

The Cassia County Board of Commissioners met this day with Chairman Dennis Crane, Paul Christensen and Clay Handy, Board Members; Alfred E. Barrus, Prosecuting Attorney; Larry Mickelsen, Clerk of the Board, and Kerry D. McMurray, County Administrator, present.

PREVIOUS WEEKS= MINUTES

The minutes for May 10, 2004 were discussed. A motion was made and seconded to approve and proceed with publication of an appropriate synopsis. Voting was unanimous by the Board.

CALENDAR

The Board reviewed the calendar for May 2004.

CORRESPONDENCE

The Board reviewed the following:

1. A letter from the South Central District Health RE: FY 2005 Budget Hearing.
2. A letter from NACo, reference the national conference in Phoenix in July.
3. The internal audit report on the Motor Vehicle department.
4. A letter from Amy Christensen, Attorney for Comprehensive Advocacy, Inc. RE: Review of Holding Room as Sheriff's Office.

SHERIFF'S DEPARTMENT

Sheriff Jim Higen discussed the law enforcement expenditures of the City and the County and the proposed FY2005 Sheriff's Department budget.

RURAL ADDRESSING SIGNS

Dan Barker reviewed and discussed rural addressing sign maintenance. He pointed out that the County is "way behind" in maintenance on the rural signs. He recommended that the County hire an individual to provide the required maintenance. Mr. McMurray discussed the various highway districts response on the request for assistance in providing sign maintenance within their own districts. Mr. McMurray will meet with the Burley Highway District to ensure that any decisions made regarding the sign maintenance are in keeping with state laws. Mr. McMurray will visit with an interested individual, to serve as an independent contractor, and come back next week with a proposal.

APPLICATION INT-G-04-2

The Board reviewed the Notice of Application INT-G-04-2, from Intermountain Gas Company before the Idaho Public Utilities Commission to raise the rates of service. This is not intended to raise revenue, but to simply offset costs to Intermountain Gas Company.

CHANGE OF STATUS

The Board reviewed two change of status forms for the Mini Cassia Criminal Justice Center. It was moved and seconded to approve the changes of status and voting was unanimous by the Board.

EXECUTIVE SESSION

At 10:10am it was proposed by Commissioner Handy and seconded by Commissioner Christensen that the Board convene in Executive Session under Idaho Code Section 67-2345(1)(d) with Commissioner Christensen voting yea, Commissioner Crane voting yea, and Commissioner Handy voting yea. The purpose and general tenor of the meeting was to discuss medical indigent matters. Following the discussion, it was proposed and seconded that the Board return to regular session at 10:48am. Voting was unanimous by the Board. Following Executive Session the Board Denied Case #204058 and Case #204063. Signed Notice

of Lien and Application for Medically Indigent Benefits for Case #204065 and Case #204067. Took Case #203162 under advisement.

COUNTY PROPERTY

Al Barrus, the County Attorney, reviewed a letter from John and Elaine Horejs, regarding property that had been in the name of the Snake River Holding Trust, that has become County property because of non-payment of property taxes. Mr. Barrus prepared, and will send a letter to the Horejs' giving them the opportunity to purchase the property.

BUSINESS CONTRACT

The Board reviewed a Business Associate Contract with Stephenson Computer Consulting to comply with HIPAA. It was moved and seconded for Chairman Crane to sign the contract and voting was unanimous by the Board.

COURTHOUSE ANTENNAS

Kent Searle discussed the removal of the 911 antennas from the roof of the Court House. There are still two of them in use, but they could be removed and placed in other locations to facilitate communications. The Malta antenna base station could be placed in Dispatch at the Sheriff's Department. The Burley 911 repeater could be removed and installed on the Radio Service tower and the initial cost would not exceed \$1000.00, plus the annual rental fee. The Board discussed the current situation and decided to leave them as they are and replace them when they become inoperative.

911 BUDGET

Kent Searle discussed the budget for FY 2005 with the potential revenue and his anticipated budget expenditures for the next year. He discussed the upgrades to technology and the anticipated cost to the County 911 program. He also discussed the rural addressing signs and of their importance related to responding to emergency calls.

BOARD OF EQUALIZATION

It was proposed and seconded to convene as the County Board of Equalization. Voting was unanimous by the Board.

It was proposed and seconded to delete the Home Owners exemptions on the following parcel: MH# 10S22E302399. Voting was unanimous by the Board. Notices will be sent to the property owners

It was proposed and seconded to return to regular session. Voting was unanimous by the Board.

