

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.

HOMELAND SECURITY MATTERS

Sheriff Jim Higen reported on the evacuee situation related to the natural disaster in Louisiana and Mississippi. He updated the Board on the number of refugees that have come into the County, but we are not scheduled for any to come in to the area as a result of efforts by Homeland Security. The State Homeland Security department will call upon the local governments if there is a need for assistance from the local communities. We are to call upon the Red Cross if we determine we have a need to provide assistance. If evacuees do happen to come to Idaho, it is to be at no cost to the local government/community, the federal government will provide for all necessities; however, at this time the State is not scheduled to receive any evacuees. FEMA does have a web site and toll free number to provide assistance for the evacuees. The evacuees are to stay in the Twin Falls or Idaho Falls areas because they have the facilities to take care of them. The LDS church will not become involved in taking care of evacuees that come into the area because evacuees will have federal assistance. All assistance is to come from the federal government and not from private or church efforts.

EMS PROPOSED RESOLUTION DISCUSSION

Burley Fire Chief Bruce Allcott, Warren Larsen, Life Run Ambulance and Mike Lewis, Cassia County EMSB met with the Board to discuss the proposed EMS Resolution changes. Chief Allcott explained his position regarding the EMS Board. Warren Larsen explained the reason/purpose why the EMSB was originally organized. Chief Allcott reported that he has met with Wayne Mullen and Warren Larsen to discuss proposed changes to the existing EMS Resolution. Mr. Barrus discussed some portions of the proposed EMS Resolution and things that needed to be changed or included to have a level of protection from legal proceedings. Major concerns are matters related to having "Executive Session" portions of their meetings, to be in compliance with the Open Meeting law and oversight of EMS funding and expenditure of funds. The parties agreed to some changes in the EMS Resolution and decided to continue to work on other portions of the Resolution. The proposed changes will be presented to the County Commissioners at a later meeting.

EXECUTIVE SESSION

At 10:15am 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 12:00am. Voting was unanimous by the Board.

Following Executive Session, the Board Signed Stipulation for Enlargement of Time Limitations for Case #205063 to conduct further research. Signed Order of reimbursement for Case #205099. Denied Case #205033, Case #205043, Case #205068, Case #205094 and Case #205095.

PREVIOUS WEEK'S MINUTES

The minutes for September 6, 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.

COUNTY LEVY FORMS

The Board reviewed the L-2 forms from all of the Cassia County Taxing Districts. It was moved and seconded to approve the forms and for Chairman Crane to sign them and voting was unanimous by the Board.

CALENDAR

The Board reviewed the calendar for September 2005.

CORRESPONDENCE

The Board reviewed the following:

1. A letter from the U.S. Fish & Wildlife Service regarding Agencies Sign Conservation Agreement for Christ's Indian Paintbrush
2. A memorandum from the State of Idaho, Department of Environmental Quality RE: Submission and Notification of the Upper Snake Rock TMDL Modification – 2005.
3. A letter from the National Pioneer Hall of Fame RE: Purpose of the Hall of Fame.
4. A letter from ES&S RE: The ceasing of punch card production.

SUBLETT CEMETERY DISTRICT

Russell Zollinger and Todd Powers, representing the Sublett Cemetery District discussed the history and formation of the Sublett Cemetery. The concern addressed the "ownership" of the cemetery and the problems with the deed. Mr. Barrus recommended that they needed to do a "quiet title" to ensure that no one will contest ownership of the cemetery. The only ones who are entitled to contest ownership are the descendants of the original owners. The concern is to do what is right for the people who are buried there and their descendents. They were informed that they will need to retain an attorney to proceed with a quiet title action.

COUNTY EXPENDITURE

The Board reviewed the County's Payables Approval Report dated September 9, 2005. A motion was made and seconded to approve the report. Voting was unanimous by the Board.

