

COMMISSIONER MINUTES

#561

April 30, 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 23, 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 and May 2007.

CORRESPONDENCE

The Board reviewed the following:

1. A memo Re: attendance at the funeral for Frank Kearns, former Cassia County Clerk.
2. A Notice of Petition from the BPA Re: Case No. BPA-E-07-01, Order No. 30308
3. A notice of Joint Application from the BPA Re: Case No. BPA-E-07-09 Order No, 30310

EXTENSION OFFICE

Richard Garrard met with the Board to discuss issues regarding the County Extension Office. He discussed weed and pest control in some areas of the County.

JUNKYARD COMMITTEE

Kerry McMurray presented the name of Michael Tilley to serve as a member of the Junkyard Committee. It was moved and seconded to approve the appointment of Mr. Tilley as a member of the Junkyard Committee and roll call vote was unanimous by the Board. Mr. McMurray will provide notice of appointment to Mr. Tilley.

CACHE PEAK CIVIC ASSOCIATION

The Board discussed the May 3, 2007 meeting of the Cache Peak Civic Association. Commissioners Crane and Handy will attend the meeting to discuss the Back Country Byway issues.

DECLO FIRE STATION

The Board reviewed a clarification letter regarding the dispatching of the Declo Fire Station. It was moved and seconded to approve and execute the letter and roll call vote was unanimous by the Board.

GUARDIAN AD LITEM CASES

The Board reviewed the Guardian Ad Litem report from the Tuft Law Office.

HEALTH BOARD

The Board reviewed and considered the nomination by the Blaine County Commissioners of Dr. Peter Curran as a member of the South Central District Board of Health. It was moved and seconded to approve the nomination of Dr. Curran as a member of the Health Board and roll call vote was unanimous by the Board.

D.A.R.E. GRADUATION

The Board discussed the D.A.R.E. graduation scheduled for May 3, 2007 at King Fine Arts Center. Commissioner Christensen will attend and represent the Board of Commissioners.

CITY OF ALBION ZONING

The Board reviewed the Notice of Hearing for the City of Albion Zoning Ordinance. The hearing will be on May 15, 2007 at the Albion City Community Center and the purpose is do discuss changing the front yard setback in single family residential zone from no nearer than 65 feet from the center of the street to no nearer than 25 feet from the center of the street.

CHANGE OF STATUS

The Board reviewed two (2) changes of status forms for the Mini-Cassia Criminal Justice Center. It was moved and seconded to approve the changes of status and roll call vote was unanimous by the Board.

DRUG EDUCATION PROGRAM

Renee Wells and Tim Preston met with the Board and discussed the drug education program within Cassia County. There will be an Anti-Drug Awareness Seminar Re: Meth in our Community on May 15, 2007 at 7:00pm in the King Fine Arts Auditorium. The intent is to educate families about drug awareness in the Mini-Cassia community. They requested \$500.00 to provide advertising of the event. It was moved and seconded to approve the \$500.00 request and roll call vote was unanimous by the Board. It was also requested that one of the members of the Board serve as Honorary Chairman of the committee. Commissioner Christensen was asked and accepted the assignment to serve as the Honorary Chairman. Minidoka County will also be asked to provide a Commissioner to serve on the committee.

EXECUTIVE SESSION

At 9:36am 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 9:47am. Roll call vote was unanimous by the Board.

Following Executive Session the Board signed Notice of Lien for Cases #207043, 207044, 207045, 207046, and 207047; signed Release of Lien for Case #206098; signed Order of Reimbursement for Case #206139; Denied Cases #207038 and 207043; Approved Case #206139; Signed Subpoena for Case #206120.

EXECUTIVE SESSION

At 10:05am 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)(b) with Commissioner Crane voting yea, Commissioner Christensen voting yea, and Commissioner Handy voting yea. The purpose and general tenor of the meeting was a hearing on an employee matter. Following the discussion, it was proposed and seconded that the Board return to regular session at 1:40pm. Roll call vote was unanimous by the Board.

Following Executive Session the Board took the matter under advisement.

PUBLIC HEARING

The Board discussed the matters for consideration regarding the Public Hearing. The matters were regarding the questions to the public and which of the attendees would be authorized to speak. The Board's decision was to allow any who desired to be heard at the hearing to speak.

At 5:00pm the Board of Commissioners convened in a Public Hearing to consider a petition proposing incorporation of a city in the Jackson area of Cassia County.

The Jackson area citizens were represented by Jerome Attorney Rob Williams, and Mr. Williams discussed a number of issues regarding incorporation of a city and addressed the

budget funding level as about the same as the Fire District. Stanley Buckley stated that Jackson would be the 4th largest city in Cassia County and the Fire District had changed without any representation of the citizens of the area. Chairman Crane stated the changes made a few years ago were made with the concurrence of citizens of the area. Paul Duncan stated that the Jackson area felt they were ignored by the County and some administrative changes caused the issue of having a city incorporated were the result of feeling ignored. They wanted to be governed by themselves. Rob Williams stated the citizens were aware that incorporation may not allow them to use Minidoka Coordinates for their addresses and that property taxes would increase. He was not aware of anyone who opposed incorporation of the city. He stated that the cohesiveness of the group will be tested after the city is incorporated but “they are solid in their resolve.” He also stated that the citizens have told him the “Commissioners do not have to save us from ourselves.”

After a short recess, Julie Rushton stated that the decision was not made lightly and she discussed the tax impact to each household. Jim Grisenti stated that they had discussed the tax base and understood that it would be about the same as the Fire District and that there was no guarantee that their address would not change. Rob Williams asked the property owners to stand and to come forward to state that they understand that their addresses may still be Cassia coordinates and that their property taxes will have an increased assessment to fund the city of Jackson. All 42 of the property owners present were unanimous in their understanding of both questions and replied “yes” to both questions. Rob Williams then said that his understanding was that if the Board of County Commissioners approved the incorporation of the City of Jackson, they just needed to certify the incorporation to the Idaho Secretary of State.

The Board had Mr. McMurray state that written comments on the incorporation of the city of Jackson were to be to the Administrative Office not later than 5:00pm on the 11th of May and the Board of Commissioners would make a determination and rule on the petition on May 21, 2007.

The Public Hearing was closed at 6:40pm.

RECESS

Meeting was recessed until 9:00 a.m., Monday, May 7, 2007.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Laurie Welch, SIP; Renee Wells and Tim Preston, Drug Education Program; Mary Kay Patton, Cynthia Woolley, Carlos Montano, Sheriff Jim Hogens, Dan Renz, Jim Woods, Dennis Dexter, Rhonda Dudley; List of attendees at the public hearing in Co. Admin Office

ATTEST:

/s/Larry A. Mickelsen

Larry A. Mickelsen, Clerk

APPROVED:

/s/Dennis D. Crane

Dennis Crane, Chairman