

COMMISSIONER MINUTES

#553

August 14, 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.

TEMPORARY CHAIRMAN

Commissioner Crane excused himself from the meeting until 10:00am. It was proposed by Commissioner Christensen that Commissioner Handy be appointed acting Chairman. Commissioner Handy seconded the motion; with Commissioner Christensen voting yea and Commissioner Handy voting yea. Chairman Crane arrived at 10:05am and assumed his duties as Chairman of the Board.

PREVIOUS WEEK'S MINUTES

The minutes for August 7, 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 August 2006.

CORRESPONDENCE

The Board reviewed the following:

1. An invitation to the Idaho Wildland Fire Conference, Sept. 26-27, 2006 in Boise.

COUNTY - CITY LAW ENFORCEMENT MEETING

The Board discussed moving the County – City Law enforcement meeting to Wednesday of the third week of each month. It was the decision of the Board to propose having the meeting held at 8:00am on Monday of the 3rd week of each month.

CHANGE OF STATUS

The Board reviewed two (2) Change of Status forms, one (1) for the Cassia County Sheriff's Office and one (1) 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.

EMERGENCY OPERATIONS PLAN

Captain Cary Bristol presented a Letter of Acceptance for the Cassia County Emergency Operations Plan; April 2006 is authorized to be the Official Plan for Cassia County's intergovernmental emergency operations pursuant to Chapter 10, Title 46, and Idaho Code. This plan supersedes all previous plans. It was moved and seconded to approve and sign the Letter of Acceptance and voting was unanimous by the Board.

TAX DEED MATTERS

Cassia County Treasurer Gayle Erikson met with the Board regarding the sale of property acquired by tax deeds as a result of delinquency in the payment of taxes. The nine (9) properties that have been tax deeded to the County will be sold at public auction on September 25, 2006 in the Burley City Hall at 1:30pm.

SALES TAX CERTIFICATE FOR TRI-WEST EQUIPMENT

The Board reviewed the sales tax certificate for Tri-West Equipment for the purchase of a "pup" trailer. It was moved and seconded to sign the certificate and voting was unanimous by the Board.

AMENDED COMPREHENSIVE PLAN

The Board reviewed the amended County Comprehensive Plan, Revised 2006, that has been prepared and recommended by the Cassia County Planning and Zoning Commission. After review, the Board discussed actions and schedule to hold public hearing on this Amended Comprehensive Plan to ensure regulatory sustainability. The Board scheduled Tuesday, September 12, 2006 as the date for the Public Hearing, which will be held in the Cassia County District Court Room. It was

moved and seconded to sign the Notice of Hearing for the 12th day of September, 2006 at 7:00pm and voting was unanimous by the Board.

EXECUTIVE SESSION

At 10:20am 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)(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 legal matters. Following the discussion, it was proposed and seconded that the Board return to regular session at 10:37am. Voting was unanimous by the Board.

Following Executive Session, the Board had Mr. Barrus and Mr. McMurray prepare a proposed emergency moratorium for the Board's review.

EXECUTIVE SESSION

At 10:38am 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 11:00am. Voting was unanimous by the Board.

Following Executive Session, the Board Denied Case #206010, 206068, 206069, 206070, 206071 and 206082,. Approved Case #206062. Signed Notice of Lien and Application for Medically Indigent Benefits for Case #206086. Signed Order of Dismissal for Case #206056.

BOOK SALES

The Board discussed the sale of the Cassia County History book sales at the County Fair.

COUNTY EXPENDITURE

The Board reviewed the County's Payables Approval Report dated August 11, 2006. A motion was made and seconded to approve the report. Voting was unanimous by the Board.

CURRENT EXPENSES	104	\$33,147.04
INDIGENT FUND	105	\$12,711.20
DISTRICT COURT FUND	106	\$3,108.83
COUNTY ROADS & BRIDGES FUND	107	\$13,556.72
WEED & PEST FUND	108	\$5,340.04
AMBULANCE SERVICE	110	\$21,125.00
REVALUATION FUND	114	\$614.46
911 COMMUNICATIONS FUND	115	\$3,142.90
COUNTY BOAT LICENSE FUND	117	\$1,396.92
COUNTY SNOWMOBILE FUND	118	\$5,926.24
JUSTICE FUND	130	\$255,579.04
EMERGENCY MEDICAL SERVICE FEES	133	\$6,747.12
PHYSICAL FACILITIES FUND	144	\$292.74
ADULT MISDEMEANOR PROBATION	149	\$1,083.39
	TOTAL	<u>\$363,771.64</u>

EXECUTIVE SESSION

At 11:25am 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 11:30am. Voting was unanimous by the Board.

Following Executive Session, the Board will have Kerry McMurray continue his dialog with ICRMP.

RAFT RIVER GROUNDWATER HEARING ON PETITION

County Deputy Auditor Donna Bush, D. Jay Harper, Lyle Woodbury and Mike Telford met with the Board to present the petition to organize the Raft River Groundwater District. Recorded under Commissioners Groundwater 20060814. The Public hearing will be held on September 11, 2006, at 1:30pm in Malta at the Raft River Electric Board Room. Discussion followed the recording regarding the election process and the terms of the Directors from each of the sub-districts.

COUNTY BUDGET

The Board reviewed the proposed Cassia County budget in its entirety. After review and discussion with the Department Heads and other elected officials, it was moved and seconded to approve the proposed budget, with the changes made by the Board, for publication and voting was unanimous by the Board.

EXECUTIVE SESSION

At 3:55pm 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 4:00pm. Voting was unanimous by the Board.

Following Executive Session, it was moved and seconded to adopt Ordinance No. 2006-08-01, establishing an Emergency Moratorium on the issuance of Confined Animal Feeding Operation permits and Conditional Use Permits, and causing it to be published in the local paper and voting was unanimous by the Board. The moratorium will be for no longer than 90 days. The purpose of the moratorium is to allow the county to correct deficiencies in its comprehensive plan and ensure compliance with applicable state law.

STATUS OFFENDER PROGRAM

The Board discussed the Cassia County Prosecuting Attorney's review of the Status Offender Program. Asked the County Attorney to send a letter to the 5th Judicial District and inform them that we do not participate in this program and will not help to fund it.

RECESS

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

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Renee Wells, SIP; Todd Webb, Raft River

ATTEST:

/s/Larry A. Mickelsen

Larry A. Mickelsen, Clerk

APPROVED:

/s/Dennis Crane

Dennis Crane, Chairman