

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 A. Mickelsen, Clerk of the Board, and Kerry D. McMurray, County Administrator, present.

### PREVIOUS WEEK'S MINUTES

The minutes for July 18, 2005 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 July 2005.

### CORRESPONDENCE

The Board reviewed the following:

1. Pamphlets regarding Methamphetamine abuse nationwide.
2. A News Release from the U.S. Fish and Wildlife Service Snake River Fish and Wildlife Office RE: Lethal Control of Copper Basin wolves due to repeated livestock depredations.
3. A financial update from the Idaho Transportation Department RE: Cassia County Transportation Plan.

### COUNTY HISTORY

Kathleen Hedberg discussed the status of the Cassia County History book. She advised the Board that Caxton Printers would need a check for 2/3 of the total prior to publication and the remainder will be due upon completion of publishing. Ms. Hedberg also presented options for the postcards that will be inserted in the book for the readers to order additional copies. Julie Woodford of the Burley Public Library presented a discussion regarding the library's uses of the book and the plans they have for a reading project. She requested the Commissioner's support in the use of the book and to be able to purchase 25 copies at the wholesale price of \$25.00 each. It was moved and seconded to approve Ms. Woodford's request and voting was unanimous by the Board. It was moved and seconded to sign the contract with Caxton Printers for publication of the book and to send them \$16,638.00 and voting was unanimous by the Board.

### DEPARTMENT HEAD MEETING

**Public Defender:** Doug Whipple presented and discussed the Cassia County Public Defender Clients report for June 2005.

**Assessor:** Linda Mabry reported that things are going fine with the Assessor's office. They have completed the property values for 2005.

**Detention Center:** Dennis Dexter reported that the International Folk Dancers will be here this week and the performances are sold out, so tickets will be very difficult to find. There are 147 total prisoners, with 33 from Cassia County and 41 from Minidoka. There are 35 female prisoners and most of them are from the State. The MCCJC still has 3 openings and it is very difficult to find qualified applicants. There are 4 currently employees who are not certified at this time.

**Sheriff's Department:** Sheriff Jim Higen reported that the Sheriff's department is very busy with all of the activities in the county. The Search and Rescue team will be busy early on Friday morning assisting with the "Spudman" event this next weekend. He reported that there would be some road closures that will be published in the South Idaho Press. The Drug Task Force has

made some major arrests of people involved with Meth. The Homeland Security efforts have continued moving forward and there will be contacts for the Board to sign.

**Treasurer:** Gayle Erekson requested that we have the Cassia County employee picnic delayed until August because of employee conflicts on July 29. She also presented and discussed the tax collections and delinquencies for 2005. She discussed having the County booth at the Fair properly manned and the need to have something to give those who visit the booth.

**Janitorial/Maintenance:** Sharon Higgins reported that all things regarding the custodial matters are going "fine." They have gotten water to the grass and it is doing much better. They are beautifying the area by planting bushes and flowers.

**County Administrator:** Kerry McMurray reported that the closing date to accept applications for the Building Inspector is Friday. The Planning and Zoning work meeting resulted in recommendations for clarification and changes of zoning regulations and ordinances.

**Clerk:** Larry Mickelsen reported that there are 48 discrepancies in the time clock that employees need to be aware of. He told the supervisors that they needed to teach the employees of their responsibility to ensure that they are signed in and signed out at the correct time.

**County Attorney:** Al Barrus reported that all things are going quite well, and all is normal. He discussed the Cassia County History book that will be available for sale at the County Fair in August and the ways in which the sales could be conducted.

#### **BUILDING DEPARTMENT MATTERS**

The Board reviewed the County Quarterly Construction reports.

#### **PUBLIC DEFENDER MATTERS**

The Board reviewed the Public Defender matters. The proposed Joint Powers Agreement was read and explained by Mr. Barrus and the Board discussed all of the matters regarding the agreement. The Board discussed the required office space and possible locations for the Public Defender Office. It was moved and seconded to approve and sign the Joint Powers Agreement and voting was unanimous by the Board. The Joint Powers Agreement will now be given to the Minidoka County Board of Commissioners for their approval and signature.

