

## COMMISSIONER MINUTES

#562

May 21, 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 May 14, 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 May 2007.

### CORRESPONDENCE

The Board reviewed the following:

1. The notification that Kylie Barrus received a \$1000.00 college scholarship from IAC.

### HERD DISTRICT MATTERS

County Attorney Al Barrus discussed the formation of the Cassia County Herd District. The Board of Commissioners and Mr. Barrus have received comments from various citizens throughout the County. The 5<sup>th</sup> member appointed to the Herd District Panel is Lex Godfrey, who lives in the View area. The first meeting of the Panel will be held on Tuesday May 29, 2007.

### COMMUNITY ACTION – ANNUAL REPORT

Ken Robinette met with the Board and presented the annual report of the South Central Community Action Partnership. He reported on the expenditures of the Partnership to assist families with emergency services related to energy assistance and weatherization. He also discussed the Community Services Block Grant (CSBG) functions and how they are funded and assist the citizens. He discussed the services provided to the families in the Magic Valley Region and in Cassia County. The transitional housing that is provided can be occupied for up to 2 years and then the families must be prepared to move. He discussed the weatherization/energy conservation program for the Magic Valley Region and in Cassia County. The program combined total cost in Cassia County was \$323,128.00. There has not been a manager or staff person in the Burley office during the past year, and it is supported by the Twin Falls office. He requested funds from the County if we had some available funds. Chairman Crane asked Clerk Mickelsen to determine if the County could fund \$4,000.00 in the 2008 budget.

### EXECUTIVE SESSION

At 10:00am 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 10:11am. Roll call vote was unanimous by the Board.

Following Executive Session the Board signed assignments for 5 cases; denied Case #207042; approved Cases #207026, 207041, and 207044; signed Order of Reimbursement for Cases #207026, 207041, and 207044; signed Notice of Lien for Cases #207052, 207053, 207054, and 207055; approved Pre Approval Surgery / Required Additional treatment for 1 case.

### **EXECUTIVE SESSION**

At 10:12am 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 10:25am. Roll call vote was unanimous by the Board.

Following Executive Session the Board took the matters under advisement and forwarded the claim to ICRMP.

### **MOTOR GRADER LEASE**

The Board reviewed and discussed the request for a Motor Grader Lease for the County Roads. County Attorney Al Barrus commented on his memo to the Board of Commissioners regarding County Leases for Equipment; that due to a recent Idaho Supreme Court case, it is very difficult to find that something is going to be “ordinary and necessary.” Mr. Barrus further informed the Commissioners that a recent bankruptcy ruling held that such leases were actually purchase agreements. The Board will advise the County Roads that they will need to use existing equipment and save to purchase new equipment.

### **JACKSON INCORPORATION PETITION**

Chairman Crane opened the deliberation of the Jackson Incorporation Petition at 10:30am and asked Mr. McMurray to state from whom letters had been received. A letter was also received from the Sheriff after the deadline and it will not be allowed to be part of the deliberation. A printout of the density per square acre and the demographics of Idaho Cities also will not be allowed. Mr. McMurray read a letter from Attorney Robert E. Williams Re: Tax Levies. Commissioner Christensen discussed the land mass and lack of an economic center of the proposed city and was not in favor of approving the petition. Commissioner Handy stated that despite the enthusiasm displayed, he could not find a core reason or strong rationale for granting the petition; he also stated that there would be no added services or added benefits for the residents. Chairman Crane stated that he was appreciative of the efforts of the citizens of Jackson to try to organize the city, but with the law enforcement, fire protection, and other services available, as provided by other entities; he felt that the added taxes to contract for services to protect the citizens would not be justifiable. He also stated that there were citizens of the area who would be impacted who did not sign or approve the petition. It was moved by Commissioner Christensen and seconded by Commissioner Handy that the request for incorporation of the City of Jackson not be approved and roll call vote was unanimous by the Board. Mr. McMurray stated that he had spoken with Rob Carson about the road signs for the Jackson area, and said it would cost about \$5,000.00 to purchase them. He requested the authorization to order the signs for Jackson, with Cassia County coordinates. It was moved and seconded to authorize Mr. McMurray to order the signs, which will be installed by Burley Highway District, and roll call vote was unanimous by the Board.

### **RECORDING PROPOSAL**

Clerk Larry Mickelsen presented a proposal from Stephenson’s Inc for the upgrade of the Cassia County Recorder’s Office to Simplifile. This would enable read-only access to the recorded documents by other authorized users. After discussion, it was moved and seconded to approve the proposal and roll call vote was unanimous by the Board.

### **TAX ISSUE**

The Board reviewed the property tax bill of \$37.18 for the former Triple C property. It was moved and seconded to approve payment of the tax bill for this year and roll call vote was unanimous by the Board.

**FAIRGROUND CONTRACT**

The Board reviewed a contract for the Cassia Cub Day Camp at the Cassia County Fairgrounds. It was moved and seconded to approve and sign the contract and roll call vote was unanimous by the Board.

**RECESS**

Meeting was recessed until 9:00 a.m., Tuesday, May 29, 2007.

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

Laurie Welch, SIP; Don Handy; Jim Grisenti, Pati Christensen, Stanley Buckley, Jackson

**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