

## COMMISSIONER MINUTES

#550

April 3, 2006

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 March 27, 2006 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 April 2006.

### CORRESPONDENCE

The Board reviewed the following:

1. Invitation to attend the grand opening of the new First Federal Bank in Burley.
2. Notice of a City of Burley meeting to amend their zoning ordinances.
3. Letter from South Central Community Action Partnership applying for the Emergency Shelter Grant Program through Idaho Housing and Finance Association to assist the homeless with transportation, bus tickets, employment, personal care items, and medical/dental visits. It was moved and seconded to approve and sign the letter and voting was unanimous by the Board.
4. A letter to the USDA Rural Development Housing Preservation Grant Program, RE: Letter of Support for funding. It was moved and seconded to approve and sign the letter and voting was unanimous by the Board.

### ESTABLISHMENT OF A GENERAL YOUTH COALITION

Duane Larsen met with the Board to discuss establishment of a general youth coalition. He and other citizens of the County are in the process of establishing the coalition to assist troubled youth. The proposal is to have youth with similar problems/abilities form groups to help one another. They would like to have a large degree of involvement with the youth and appeal to the Hispanic community. He requested the Board prepare a letter to all of the youth and invite them to participate in the coalition. Mr. Larsen would distribute copies of the letter to the Churches, Boy Scouts, etc, and also to involve the youth's parents in the activities. The Commissioners requested that Mr. Larsen prepare a draft letter for the Board's consideration and bring it to the meeting on April 10 for proof-reading and approval.

### PELLA CEMETERY DISTRICT MATTERS

Mr. Barrus discussed the Pella Cemetery District matters. Due to health problems, Glenn Judd needs to be replaced. It was moved and seconded by the Board of Commissioners to appoint Neal Wyatt as a member of the Pella Cemetery District Board and voting was unanimous by the Board. Appropriate letters of Appreciation and Appointment will be sent to the concerned individuals.

### CITY OF ROCKS SCENIC BYWAY COMMITTEE MATTERS

Chairman Crane discussed Stan Lloyd's term as a member of the City of Rocks Scenic Byway Committee and extended deep appreciation for his service to the County, as a member of the Committee. Chairman Crane also expressed appreciation to Don Danner for his willingness to continue serving as a member of the Committee. The Board had letters prepared for Mr. Lloyd

thanking him for his service as a member of the Committee, and to Mr. Danner thanking him for his

willingness to continue serving as a member of the Committee. It was moved and seconded to execute the letters and voting was unanimous by the Board.

### **COUNTY OWNED MINERAL RIGHTS**

The Board reviewed and discussed the process to transfer the County-owned mineral rights, which must be discussed in an open meeting. The need to have the mineral rights valued by an “expert” in the matter before an informed decision regarding the rights and their transfer can be reached. The rights must be transferred to enable the land owners to clear the title, so the property can be sold. The issue will be continued next week after one of the land owners meets with the Commissioners.

### **PARKING LOT MAINTENANCE**

The Board reviewed the proposal for parking lot maintenance and repair. Bids have been received from Gordon Paving and Kloefer Concrete to repair the holes in the parking areas and to repave and chip seal the parking lots. Sharon Higgins is checking all of the details of the proposals to assist in making the proper decision.

### **TRANSPORT VEHICLE**

The automobile that is used for prisoner transport was wrecked through no fault of the County. The insurance company totaled the vehicle and it said must be replaced. The Sheriff’s department is in the process of obtaining a replacement vehicle to use as a transport automobile.

### **BOARD OF EQUALIZATION**

At 9:50am 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 parcels: (See attached list of deleted homeowners). Voting was unanimous by the Board. Notices will be sent to the property owners

At 9:55am it was proposed and seconded to return to regular session. Voting was unanimous by the Board.