CURRENT EXPENSES	104	\$48,279.68
DISTRICT COURT FUND	106	\$4,992.08
COUNTY ROADS AND BRIDGE FUND	107	\$26,900.45
WEED & PEST FUND	108	\$6,104.71
AMBULANCE SERVICE	110	\$12,500.00
COMMUNITY COLLEGE TUITION FUND	113	\$500.00
REVALUATION FUND	114	\$641.04
911 COMMUNICATIONS FUND	115	\$5,233.78
COUNTY BOAT LICENSE FUND	117	\$1,240.83
COUNTY SNOWMOBILE FUND	118	\$106.77
JUSTICE FUND	130	\$79,301.32
EMERGENCY MEDICAL SERVICE FEES	133	\$857.16
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$668.09
D.A.R.E. TRUST FUND	137	\$324.00
PHYSICAL FACILITIES FUND	144	\$129.94
	TOTAL	\$187,779.82

CHANGE OF STATUS

The Board reviewed three (3) change of status forms, two (2) for the Sheriff's Office and one (1) for the Adult Misdemeanor Probation Office. It was moved and seconded to approve the changes of status and voting was unanimous by the Board.

EXECUTIVE SESSION

At 12:20pm 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 Crane voting yea, Commissioner Christensen voting yea, and Commissioner Handy voting yea. 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 12:35pm. Voting was unanimous by the Board.

Following Executive Session, the Board deliberated on the grievance matter presented in the September 6, 2005 grievance hearing and the decision was to uphold the decision of the Mini Cassia Criminal Justice Center Deputy Director. It was moved and seconded to sign the Findings of Fact and Conclusion of Law and voting was unanimous by the Board.

GRIEVANCE HEARING

The Board reviewed an order scheduling a grievance hearing. The hearing is scheduled for Monday September 19, 2005 at 9:15am.

CASSIA COUNTY HISTORY BOOK

The Board discussed ways to assist with advertising and sales of the recently published Cassia County History book. It was recommended that the various libraries throughout the County have copies of the history book to sell.

PUBLIC DEFENDER

The Board reviewed and completed the Public Defender Contracts. Mr. McMurray has met with representatives from Minidoka County to request monetary assistance to obtain the necessary equipment for the Public Defender Office. Minidoka County volunteered about \$6,000 to assist with equipment for the PD Office. Discussion was also concerned with the events related to moving the files and equipment from Doug Whipple's office to the new Public Defender Office. The Board discussed the Conflict Public Defender contract. There have been three (3) attorneys, Clayne Zollinger, Dave Pena and Kent Jensen that have expressed interest in serving in that capacity. The Board's decision was to interview all three of them, next Monday, September 19, 2005.

GOOSE CREEK IRRIGATION DISTRICT

The Board reviewed an Order Amending Description of the Goose Creek Irrigation District. It was moved and seconded to sign the order and voting was unanimous by the Board.

CASSIA COUNTY TRANSPORTATION PLAN

The Board reviewed the Riedesel August invoice for \$6,265.48. It was moved and seconded to approve payment of the invoice and voting was unanimous by the Board.

NOXIOUS WEED CONTROL

The Board reviewed an Amendment of Request for Application/Modification of Assistance Agreement for Noxious Weed Control. The no cost amendment was to allow the County access to BLM equipment for Noxious Weed Control. It was moved and seconded to sign the Amendment and voting was unanimous by the Board.

PLANNING AND ZONING MATTERS

The Board reviewed proposed Wind Farm Zoning Ordinance Amendments. Some minor changes were recommended to prepare for publication and presentation to the P&Z Commission and the public. P&Z matters related to Waste Management, Confined Animal Feeding Operations, Public Hearing requirements and Transferability and Discontinuance of conditional use permits were also discussed.

ELBA/ALMO CONCERNS

Citizens of the Elba/Almo area are in the process of forming a private association with by-laws, regarding the various activities in their area. The citizens of the Elba/Almo area are concerned

that this association will have influence that could have major impact on ownership and the taxes of the citizen's personal property.

RECESS

Meeting was recessed until 9:00 a.m., Monday, September 19, 2005.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Renee Wells, SIP; Sheriff Jim Higen; Fire Chief Bruce Allcott; Warren Larsen, Life Run Ambulance; Mike Lewis, Cassia County EMSB; Russell Zollinger and Todd Powers, Sublett Cemetery District

ATTEST:

/s/Larry A. Mickelsen, Clerk

Larry A. Mickelsen, Clerk

APPROVED:

/s/Dennis D. Crane, Chairman

Dennis Crane, Chairman