

## COMMISSIONER MINUTES

#558

January 2, 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 A. Mickelsen, Clerk of the Board, JoAnn Smith, Deputy Clerk and Kerry D. McMurray, County Administrator, present.

### PREVIOUS WEEK'S MINUTES

The minutes for December 18, 2006 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 January 2007.

### CORRESPONDENCE

1. A news release from the U.S. Forest Service RE: Summer Job Applications
2. Report and invoice on Guardian Ad Litem Cases from the Tuft Law Office

### DETECTIVE OFFICE VEHICLE

Lieutenant Randy Kidd presented a proposal to purchase a 2007 Dodge Ram 1500, 4 wheel drive Quad Cab for the Detective's Office. The cost of the vehicle was \$21,406 with \$1,000 allowed for trade resulting in a total price of \$20,406. This exceeds the amount budgeted by \$2,406, but the Sheriff and Randy were sure that the amount over budget would easily be made up for in the 2007 "B" budget. It was moved and seconded to allow the purchase of the

### HOMELAND SECURITY

Sheriff Jim Higen reported on the previous funding for Homeland Security. He also reported on the funding the Sheriff's Department will receive for the period July 2006 through December 2008. Some funding for the 2005 grant is still unspent because of difficulty of dealing with the Federal Officials. It was moved and seconded to sign the application for the 2006 Grant of \$108,532.34 and roll call vote was unanimous by the Board.

### COUNTY HEALTH INSURANCE

Kelly Bowen discussed the Cassia County Group Experience for November 2006. Based upon his discussion with MBA, the County is doing very well and will have a payment "vacation" during February 2007. He presented contracts for County Health Insurance for the next 12 months. It was moved and seconded to have Chairman Crane sign the contracts and roll call vote was unanimous by the Board.

### BID REVIEW – MCCJC VAN

BID OPENING: The Board opened and reviewed bids received for a transport van for the MCCJC. Bids were received from Bonanza Motors, Goode Motors, Kim Hanson Motors and Hirning Chevrolet-GMC of American Falls. The Board directed Dennis Dexter to review all of the bids and return to the Board with a recommendation for acceptance of one of the bids.

### EMS FUNDS

The Board reviewed two checks from the Raft River Rescue, Inc., one for \$1,745.15. and one for \$500. The \$500 check was given to Sheriff Higen and will go to the Mini-Cassia Search & Rescue and the \$1,745.15 to the Cassia County EMS.

### OREGON TRAIL RECREATION DISTRICT

The Board reviewed the Oregon Train Rec. District Draft of Strategy and will study the proposed strategy and comment of the proposal during next week's meeting.

### IDAHO PUBLIC UTILITIES COMMISSION

The Board reviewed notices IPC-E-06-29 and ICC-E-06-30.

### **CHANGING OF STREET NAME**

The Board reviewed the letter from Becky Whitehead requesting a street name change. The matter will be reviewed and comment sought from emergency service, and thereafter in accordance with their direction and current regulation in mind, Ms. Whitehead will be contacted for input. The Board will make a decision on the request thereafter.

### **CERTIFICATES OF APPRECIATION**

The Board signed Certificates of Appreciation to Linda Hoxey for 21 years of service to Cassia County, and to Jim Grisenti, Rick Hawker and Clayne Zollinger, Jr. for service on the Cassia County Planning & Zoning Commission.

### **IDAHO DEPARTMENT OF LANDS**

The Board reviewed the letter dated 12/11/06 regarding management of endowment lands. The Board requested that the Zoning Administrator send a letter to the Department and explain the county's regulations and position on notice and input.

### **CITY OF BURLEY URBAN RENEWAL ACTION**

The Board reviewed the letter regarding the meeting on December 26, 2006.

### **CASSIA COUNTY RECORDS REQUEST**

The Board discussed the procedures to retrieve documents from the Idaho Public Records Archive in Boise. A policy letter as proposed by the Courts was approved, which explains the cost to retrieve the records and make copies of them and that such will be the responsibility of the requestor in advance, as well as that such records may be made available to any and all who request copies of their personal court records through other means as well, when archived with the State.

