

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.

EXECUTIVE SESSION

At 9:05am 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 9:19am. Voting was unanimous by the Board.

Following Executive Session, the Board instructed the Sheriff's Department to conduct further investigations.

EXECUTIVE SESSION

At 9:20am 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)(a) 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 personnel matters. Following the discussion, it was proposed and seconded that the Board return to regular session at 9:40am. Voting was unanimous by the Board.

Following Executive Session, the Board resolved the time card issues of an employee. Regarding the second (2nd) issue, County Attorney Al Barrus read the Findings of Fact, Conclusions of Law and Decision, pertaining to the personnel matters decided after an Executive Session held on September 19, 2005. The Findings of Fact, Conclusions of Law and Decision were thereafter adopted by the Board by unanimous vote.

PREVIOUS WEEK'S MINUTES

The minutes for September 19, 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 September/October 2005.

CORRESPONDENCE

The Board reviewed the following:

1. A letter from the Idaho Transportation Department RE: Surplus Property Sale in Township 10S, Range 22E, Section 26, Cassia County, Idaho.
2. A letter from the U.S. Department of the Interior, Subject: Release of Final Environmental Assessment and Finding of No Significant Impact American Falls Reservoir District #2 Proposed Title Transfer.
3. A News Release from the U.S. Fish & Wildlife Service Designating Critical Habitat for Bull Trout.

DEPARTMENT HEAD MEETING

Public Defender: Doug Whipple presented the Public Defender Clients Commissioners Report for August 2005. He remarked that things are "slowing down" a little bit for the PD Office.

Assessor: Marty Holland reported on the IAC annual conference meetings he attended. He reported that Cassia County has had the second largest loss in property tax revenue in the State. He stated that we have a real problem dealing with the large private business entities and the budgets they have to file suits regarding the assessed values on operating property.

Detention Center: Mike Fehlman reported that they have 166 total inmates now. 47 from Minidoka County, 39 from Cassia County, 48 from the State of Idaho, 10 from the US Marshal, and 16 from other jurisdictions. 5 individuals were tested for the 3 detention center positions that are vacant. 2 of the testers passed and they look like good candidates. The MCCJC has received \$1,000,013.00 in revenue to date, which exceeds their anticipated revenue and there are still 2 weeks remaining in the Fiscal Year.

Sheriff's Department: Sheriff Jim Higen reported on last weeks IAC Annual Conference. They have completed all of the Sheriff's Office evaluations. He reported on the natural disasters that have occurred in the Southern states. He presented a list of telephone numbers for people to use to contact FEMA to see what is needed. He reported on what he has arranged to have tables and chairs available for the county employee barbeque on Wednesday, 28 September.

Treasurer: Gayle Erekson reported on the county barbeque on Wednesday and for all of the Department Heads to notify their people. She reported on the property tax summit that will be held on October 6, 2005.

Janitorial/Maintenance: Sharon Higgins reported on the power outage last week. The sump pump in the Law Enforcement building did not have power because it was not wired into the building generator power grid, but this problem is being reviewed for correction. She reminded all that the space heaters are not to be used during cold weather. She expressed the need to be more careful and avoid getting staples caught in the carpet.

Weed Department: Gordon Edwards presented a map showing where the noxious weeds, mainly Leafy Spurge, are infesting grounds throughout the county. Some of the areas in the county are very heavily infested with noxious weeds and intensive efforts are still necessary.

Clerk: Larry Mickelsen thanked all Department Heads for being conservative with the budgets for this fiscal year and for not spending all of their budgeted monies.

County Administrator: Kerry McMurray reported that the Public Defender Office is moving this week, from Mr. Whipple's office to Mr. Byington's office. The computers are here and things should go very smoothly. This is Dan Barker's last week because he is retiring on Friday, 30 September.

"BEST OF CUSTOMER SERVICE" WORKSHOP

Kerry McMurray discussed the "Best of Customer Service" workshop with the Department Heads. This will be a seminar with the City of Burley. This is a ½ day workshop and department heads are to contact Mr. McMurray if they have employees that need to attend.

CHANGE OF STATUS

The Board reviewed two (2) 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.

INVITATION TO BID

Captain Cary Bristol presented 2 invitations to bid for 2 new vehicles for the Sheriff's Office. One (1) new 2006 model year police package four (4) door sedan and one (1) 2006 ½ ton 4X4 Extended Cab or Super-cab Short Bed Pickup Truck. It was moved and seconded to allow Captain Bristol to present the invitation to bid to the automobile dealers in the community and voting was unanimous by the Board.

PLANNING & ZONING INTERVIEWS

Jim Grisenti appeared before the Board to be interviewed for consideration as a member of the Planning & Zoning Commission.

COUNTY EXPENDITURE

The Board reviewed the County’s Payables Approval Report dated September 26, 2005. A motion was made and seconded to approve the report. Voting was unanimous by the Board.

CURRENT EXPENSES	104	\$11,742.83
INDIGENT FUND	105	\$46.39
DISTRICT COURT FUND	106	\$3,477.53
COUNTY ROADS AND BRIDGE FUND	107	\$6,265.48
911 COMMUNICATIONS FUND	115	\$363.98
JUSTICE FUND	130	\$16,080.12
PHYSICAL FACILITIES FUND	144	\$638.31
ADULT MISDEMEANOR PROBATION	149	\$3,739.47
	TOTAL	\$42,354.11

SUPERIOR CARE PHARMACY

County Attorney Al Barrus reviewed the Memorandum of Understanding with Superior Care Pharmacy with the Board to be in compliance with HIPPA. It was moved and seconded to sign the MOU and voting was unanimous by the Board.