JAIL MATTERS

Kerry McMurray discussed the letter of complaint from an inmate in the MCCJC from last week and reported the Sheriff's Department has completed the investigation and resolved the issues.

BID AWARD

The Board reviewed the bids for the soffitt around the exterior of the County Annex. After review and recommendation, it was moved and seconded to award the bid to RB Higgins for \$3188.20. Voting was unanimous by the Board.

BEER AND LIQUOR LICENSES

The Board approved the following applications for Beer and/or Liquor Licenses:

<u>County #</u>	<u>Name</u>	<u>Doing Business As</u>
Catering Permit	Juan I. Garza	Catering at Lienzo Charro Arena
#59	Mark Hymas, Store Director	Smith's Food & Drug #123

EXECUTIVE SESSION

At 2:08pm it was proposed by Commissioner Christensen and seconded by Commissioner

Handy that the Board convene in Executive Session under Idaho Code Section 67-2345(1)(b) with Commissioner Christensen voting yea, and Commissioner Handy voting yea. Commissioner Crane recused himself from the hearing. The purpose and general tenor of the meeting was to discuss employee matters. Following the discussion, it was proposed and seconded that the Board return to regular session at 2:12pm. Voting was unanimous by the Board.

Following Executive Session the Board reviewed Idaho Code Section 18-1359(4), which provides that “No person related to a county commissioner by blood or marriage within the second degree shall be appointed to any clerkship, office, position, employment or duty with the commissioner’s county when the salary, wages, pay or compensation of such appointee or employee is to be paid out of public funds.”

Commissioner Christensen and Commissioner Handy then made the following findings:

1. That Commissioner Crane was first sworn into office as a county commissioner on January 11, 1999, and Aislinn Crane was hired as a Cassia County Sheriff’s Office dispatcher on July 10, 2000.

2. That at the time of Aislinn Crane’s hiring, the question arose as to the appropriateness of such action. Based upon a previous similar matter, it was concluded that Aislinn Crane was an employee of the Sheriff, not of the Commissioners, and therefore the hiring of her would be appropriate.

3. That the Cassia County Clerk, having recently attended IAC training, informed the County Prosecuting Attorney and County Administrator on May 3, 2004 of a concern regarding the application of Idaho Code Section 18-1359(4) to a situation involving Commissioner Crane and his daughter, Aislinn Crane.

4. That after review of the pertinent statute and applicable case law, it was determined that Aislinn Crane was, in fact, an employee of Cassia County, for which the Commissioners serve as the governing board, and ultimately as the employer.

5. That the County Prosecuting Attorney and County Administrator met with Commissioner Crane on Tuesday, May 4, 2004 to discuss this matter.

6. That thereafter, by letter dated May 7, 2004, Aislinn Crane tendered her two (2) weeks notice of resignation as a Cassia County employee.

7. That it was generally known that Commissioner Crane’s daughter, Aislinn Crane, was employed as a Cassia County Sheriff’s Office Dispatcher, and that no efforts were made to conceal the relationship, nor the employment.

8. That upon recognition of legal implications involving this father-daughter relationship, Aislinn Crane tendered her resignation to alleviate the legal conflict.

9. That, after review of records in the matter, it was determined that all monies paid to both Commissioner Crane and Aislinn Crane were truly reflective of just compensation for services rendered for the benefit of Cassia County.

10. That based upon Aislinn Crane’s resignation, and upon review of all facts and circumstances involved, the Board determines that further action in this matter is not necessary.

It was moved and seconded to include the findings in the minutes and voting was unanimous by the Board.

EXECUTIVE SESSION

At 2:25pm it was proposed by Commissioner Handy and seconded by Commissioner Christensen that the Board convene in Executive Session under Idaho Code Section 67-

2345(1)(d) with Commissioner Christensen voting yea, Commissioner Crane voting yea, and Commissioner Handy voting yea. The purpose and general tenor of the meeting was to discuss medical indigent matters. Following the discussion, it was proposed and seconded that the Board return to regular session at 2:m. Voting was unanimous by the Board.

Following Executive Session the Board approved payment of 3 days plus the weekend for one case and 2 days for the second case.

RECESS

Meeting was recessed until 9:00 a.m., Monday, May 24, 2004.

OTHERS IN ATTENDANCE AT TODAY-S MEETING

Renee Wells and Steve Barker, SIP; Claude Bryant

ATTEST:

APPROVED:

Larry A. Mickelsen, Clerk

Dennis Crane, Chairman