

# COMMISSIONER MINUTES

#558

January 8, 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, and Kerry D. McMurray, County Administrator, present.

## SWEARING IN CEREMONY

District Judge Monte Carlson issued the oath of office to all of the county officials who were re-elected during the 2006 General Election. Paul Christensen and Dennis Crane were sworn in as County Commissioners, Larry Mickelsen as County Clerk, Marty Holland as County Assessor, Gayle Erekson as County Treasurer and Paul Young as County Coroner.

## ELECTION OF CHAIRMAN OF THE BOARD

The Board conducted the election of the Chairman of the Board of County Commissioners. It was moved by Commissioner Handy and seconded by Commissioner Christensen that Commissioner Crane continue to serve as Chairman of the Board and roll call vote was unanimous by the Board.

It was moved by Commissioner Christensen and seconded by Chairman Crane that Commissioner Handy serve as the Vice-Chairman of the Board of Commissioners with Chairman Crane voting aye, Commissioner Christensen voting aye and Commissioner Handy abstained from voting. The motion passed by a majority vote.

## PREVIOUS WEEK'S MINUTES

The minutes for January 2, 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 January 2007.

## CORRESPONDENCE

The Board reviewed the following:

1. Case No. IPC-E-04-15, and Case No. IPC-E-06-34, Notice of Settlement Stipulation, Modified Procedure and Comment/Protest Deadline.

## BEER, WINE AND LIQUOR LICENSES

The Board approved the following applications for Beer, Wine and/or Liquor Licenses:

<u>County #</u>	<u>Name</u>	<u>Doing Business As</u>
Transfer #30	Gary Jones	Annie's Saloon, Albion, ID

## CITY/COUNTY PROPERTY

Sheriff Higen discussed the transfer of \$15,360.00 as the final payment to the City of Burley for the City Police property that was transferred to the Sheriff's Office in 1987. It was moved and seconded to allow the City of Burley deduct \$15,360.00 from their normal monthly contract payment as payment in full for said property and roll call vote was unanimous by the Board.

## RECONSIDER ENGINEERING ON MAG CHLORIDE

The Board reviewed and discussed the engineering of the Mag Chloride containment structure. Kerry McMurray has found the Public works law in the Idaho Code that requires the Cassia County taxing district to hire a licensed engineer to prepare the plans for the structure. Mr. McMurray was given the assignment to discuss this issue with other licensed engineers and report back to the Board.

### **PUBLIC HEARING**

A public hearing was conducted Re: Sheriff's Office Civil Fees. The Notice of Hearing was published in the South Idaho Press on December 23, 2006 and January 1, 2007. Sheriff Higen was present to participate in the hearing. The hearing was recorded by Kerry McMurray and the recording is in his possession. Commissioner Christensen moved and Commissioner Handy seconded the request to increase the Sheriff's Office Civil Fee increases and voting was unanimous by the Board. It was moved by Commissioner Christensen and seconded by Commissioner Handy to execute and sign Resolution No. 2007-01-1, increasing Sheriff's Office Civil Fees and roll call vote was unanimous by the Board.

### **OREGON TRAIL REC. DISTRICT**

The Board discussed the Oregon Trail Rec. District draft strategy after the proposed plan was read by Mr. Barrus. After review the Board made no recommendations for change.

### **CHANGE OF STATUS**

The Board reviewed three (3) Change of Status forms, one (1) for the Cassia County Sheriff's Office, one (1) for the Public Defender and one (1) for the Courts. It was moved and seconded to approve the changes of status and roll call vote was unanimous by the Board.

### **FAIRBOARD MATTERS**

The Board reviewed Fairboard mileage invoices and the Board reviewed the Fairground Trailer House Rental Agreement. It was moved and seconded to execute and sign the trailer house rental agreement and the mileage invoices and roll call vote was unanimous by the Board.

### **IDAHO DEPARTMENT OF PARKS AND RECREATION**

The Board reviewed and executed the letter of explanation to the Idaho Department of Parks and Recreation RE: Response to Audit letter for explanation of vessel funds expenditures in Cassia County. It was moved by Commissioner Handy and seconded by Commissioner Christensen to permit Chairman Crane to sign the letter and roll call vote was unanimous by the Board.