#### **COMMUNITY GUARDIANS**

The Board reviewed the application by Wanda L. Miller to serve on the Board of Community Guardians. It was moved and seconded to approve her appointment and voting was unanimous by the Board.

#### **SOUTH CENTRAL COMMUNITY ACTION PARTNERSHIP**

The Board reviewed the letter from the South Central Community Action Partnership, Inc. requesting additional funding for the next budget year. Mr. McMurray will discuss the matter with Mr. Mickelsen and it will be included in the budget requests to be discussed.

#### **EXECUTIVE SESSION**

At 11:06am 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)(f) with Commissioner Crane voting yea, Commissioner Christensen voting yea, and Commissioner Handy voting yea. The purpose and general tenor of the meeting was to discuss pending litigation. Following the discussion, it was proposed and seconded that the Board return to regular session at 11:18am. Voting was unanimous by the Board.

Following Executive Session, the Board will investigate the matters further.

#### **EXECUTIVE SESSION**

At 11:19am 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 11:33am. Voting was unanimous by the Board.

Following Executive Session, the Board signed Certificate of Denial for Case #205070 and case #205084. Signed Release of Medically Indigent Lien for Case #200058. Signed Notice of Lien and Application for Medically Indigent Benefits for Case #205085, Case #205086 and Case #205089. Signed Findings of Fact, Conclusions of Law, and Decision for Case #204151, Case #205006, and Case #205041

**BUREAU OF LAND MANAGEMENT**

Wendy Reynolds reported on the status of the vegetation recovering from the fires during the past 2 weeks. The fires were very big and moved very fast. The fires in the lava flows are difficult to control because it is hard for the vehicles and men to move through the lava beds. Lightening causes the fires and there are notices of high fire danger at this time. Fire danger is very acute throughout the area at this time and everyone has to be very careful. Wendy reported that the Scotch Thistle is very “healthy” this year and there are many weeds that have been dormant for the past few years because of the drought, but the spring rains have allowed them to flourish this year.

Scott Barker reported on the status of the Windland Project. He informed of the public meetings that are scheduled this week in Burley, Albion and Boise. The comment period ends on September 22, 2005. He reported that the BLM received a very nice letter from Representative Bruce Newcomb regarding the wind projects.

**COUNTY EXPENDITURE**

The Board reviewed the County’s Payables Approval Report dated July 22, 2005. A motion was made and seconded to approve the report. Voting was unanimous by the Board.

CURRENT EXPENSES	104	\$24,909.04
INDIGENT FUND	105	\$35,297.63
DISTRICT COURT FUND	106	\$4,863.39
COUNTY ROADS AND BRIDGE FUND	107	\$302.11
WEED & PEST FUND	108	\$16.01
COMMUNITY COLLEGE TUITION FUND	113	\$129,400.00
REVALUATION FUND	114	\$142.21
911 COMMUNICATIONS FUND	115	\$361.98
COUNTY SNOWMOBILE FUND	118	\$15.00
JUSTICE FUND	130	\$177,869.34
JAIL BOND INTEREST & REDEMPTION	135	\$286,650.00
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$161.14
D.A.R.E. TRUST FUND	137	\$1,886.69
PHYSICAL FACILITIES FUND	144	\$783.66
ADULT MISDEMEANOR PROBATION	149	\$1,278.57
	<b>TOTAL</b>	<b>\$663,936.77</b>

**VETERAN’S ADVISORY COUNCIL**

Ron Beedle, Chairman of the Veteran’s Advisory Council reported on the status and activities of the Veteran’s groups in Minidoka and Cassia County. It was requested to extend the terms of Harry Hofstetter, Curt Russell, Vern McNeil and Lloyd Gillespie. It was moved and seconded to extend the terms of these individuals and voting was unanimous by the Board. It was recommended to increase the salary of the Veteran’s Service Officer, Dick Dalton, by 3% to

\$5573.00. It was moved and seconded to approve the budget as proposed, pending final approval of the entire budget by the Board, and voting was unanimous by the Board.