CONTRACT OF SALE

Al Barrus reviewed the Contract of Sale with the Horejs family. It was moved and seconded to approve the Contract of Sale and voting was unanimous by the Board.

DIGLINE

The Board reviewed the DigLine subscription rate increase schedule. This 5% increase, effective January 1, 2006, was due to increased operating costs. It was moved and seconded to sign the revised rate increase and voting was unanimous by the Board.

TRANSPORTATION AND UTILITY SYSTEMS

The Board reviewed the application for transportation and utility systems and facilities on Federal lands for placement of a UHF repeater tower on Deadline Ridge. It was moved and seconded to sign the application and voting was unanimous by the Board.

RAFT RIVER WATER ADVISORY BOARD

The Board reviewed the Raft River Water Advisory Board matters and will send letters of appointment and terms of the Board members. It was moved and seconded to amend resolution 99-6-1 to expand the Board to 15 members and to sign the letters of appointment with the terms clearly designated and voting was unanimous by the Board.

PLANNING & ZONING INTERVIEWS

Tom Schmidt appeared before the Board to be interviewed for consideration as a member of the Planning & Zoning Commission.

FY 2005 BUDGET AMENDMENTS

The Board reviewed the FY2005 budgets for possible amendments. County Clerk Larry Mickelsen presented a proposal to the Board that the following budgets need to be amended by the amounts indicated: The Indigent budget needs to be increased by \$55,000.00. The County Fair budget needs to be increased by \$2,200.00. The DARE Trust budget needs to be increased by \$1,200.00. The Coroner budget needs to be increased by \$250.00. The Juvenile Justice budget needs to be increased by \$81,053.02 because of receipt of unanticipated revenue.

After review of the proposal it was moved and seconded by the Board to amend the Budgets

as listed above. Voting was unanimous by the Board.

EXECUTIVE SESSION

At 11:28am 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 11:40am. Voting was unanimous by the Board.

Following Executive Session, the Board Signed Certificate of Denial for Case #205103, Case #205108 and Case #205098. Signed Amended Findings of Fact, Conclusions of Law and Decision for Case #205051. Signed Notice of Lien and Application for Medically Indigent Benefits for Case #205109. Signed Release if Medically Indigent Lien for Case #203165. Signed Order of Reimbursement for Case #205053. Signed Order of Dismissal for Case #205074.

U.S. FOREST SERVICE

Scott Nannenga discussed the roadless areas in the County. Scott volunteered to be an asset for the County in the event of roadless area inquiries or developing problems with roadless area management. Scott feels that the fire season is over at this time and the fires were not severe this year.

BUREAU OF LAND MANAGEMENT

Wendy Reynolds reported that the comment period for the Cottarel Wind Farm project has closed. There was a limited response during the comment period. The evaluation period may be shorter because of the small number of responses received. The BLM anticipates they may be completed with the comment review in the spring of 2006. The construction phase can begin shortly after the "right-of-way" is granted, and construction could begin as early as late summer 2006. She remarked that the fire season was very good because of cooperation between the responsible agencies. This is Wendy's last meeting with the Board, as she has been transferred to the Idaho Falls District Office.

PLANNING & ZONING INTERVIEWS

Brandon Brackenbury appeared before the Board to be interviewed for consideration as a member of the Planning & Zoning Commission.

911 DISPATCH

The Board reviewed the request for proposal seeking bids for design and construction of workstations in the 911-dispatch center. It was moved and seconded to sign the RFP and voting was unanimous by the Board.

EMPLOYEE INSURANCE

The Board reviewed the proposal for the partially self-funded employee insurance program with MBA of Salt Lake City as the Administrator. It was moved and seconded to sign the proposal and voting was unanimous by the Board.

CITY OF BURLEY

The Board discussed payment to the City of Burley for the "buy-out" agreement. It was moved and seconded to pay the City of Burley \$30,000.00 now, with the balance due next year, and voting was unanimous by the Board.

ORDINANCE NO. 2005-09-01

The Board reviewed Ordinance No. 2005-09-01, adopting the 2003 edition of the International Building Code, et al. After review, it was moved and seconded to sign Ordinance No. 2005-09-01 and voting was unanimous by the Board.

JUNKYARD MATTERS

Dan Barker reviewed the junkyard situations in the County. There has been improvement with some citizens who were in violation, but there are still some citizens who have not met the junkyard ordinances and are out of compliance. Letters will be sent to them instructing the owners to come into compliance with the County ordinances. Other matters will be referred to the Prosecutor's Office for follow up and possible prosecution.

PLANNING & ZONING COMMISSION

The Board discussed the members of the Planning & Zoning Commission to assist them in making the proper decision in appointing a new member of the Commission. After discussion, it was moved and seconded to appoint Jim Grisenti as a member of the Planning & Zoning Commission and voting was unanimous by the Board. Mr. McMurray will inform Mr. Grisenti of his appointment and term of service and Mr. McMurray will notify the other individuals who were interviewed and encourage them to reapply when there is another opening.

RECESS

Meeting was recessed until 7:00p.m., Tuesday, October 4, 2005.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Renee Wells, SIP; Kelly Adams, Cassia County Public Lands;

ATTEST:

/s/Larry A. Mickelsen

Larry A. Mickelsen, Clerk

APPROVED:

/s/Dennis D. Crane

Dennis Crane, Chairman