### **COUNTY WATERWAYS COMMITTEE REVIEW**

Lex Kunau met with the Board and presented his annual report on the activities of the Cassia County Waterways. He explained the expenditures they have had during the past year and the budget process that he uses. He explained how the parks and docks are maintained by the City of Burley, the BLM and citizens of the County. He discussed the problems with having docks in the Oakley Reservoir to replace the high and low water ramps. He explained having the portable toilets at the Declo dock and at the Oakley Reservoir resolved maintenance problems because they are provided by private companies. Mr. Kunau explained the process that he must use to properly expend the revenue to upgrade the facilities at the docks. Mr. Kunau explained that originally he completed all of the grant applications, but now the Cities of Burley and Heyburn and the BLM complete the applications. The docks under the supervision of Mr. Kunau are the “show place” for the entire State and are used as an example of how to do it right. He explained that the City of Burley is very good at cleaning and maintaining the docks in Burley. He was very complimentary of the committee members with whom he works and the valuable contributions they make to the waterways efforts throughout the community. At 11:00, the Board of Commissioners and Mr. Kunau took a tour of the County Boat Dock facilities at Declo, the golf course, Tom’s Marina, Kunau Park and the Milner Recreation Area. The Board members were impressed with the care and the appearance of the boat dock facilities.

### **911 COORDINATOR**

Kent Searle has requested a letter appointing him as the Cassia County 911 Coordinator. It

was moved and seconded by the Board to prepare and present to Mr. Searle a letter of appointment and voting was unanimous by the Board. At the request of the Board Mr. McMurray prepared a letter for Mr. Searle stating that he now is and has been the Cassia County 911 Coordinator for about ten (10) years and is authorized to act in this capacity for the Board of Commissioners in all matters related to the County 911 emergency matters.

### **COUNTY SOLID WASTE ORDINANCE**

The Board reviewed the application of County Solid Waste Ordinance to become a commercial enterprise. After discussion regarding the small and large volume commercial users and other issues regarding CAFOs and other similar customers, the Board decided that no changes needed to be made to the County Solid Waste Ordinance at this time. It was moved and seconded to waive the fees for Von Gibby and voting was unanimous by the Board.

Commissioner Handy will have the usage monitored to ensure that no additional volume charges will need to be made to pay for the excessive amounts of volume.

### **EXECUTIVE SESSION**

At 2:47pm 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)(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 3:20pm. Voting was unanimous by the Board.

Following Executive Session, the Board discussed the changes that need to be made to the letter sent to the applicants regarding the assignment of income tax refunds. Signed Waiver of Hearing Date & Agreement for Continuation for Cases #205144 and 205141. Presented Cases #206020, 206030, and 206031. Signed Order of Dismissal for Cases #205125, 205143 and 206023. Signed Stipulation for Enlargement of Time Limitations for Case #205143. Signed Notice of Lien and Application for Medically Indigent Benefits for Cases #206029, 206030, 206031, and 206032. Signed Certificate of Approval for Cases #205112 and 205118. Signed Order of Reimbursement for Cases #205112 and 205118.

### **LEPC MEETING**

Commissioner Christensen presented a report regarding the LEPC meeting that was held on Tuesday of last week concerning the potential for flooding this spring. The Board of Commissioners will schedule a meeting with the Oakley Canal Company Board to discuss the potential for flooding and the possible need to release water earlier than normally scheduled. Mr. McMurray will try to schedule a meeting with the Canal Company on April 10, in Oakley. Sheriff Jim Higen reported that he has been all over the County to inspect the water flow in all of the drainages. Currently there is potential for flooding, but if properly managed, no problems should exist.

### **EXECUTIVE SESSION**

At 3:45pm 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 3:55pm. Voting was unanimous by the Board.

Following Executive Session, the Board took the matters under consideration for additional research and for follow-up reports to be received. There is potential to involve the Idaho State Police or another outside investigative agency in further investigation. A tort claim has been filed with the Detention Center regarding another matter. Mr. McMurray will conduct follow up review and response regarding that matter.

**CASTLE ROCKS STATE PARK**

The Board reviewed and discussed the comments regarding the Castle Rocks State Park Draft Master Plan. The Board had a letter to Mr. Kelly Burrows the Development Planner, prepared regarding the comments about the Castle Rocks State Park. It was moved and seconded to sign the comment letter and voting was unanimous by the Board.

**RECESS**

Meeting was recessed until 9:00 a.m., Monday, April 10, 2006.

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

Renee Wells, SIP;

**ATTEST:**

/s/ Larry A. Mickelsen

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Larry A. Mickelsen, Clerk

**APPROVED:**

/s/Dennis D. Crane

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Dennis Crane, Chairman