursuant to I.C. §74-206(1)(e), consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations applications 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 1:05 pm.

V. ASSESSMENTS/CONCLUSIONS:

1. **Next Meeting:** The next regular session for the board to meet is slated for January 8, 2024.
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 Lasley. Following audible call of the Board, motion carried and the meeting was adjourned at 2:28 pm.

The foregoing minutes were approved by the Board of County Commissioners during the Regular Board Meeting held February 12, 2024.

ATTEST:



SHAREE SPRAGUE, Clerk



COMMISSIONER FUNK, Chairman