

## **COMMISSIONER MINUTES**

#560

March 26, 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.

### **CREATION OF A HERD DISTRICT**

The Board discussed a recent Idaho Supreme Court decision and the requirements to create a "Herd District" within the County, as provided by Idaho Code 25-2104 and 25-2402.

### **PROVIOUS WEEK'S MINUTES**

The Minutes for March 19, 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 March and April 2007.

### **CORRESPONDENCE**

The Board reviewed the following:

1. A letter from Homeland Security for the Assessor's Office.
2. A copy of s news release from the U.S. Forest service Re: rehabilitation of Lower Rock Creek camping sites.

### **CHANGE OF STATUS**

The Board reviewed three (3) changes of status forms, two (2) for the MCCJC and one (1) for the Cassia County Sheriff's Office. It was moved and seconded to approve the changes of status and roll call vote was unanimous by the Board.

### **BOARD OF EQUALIZATION**

At 9:23am 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.

HOMESTEAD EXEMPTION - The Board reviewed a proposed decision letter on the Homestead Exemption Request at 1711 Occidental Ave, Burley, ID. It was moved and seconded to uphold the Board's earlier decision to delete the Homeowner's Exemption on the property and roll call vote was unanimous by the Board. A notice will be sent to the home owner.

At 9:30am it was proposed and seconded to return to regular session. Roll call vote was unanimous by the Board.

### **PUBLIC WATERWAYS GRANT**

Sheriff Jim Higen met with the Board and discussed the use of a grant of \$19,365.84 for Boat Safety. It was moved and seconded to accept the grant monies and adjust the Sheriff's Waterway's budget for the accounting of the funds, and then to open and amend the budget later in the fiscal year and roll call vote was unanimous by the Board.

## **EMERGENCY COMMUNICATIONS**

Sheriff Higen discussed the use of Government Emergency Telecommunications Service (GETS) with the Board. The emergency communications would be through the use of special calling cards. Sheriff Higen will meet with Commissioner Christensen to review and discuss the GETS proposal and return to the full board of commissioners with their recommendation.

## **RESOLUTION NO. 2007-03-01**

The Board reviewed the Clerk's Office request for records destruction as Resolution No. 2007-03-01. After review, it was moved and seconded to sign and approve the resolution and roll call vote was unanimous by the Board.

## **LETTER TO IRRIGATION DISTRICTS**

The Board reviewed a proposed letter to the Irrigation Districts, Canal Companies, and Flood Control Districts in the Oakley area. After review, it was moved and seconded to sign the letter and send it to the attorneys and citizens that are involved with the organizations, and roll call vote was unanimous by the Board.

## **DEPARTMENT HEAD MEETING**

**Assessor:** Marty Holland reported that the city of Burley is going to conduct an override election for the Library. The personal property bill in the legislature "died" in the senate. The Urban Renewal bill was held in committee. The "windfarm" bill has gone to the Governor. Marty will get an update on all bills when he attends a meeting next Tuesday. He requested the Board to come to the Assessor's office to look at their books. He explained that IAC has requested that each county raise \$1,000 for the Scholarship Fund, and he recommended a bowling event to raise the revenue. The Board asked Marty to pursue the bowling event for the scholarship fund money.

**Detention Center:** Mike Fehlman reported there are 147 inmates, 119 on felony charges, with 55 from Cassia, 32 from Minidoka, 48 from the State, 2 from Border Patrol, and 10 from other jurisdictions. This totals 60 "paying customers" He stated that things are going pretty well; even with increased the aggressiveness of inmates that come into the MCCJC under the influence of Meth. One (1) officer resigned last week and two (2) new employees were hired, and that makes the detention center staff short two (2) employees.

**Sheriff' Department:** Sheriff Jim Higen reported that they are very busy and short two (2) officers. Things are moving along in a fairly normal, but they look to be busier this summer. Homeland Security issues are that they are looking to get contractors to come in and look at evacuation routes. There is another "ironman" event this summer which will utilize a lot of the Sheriff's resources. The "Spudman" event has changed the route which will also require the Sheriff's resources. He stated that these types of events cause no problems for the Sheriff's Department.

**Treasurer:** Gayle Erekson reported that things are going normal for this time of year. She stated that the Raft River groundwater district has not been in to ask about tax revenues.

**Janitorial/Maintenance:** Sharon Higgins working to control the vegetation and weeds and things are going normal for her entire staff.

**Weed Department:** Gordon Edwards reported that they are working in the Jackson area. People are using ground sterilent to help control the weeds. They are becoming part of another weed management area from the headwaters of the Snake River to Elmore County. They have applied for grant money to assist with Eurasian Water Milfoil control. The grant is intended to purchase equipment such as jet skis and GPS units to control the water-borne noxious weeds. Education will be a major part of the weed control. Gordon has already started spraying for weeds that are growing along the roads. He said they he has four (4) mosquito traps to monitor high concentrations of mosquitoes wherever they are needed.