**JUVENILE DETENTION AND ADULT DETENTION CENTER BUDGETS**

Duane Smith presented the Juvenile Detention Center budget and Larry Mickelsen presented the Mini-Cassia Adult Detention Center budget. These budgets have received tentative approval from the Jail Committee, pending final review and approval by the Minidoka and Cassia County Boards of Commissioners. These presentations were to update the Board regarding the changes since tentative approval was given.

**TEMPORARY CHAIRMAN**

Commissioner Crane excused himself from the meeting. It was proposed by Commissioner Christensen that Commissioner Handy be appointed acting Chairman. Commissioner Handy seconded the motion. Commissioner Christensen voting yea and Commissioner Handy voting yea.

**APPEAL OF DECISION RE: DAVID FUNK  
CAFO/CONDITIONAL USE PERMIT HEARING**

The Board convened in the Cassia County District Court Room to conduct the David Funk CAFO/Conditional Use Permit Public Hearing. Chairman Crane recused himself and the Public Hearing was conducted by Commissioner Handy. The proceedings of the hearing are on tape labeled "David Funk, CAFO Public Hearing." In attendance, representing Cassia County were Commissioner Handy, Commissioner Christensen, Attorney Al Barrus, Clerk Larry Mickelsen, and County Administrator Kerry McMurray. Attorney Robert E. Williams of Jerome represented David Funk. Citizens in attendance were: Vernon Bradshaw, Kenneth Warr, John Kloer, Takisha Baxter, Tom Draper, Jeremy Funk, David Funk, Farnum Warr, Carol Robinson, Mary Helurich, Marjorie Bradshaw, Bonnie Grace, Lowell Grace, Liza Luttmmer, Rose Bradshaw, Raymond Bradshaw, Mark Bruno, Joshua Brune, Linda Kloer, RaNae Skow, Andy Kloer, and Renee Wells. At the conclusion of the oral presentation of the matter, it was taken under advisement, with plans to deliberate toward a decision at next week's regular commission meeting.

**CHANGE OF STATUS**

The Board reviewed three (3) changes of status forms, two (2) for the Public Defender Office and one (1) for the Building/Planning and Zoning. It was moved and seconded to approve the changes of status and voting was unanimous by the Board.

**BEER, WINE AND LIQUOR LICENSES**

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

<u>County #</u>	<u>Name</u>	<u>Doing Business As</u>
2006-028	Gary Bake	Bake Central
2006-029	Maverick Country Stores, Inc	Maverick Country Store #259
2006-030	Brent K & Tina Searle	Searles
2006-031	Cindy Deroche	Li'l Cinders Smoke Shop
2006-032	Franklin United Inc	United Oil
2006-033	Judy Osborne	Judy's Café
2006-034	Vanthong Phothong	China First Restaurant
2006-035	Darwin L Bywater	Almo Creek Outpost
2006-036	Ina P Digrazia	Sage Mountain Grill
2006-037	Rae Smith	Smith's Sweetheart Manor
2006-038	Ryan Thomas	Chadwick Grill

**RECESS**

Meeting was recessed until 9:00 a.m., Monday, August 1, 2005.

**OTHERS IN ATTENDANCE AT TODAY'S MEETING**

Renee Wells, SIP; Ben Maggert; Kathleen Hedberg, Cassia County History; Julie Woodford, Burley Public Library; County Sheriff Jim Hagens, Captain Cary Bristol, Sheriff's Department; Sharon Higgins, Maintenance Supervisor; Doug Whipple, Public Defender; Dennis Dexter, MCCJC; Gayle Erekson, Treasurer; Linda Mabry, Cassia County Assessor's Office; Wendy Reynolds and Scott Barker, Bureau of Land Management; Kelly Adams, Cassia County Public Lands.

**ATTEST:**

**APPROVED:**

/s/ Larry A. Mickelsen, Clerk

/s/ Dennis D. Crane, Chairman

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Larry A. Mickelsen, Clerk

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Dennis D. Crane, Chairman