

## COMMISSIONER MINUTES

#561

April 23, 2007

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

### PREVIOUS WEEK'S MINUTES

The Minutes for April 16, 2007 were discussed. A motion was made and seconded to approve and proceed with publication of an appropriate synopsis. Roll call vote was unanimous by the Board.

### CALENDAR

The Board reviewed the calendar for April 2007.

### CORRESPONDENCE

The Board reviewed the following:

1. A letter from the US BLM Re: implementation streamlining measures for the 2007 fire season.
2. An application from IPUC Re: Case No. IPC-E-07-10, Order No. 30302
3. An invitation to the groundbreaking ceremony of the Capitol restoration and expansion

### IDAHO DEPARTMENT OF TRANSPORTATION

Bob Johnson and Chris Severson of the ITD met with the Board and discussed Phase 2 of the Back-Country Byway road construction. Bob reported that no changes could be made to the plans for the route of the road at this time without a 4-5 year delay in construction. He also reported that the monies for the road construction of Phase 3 were still budgeted by the Federal Government, but there was no guarantee that it would be received. Bob stated that he would continue construction of all of the phases as long as the funding was available. He also stated that the road construction had to stay on or near the old road route to keep the designation as a "Back-Country Byway" and keep the federal funding that was budgeted.

Sam Adams discussed some soft spots along the proposed road bed. He has some materials available to ensure that there is a solid road bed. Chris said that the IDT will likely allow use of the materials that County Roads has available to reinforce the soft spots in the road bed.

Stan Lloyd stated that as a resident of the Elba area and a member of the Back Country Byway Committee, he was concerned about the delays in the construction and the lack of information shared with the Committee. He stated that the Committee voted to have the Byway bypass the City of Elba on the East, but their recommendation was ignored by the ITD. The Committee is calling for a review of the route and will call for a public meeting for discussion with the ITD and the County Commissioners. Bob will take the suggestion back to the ITD offices and will review all of the paperwork they have to see if there is the possibility of making any modifications to the Byway plans. Stan restated that something needs to be done to ensure that the concerns of the Elba residents are recognized and considered.

It was moved and seconded to follow the original road route plan and obliterate the old road bed in front of Stan Lloyd's house and roll call vote was unanimous by the Board.

### HAM RADIO OPERATOR

The Board reviewed a request to approve the request of Kent Searle to have Scott Emery as a liaison between him as the 911 Coordinator and Ham Radio Operators in the area, which would enable emergency communications to be available in event of an emergency. Kent Searle

requested permission for Scott Emery to have a County radio and pager to assist in the effort. It was moved and seconded to approve the request and roll call vote was unanimous by the Board.

### **NORTH CASSIA RURAL FIRE DISTRICT**

The Board reviewed a 04/18/07 letter from the North Cassia Rural Fire District Re: dispatching the Declo Fire Station on all vehicle accidents, with injuries, within the area currently receiving services from the Declo Station. Further that the Cassia County Search and Rescue continue to be dispatched as is the current policy. This would result in Delco Fire Department and Search and Rescue being dispatched to the same accidents, which would be a benefit to the public. This was discussed with Captain Cary Bristol to ensure the Sheriff's Office is kept informed. It was moved and seconded to approve the request and roll call vote was unanimous by the Board.

### **DEPARTMENT HEAD MEETING**

**Assessor:** Marty Holland reported that assessment notices would be out to the citizens during the next month. He said the legislature did not do too much damage to the property owners. He also reported that the time clock was causing problems because employees do not understand that each week worked stands alone and some employees have received "short" checks. He also reported that they are losing money because they do not charge mailing fees for notices sent out to the citizens for motor vehicle registrations. He requested that he be allowed to charge a 50 cent mailing fee to offset the monetary loss. A public hearing will be scheduled within the next month, to discuss the increase. The Board mentioned that there are dairy feed trucks traveling on County roads and they are not licensed. These vehicles should be licensed to be on the roads. The Sheriff's department was asked to watch for these vehicles and if they are cited, the owners would need to register the vehicles in the Assessor's office and pay the sales tax due.

**Detention Center:** Dennis Dexter reported there are 145 inmates incarcerated with 42 from the State, 38 from Minidoka County, 48 from Cassia County, and 17 from other jurisdictions. There are 108 males and 37 females with 116 felonies and 23 misdemeanors. Dennis projects \$984,000 this year in inmate housing revenue. Ty Cahoon and Jeanette Hayden graduated from POST. There are currently 2 vacancies and the next scheduled testing will be on May 3, 2007.

**Sheriff' Department:** Captain Cary Bristol reported that Sheriff Higen is out of the office this week. They are fully staffed with the exception of a part-time dispatcher. Reported that there is a lot of overtime being built up by some and others build up the compensatory time during the times the Sheriff's office is very busy. The Board discussed the over-weight vehicles traveling on County roads and questioned if there is any way these vehicles could be checked. Cary stated that these checks could only be done by the State.

**Treasurer:** Gayle Erekson reported that there will be an appreciation brunch for County employees on Wednesday, April 25, 2007, 9:30 – 11:00am in the Treasurer's Office.

**Janitorial/Maintenance:** Sharon Higgins reported that everything was going fine and there were no complaints. The Detective's Office received new carpet and they are very pleased with it.