**County Administrator:** Kerry McMurray reported that his office is working on the compliance efforts. Melissa is working with the junk yard owners to ensure they are in compliance. Mobile homes are a major part of their efforts at this time. The Building department is very busy with permits. Malta, Declo and Albion will be approached regarding the County Building official working within the city limits. Planning & Zoning is still very busy with applications at this time.

**Clerk:** Larry Mickelsen explained the budget calendar for next year's (FY08) budget.

**Prosecuting Attorney:** Al Barrus discussed various legislative issues that impact the county.

### **BOARD OF EQUALIZATION**

At 10:30am 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 10:35am it was proposed and seconded to return to regular session. Roll call vote was unanimous by the Board.

### **PROPERTY TAX ROLLS**

At 10:40am the Board went to the Assessor's Office to conduct a review of the Property Tax Rolls. All of the rolls appeared to be complete and accurate.

### **EXECUTIVE SESSION**

At 11:07am 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 11:20am. Roll call vote was unanimous by the Board.

Following Executive Session the Board Denied Cases # 207015 and 207016, Presented Case #207013 and it was taken under advisement, signed Notice of Lien for Cases # 207033 and 207034, signed Release of Lien for Cases #204092, 206096 and 206100. Signed stipulation for enlargement of time limitations for Case #206120, signed Subpoena for Case #205058, signed Order of Reimbursement for Cases # 206112, 206126, 207003 and 207012.

### **FAIRBOARD MATTERS**

Kerry McMurray discussed some horse events that have been conducted in Jerome and some in Rupert that may pose a risk for the County fairgrounds and its use. A meeting will be scheduled with ICRMP and the members of the Fairboard to discuss this matter and how the County can best manage this risk.

It was moved and seconded to have Chairman Crane sign the Special Event Contract for a Community Auction at the fairgrounds and roll call vote was unanimous by the Board.

#### **RESOLUTION NO. 2007-03-02**

The Board reviewed a request from the MCCJC for records destruction as Resolution No. 2007-03-02. After review, it was moved and seconded to sign and approve the resolution and roll call vote was unanimous by the Board.

#### **ALBION HIGHWAY DISTRICT**

The Board reviewed the Albion Highway District's Emergency Permit Application to alter a stream channel – Land Creek repair. This matter was for the Board's review and for informational purposes only.

#### **CASSIA COUNTY ZONING MAP**

The Board reviewed an updated Zoning Map for Cassia County based upon an October 10, 2006 order concerning re-zoning of the Big Cove area. After review, it was moved and seconded to sign and execute the zoning map, effective as of the 10<sup>th</sup> day of October, 2006, and roll call vote was unanimous by the Board.

#### **U.S. FOREST SERVICE**

Chris Schenk and Stephen Fillmore met with the Board and discussed Fire Management in the County. He presented a handout for the Preliminary Wildland Fire Outlook for March through June, 2007 and discussed the potential for this year. Chris reported that last year was not a bad fire year and the outlook for this year is about the same. They have the staff to man the fire lookout stations. They will have teams to assist local government with fire risk management. The Forest Service will work closely with the local authorities in all events. They are working hard with the Fuels Management Program to evaluate the potential for burning. This will be a benefit to the wildlife and domestic animals for growth of vegetation for food. They discussed the benefits to let naturally ignited fires burn old vegetation and be a real benefit to the forests. They explained that there is a good chance the camp grounds will be open by Memorial Day because of a light snow pack. The recent announcement of closure of camp areas in Rock Creek was also discussed.

#### **HOWELL CANYON ROAD**

The Board reviewed the quarterly Burley Highway District Report concerning the Howell Canyon Road snow removal and maintenance for 2007.

#### **GUARDIAN AD LITEM**

The Board reviewed the Tuft Law Office Report Re: Guardian Ad-Litem contract.

#### **COUNTY ROAD AND BRIDGE**

Gail Lim Construction will conduct a meeting with stake holders and interested parties on Wed, March 28, 2007 in the Almo Fire Station. Kerry McMurray will attend, representing the Cassia County Board of Commissioners.

**COUNTY EXPENDITURE**

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

CURRENT EXPENSES	104	\$69,021.78
INDIGENT FUND	105	\$100.00
DISTRICT COURT FUND	106	\$772.63
911 COMMUNICATIONS FUND	115	\$133.61
JUSTICE FUND	130	\$20,219.96
	<b>TOTAL</b>	<b>\$90,247.98</b>

**PILLING CONTRACT**

The Board reviewed the contract with Brek Pilling to serve as the designated examiner for Cassia County. The contract was dated February 1, 2005 and was effective from October 1, 2005 through September 30, 2006, with a clause to be thereafter automatically annually renewable, unless there is some intervening act by either party.

**APPEAL HEARING**

At 3:00pm the Board convened in the Cassia County District Court room to conduct an appeal hearing for the Ward Dairy #2 CAFO. The hearing is digitally recorded as Ward Dairy Hearing.

**RECESS**

Meeting was recessed until 9:00 a.m., Monday, April 2, 2007.

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

Laurie Welch, SIP;

**ATTEST:**

/s/Larry A. Mickelsen

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

**APPROVED:**

/s/Dennis D. Crane

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