### **COUNTY TRANSPORTATION PLAN STATUS**

Aaron Wert met with the Board and discussed the status of the County Transportation Plan. At this time he is completing the draft plan and will be it disseminated within the next 2 weeks. He plans to have the recommendations back from the involved parties by the end of February 2007. Their current GIS software does not handle all of their requirements. They are getting an updated ArcView GIS program that will be compatible with all of their requirements. With the ArcView version 9.2, the project will be compatible with the County software.

### **EXECUTIVE SESSION**

At 10:14am 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 10:20am. Roll call vote was unanimous by the Board.

Following Executive Session, the Board denied Cases #206126, 206138 and 207001. Signed Stipulation for Case #206110. Signed Findings of Fact for Case #206103.

It was moved and seconded to approve the transfer of \$100,000.00 from the PILT Fund into the Indigent Fund, the funds will be transferred back into PILT at the time the Indigent Fund becomes financially stable, and roll call vote 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)(a) 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 personnel matters. Following the discussion, it was proposed and seconded that the Board return to regular session at 10:30am. Roll call vote was unanimous by the Board.

Following Executive Session, the Board will follow up with the Fairboard.

#### **EXECUTIVE SESSION**

At 10:30am 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 10:35am. Roll call vote was unanimous by the Board.

Following Executive Session, Mr. Barrus read a letter he has prepared for the other attorney and the Board took the matter under advisement.

#### **JACKSON ADDRESSING PROPOSAL**

Jim Grisenti presented the Jackson Addressing Proposal developed by him. He recommends that whenever a call comes in from the Jackson area, they must state that this call is from "Jackson." He recommends that the 911 system designate the Jackson area as a city. He stated that if Jackson Incorporates, they will designate the roads as they currently are. The Board reminded him that there are built-in safety matters to ensure that the citizens are protected. The Board thanked him for coming in and stated they are very concerned with the citizens of Jackson and their safety.

#### **TEMPORARY CHAIRMAN**

At 10:55am Commissioner Crane excused himself from the meeting. 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.

#### **DAIRY SITING**

Karl Nelson from High Desert Milk appeared before the Board and presented dairy siting information. His discussion was related to the previous weeks meeting regarding the dairy siting. He stated that the cattle feed crops do not use more water than other crops and showed figures that show the feed crops, with the exception of alfalfa, use less water than other row crops. He referred to water rights of Grant Wyatt for 1960 and 1985 to show the water rights are expanded when the need arises. He demonstrated that the water levels had dropped before the first large dairy was approved in the county. He showed that the South Idaho Press reported numbers of animal units permitted and the acreage available proved that there was not a need for a moratorium, because of the position of the County Planning & Zoning Commission to restrict the number of animal units from 5 to 2 per acre in the Comprehensive Plan. He will meet with Kerry McMurray after the United Dairymen of Idaho meet and discuss the matters. Bob Martin stated that the concern was having clusters of dairies. The Board responded that the permitting process for CAFOs will not allow this to happen. Mr. Nelson commended the Commissioners for taking a pro-active approach with the matters.

#### **EMPLOYEE BENEFIT PLAN**

An amendment to the Cassia County Employee Medical Benefit Plan which is amended

to Include: Chronic Disease Management Program Charges and Fees. The plan is amended to include services for chronic disease management is paid 100% by MBA and not subject to deductible, co-insurance or co-pays.

**COUNTY EXPENDITURE**

The Board reviewed the County's Payables Approval Report dated January 8, 2007. A motion was made and seconded to approve the report. Roll call vote was unanimous by the Board.

CURRENT EXPENSES	104	\$20,280.20
DISTRICT COURT FUND	106	\$4,921.85
COUNTY ROADS & BRIDGES FUND	107	\$1,388.80
WEED & PEST FUND	108	\$644.96
AMBULANCE SERVICE	110	\$12,875.00
REVALUATION FUND	114	\$27.95
911 COMMUNICATIONS FUND	115	\$3,181.39
COUNTY BOAT LICENSE FUND	117	\$2,408.99
JUSTICE FUND	130	\$40,081.32
EMERGENCY MEDICAL SERVICE FEES	133	\$500.00
	<b>TOTAL</b>	<b>\$86,310.46</b>

**RECESS**

Meeting was recessed until 9:00 a.m., Tuesday, January 16, 2007.

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

Renee Wells, SIP; Colleen Carson; Bob Martin

**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