### **DAIRY SITES**

Grant Wyatt and other area gentlemen appeared before the Board. He explained the area South of Burley and the Raft River Area are critical groundwater areas. He explained that there was insufficient water for farming and irrigation wells are going dry. Brian Higgs a hydrologist for the Southwest Irrigation District explained the critical groundwater areas in the county and the problems that we will face because of the water shortage. He showed slides that show the water levels during the past 45 years and how the level is about 300 feet lower than when the study began. The Golden Valley area is especially critical. He reported that the dairies do not use an excess amount of water, but the production of the feed for the dairy cattle uses an exorbitant amount of water. He stated that the water required to produce the feed is not available. Grant Wyatt stated that the run-off from some feed lots will contaminate the lands that lie at a level lower than the feed lots. He posed a question about what will be grown in the area, if the area is dependant upon dairies, rather than potato, sugar beets and grain crops for human consumption. Tom Garrval, representing the Amalgamated Sugar Company, reported on the potential for going out of business if the land was used to produce dairy feed and not to grow sugar beets. Richard Garrard stated that we need to find a balance between dairies and the sugar beets and potato acreage. Stacy Camp reported that farmers in the Jerome area cannot find land to grow sugar beets because of the over abundance of dairies in the area. He reported that some problems exist when the acreage to grow sugar beets have been covered with excess cow manure. Mike Garner reported that the water levels in the Raft River area are critically low. He explained that diversity in farming and land usage for other matters is critical. He stated that the nutrient management plans cause a lot of expense and problems for the CAFOs. Richard Garrard stated that there is a critical balance in the nutrient management plans when they harvest crops that have been fertilized with cow manure. Grant Wyatt explained that the small CAFOs do not cause major

problems, but the “mega CAFOs” can cause major problems. Richard Garrard reported that there are about 325,000 acres of irrigated lands, with about 200,000 acres of row type farming, and there are about 407,000 animal units in the county. Grant Wyatt reported that the SWID uses about 2 acre feet per year and are authorized to use 4 feet per acre. Kerry McMurray explained the requirements for CAFO applications and permits. David Elison of the Amalgamated Sugar Company reported that there are critical issues with the balance of nutrients that are put back into the soil, Re: phosphorous and nitrogen. The Commissioners expressed appreciation for the concerned farmers who had come in for the meeting. The Board took the matters under advisement.

**EXECUTIVE SESSION**

At 11:20a.m. 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 11:35 a.m. Roll call vote was unanimous by the Board.

Following Executive Session, the Board approved Cases #206130 and 206133. Denied Cases #206125. Signed Order of Dismissal for Case #206081. Signed Release of Lien for Cases #203064, 204107, 204126 and 205130. Signed Subpoena for 1 case.

**BLM-DRAFT POCATELLO RESOURCE MANAGEMENT PLAN**

The Board reviewed the proposed plan.

**CASSIA COUNTY HIWAY PROJECTS UPDATE**

The Board reviewed an email received from Bob Johnson regarding road updates.

**COUNTY ROAD MATTERS**

The Board reviewed the road matters and engineering of a containment barrier. The Board instructed that an engineer not be contracted with, but that cement contractors be contacted to propose a design-build plan for the containment structure.

**COUNTY EXPENDITURE**

The Board reviewed the County’s Payables Approval Report dated January 2, 2007. A motion was made and seconded to approve the report. Roll call vote was unanimous by the Board.

CURRENT EXPENSES	104	\$13,377.48
INDIGENT FUND	105	\$123.93
DISTRICT COURT FUND	106	\$2,001.81
JUSTICE FUND	130	\$792.00
PHYSICAL FACILITIES FUND	144	\$940.68
	<b>TOTAL</b>	<b>\$17,235.90</b>

**CHANGE OF STATUS**

The Board reviewed Change of Status forms. It was moved and seconded to approve the changes of status and roll call vote was unanimous by the Board.

**EXECUTIVE SESSION**

At 11:35 a.m. 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 11:55 a.m. a.m. Roll call vote was unanimous by the Board.

Following Executive Session, the Board took the matters under advisement.

**BID AWARD**

The Board reviewed the bids for the Jail Transport Van. After review and recommendation, it was moved and seconded to award the bid to Bonanza Motors for \$20,720.34. Roll call vote was unanimous by the Board.

**MINI-CASSIA CRIMINAL JUSTICE MATTERS**

The Board reviewed and signed a Finding of Fact and Conclusion of Law regarding an employee matter in the Criminal Justice Center.

**RECESS**

Meeting was recessed until 9:00 a.m., Monday, January 8, 2007.

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

Renee Wells, SIP; Mark Webb, Bob Martin, Dallan Elquist, Marvin Blacker, Mike Beck, Steve Hepworth, Bart Bowers, David Shirley, Gordon Luke, Ron Hepworth, Wayne Anderson, Richard Randall and Allen Hawker;

**ATTEST:**

/s/Larry A. Mickelsen

\_\_\_\_\_  
Larry A. Mickelsen, Clerk

**APPROVED:**

/s/Dennis D. Crane

\_\_\_\_\_  
Dennis Crane, Chairman