**County Administrator:** Kerry McMurray reported that the mapping department met with Minidoka County. They have concerns with the 911 program, and PMT may bill Cassia and Minidoka Counties about \$200,000 each to update the system. Kerry and the mapping department will meet with other telephone providers to review options. Melissa is doing well and the CAFOs and junkyards will be receiving notice of their shortcomings and failures to meet county codes. It was moved and seconded to appoint Layne Rasmussen to County Junkyard Committee and roll call vote was unanimous by the Board.

**Clerk:** Larry Mickelsen reported that he would get the budget work sheets to the Department Heads this week.

**Prosecuting Attorney:** Al Barrus discussed the “Herd District” status as ruled by the Idaho Supreme Court. As a result of the recent Supreme Court decision, the County is looking at establishing a committee as required by law to determine if a herd district should be established. Members of the Idaho Cattlemen’s Association and the County Commissioners will submit names to be on the Herd District Committee. The Committee should be functioning within the next 2 weeks.

#### **TELEPHONE CONFERENCE CALL**

Rob Williams, Attorney for the citizens of the Jackson, requested that the Jackson Hearing be continued. The hearing was rescheduled for Monday, April 30, 2007 at 5:00pm in the Burley City hall.

#### **CASSIA COUNTY FAIR AND RODEO**

Corey Parrish presented 2 contracts to the Board for a Paint Ball Tournament on April 28, 2007 and a Cinco De Mayo Celebration on May 5, 2007. It was moved and seconded to approve the contracts and roll call vote was unanimous by the Board.

#### **BURLEY HIGHWAY DISTRICT**

Dave Shirley, Keith Cottom, Rob Carson and Bart Bowers of the Burley Highway District met with the Board to discuss the concerns of creating the “City of Jackson,” related to the Highway District responsibilities.

#### **BLM**

Ken Miller reported the hatch of Snow Grouse was negatively impacted by the snow storm last week and the hatch was “set back.” There is still no District Manager for the Twin Falls District of the BLM. He discussed the changes of the Twin Falls Fire District. The changes are intended to make the Fire District a more professional organization with more training of the employees. The result will be a larger crew with the fire engines. The intent is to have a safer year with a lower rate of accidents. They have the intent to develop plans to retain the key employees through professionalism and training. Lease for Raft River Geothermal is still pending and should be approved within the next 90 days. Permanent renewal of leases/permits is a critical issue with the public and the BLM and they are behind schedule with the renewals. The weeds program is being shifted from Ken Knowles of the Burley area to the Shoshone area.

#### **USFS**

Scott Nannenga discussed the use of property not used in the construction of the Back-Country Byway for a kiosk resulting from a discussion with Stan Lloyd. The USFS is moving forward with their travel planning project. The lower Rock Creek project is about finished, with 12-15 camp spots involved in the area closing. The Board will take a tour to the Black Pine area on the 25<sup>th</sup> of June, 2007. Scott reported that he will not reissue the grazing permit to the property previously owned by Merlin Ottley. In the event of an appeal, the Elba citizens will be given primary consideration for the grazing permit. Scott discussed the fire budget that the USFS establishes. The fire budget has increased in a dramatic manner and other discretionary spending for other programs has to be decreased.

#### **HOWELL CANYON REPORT**

The Board reviewed the Burley Highway District Howell Canyon Report dated 03/31/07.

#### **COUNTY EXPENDITURE**

The Board reviewed the County's Payables Approval Report dated April 23 2007. A motion was made and seconded to approve the report and roll call vote was unanimous by the Board.

CURRENT EXPENSES	104	\$3,183.58
WEED & PEST FUND	108	\$334.88
REVALUATION FUND	114	\$159.09
911 COMMUNICATIONS FUND	115	\$166.45
JUSTICE FUND	130	\$29,293.34
D.A.R.E TRUST	137	\$1,695.98
PHYSICAL FACILITIES FUND	144	\$959.35
ADULT MISDEMEANOR PROBATION	149	\$1,308.85
	<b>TOTAL</b>	<b>\$37,101.52</b>

**CHANGE OF STATUS**

The Board reviewed one (1) change of status form for the District Court. It was moved and seconded to approve the changes of status and roll call vote was unanimous by the Board.

**EXECUTIVE SESSION**

At 12:09pm 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 12:25pm. Roll call vote was unanimous by the Board.

Following Executive Session the Board signed Order of Reimbursement for Cases #206127, 207005, 207010, 207032, 207039, and 207040, signed Notice of Continuance for Case# 206139, signed Release of Lien for Case #206071, signed Notice of Lien for Case #206110, Denied Case #207031, Approved Cases #207005, 207039, and 207040.

**BOARD OF EQUALIZATION**

At 12:26pm it was proposed and seconded to convene as the County Board of Equalization. Roll call vote was unanimous by the Board.

It was proposed and seconded to delete the Home Owners exemptions on the following parcels: (see attached list). Roll call vote was unanimous by the Board. Notices will be sent to the property owners.

At 12:29pm it was proposed and seconded to return to regular session. Roll call vote was unanimous by the Board.

**RECESS**

Meeting was recessed until 9:00 a.m., Monday, April 30, 2007.

**ATTEST:**

**APPROVED:**

/s/Larry A.Mickelsen

/s/Dennis D. Crane

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Larry A. Mickelsen, Clerk

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Dennis Crane, Chairman