

## COMMISSIONER MINUTES

#569

November 5, 2007

The Cassia County Board of Commissioners met this day with Chairman Dennis Crane, Paul Christensen and Clay D. 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 October 30, 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 November 2007.

### CORRESPONDENCE

The Board reviewed the following:

1. A letter from Attorney Bill Parsons Re: Need for a new Judicial Building.
2. A letter from the Idaho Public Utilities Commission Re: Geothermal issues.
3. A letter from the United States Department of Agriculture Re: grasshopper and Mormon cricket suppression.
4. The Annual Road & Street Financial Report, it was moved and seconded to approve and sign the report and roll call vote was unanimous by the Board.

### EXECUTIVE SESSION

At 9:18am 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 9:26am. Roll call vote was unanimous by the Board.

Following Executive Session the Board Approved Case # 207057; Signed Release of Lien for Case #207038; Signed Notice of Lien for Case #207120; Signed Order of Reimbursement for Case #207110; Denied Cases #207057, 207107, 207108, 207109, and 207111.

### RAFT RIVER FIRE PROTECTION DISTRICT

Attorney Bill Parsons introduced Tony Wheeler, Fire Chief of the Raft River Fire District and presented an Order of Annexation for the Raft River Fire Protection District. Some of the lands adjacent to the boundary of the Raft River Fire Protection District are not protected and this proposed annexation will resolve the fire protection issues. They also propose to build a satellite fire station on Yale Road to house a fire truck and possibly an ambulance. The District has received the funds to build the fire station from a grant. The proposed new boundaries of the new fire district were reviewed and approved by the Assessor's Office as being correct. It was moved and seconded to approve the annexation of the adjacent lands into the Raft River Fire Protection District and roll call vote was unanimous by the Board.

### COUNSELING ISSUES

The Board discussed the activities of Dr. Brek Pilling, the Counselor under contract to the county, who is accessible for the citizens of the county who are in need of counseling and receive designated examinations.

### EXECUTIVE SESSION

At 9:50am 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 10:06am. Roll call vote was unanimous by the Board.

Following Executive Session the Board summoned Dennis Dexter to appear and discuss the counseling issues with the Board and to consider contracting with other counselors to fulfill the evaluations and designated examinations for the MCCJC.

### **COMPLIANCE OFFICER/BUILDING INSPECTOR REPORTS**

Melissa Price, Cassia County Compliance Officer presented her Annual Report to the Board. She reported on the numbers of violations for buildings, CAFOs and junkyards and the numbers and status of the monthly violations reported. The fee for violations the building codes imposed in the same amount as the license would be, resulting in the license fee cost being doubled. She discussed the individuals who have been/are in violation and their current status. Dee Yeaman reported that there is a building on 200 West that is a very real safety hazard.

Dee Yeaman, Cassia County Building Inspector presented the Annual Construction Report and discussed the differing types of permits that have been issued. He reported that the number of permits issued were about double the numbers of previous years. The value of the 225 new construction permits issued for the date period of 10/1/2006 to 9/30/2007 was \$20,165,124.00. In contrast the value of the 103 new construction permits for the period of 10/1/2005 to 9/30/2006 was \$7,476,832.00. He discussed some proposed standards for commercial construction, which will be given additional consideration and formally presented to the BoCC.

### **OAKLEY MUSEUM FEE WAIVER**

The issue was tabled until next week.

### **PLANNING & ZONING ISSUES**

Bruce Beck and Rod Lake presented the recommendations of the P&Z Commission Re: Confined Animal Feeding Operations (CAFOs). Rod explained that the Alternative Waste Management Ordinance 9-11-10 has loopholes that need to be closed. Bruce explained that Alternative Waste Management could be located outside of Cassia County and this could result in a dramatic increase in the size of the CAFOs. Mr. McMurray proposed a public hearing to discuss and repeal 9-11-10 and give it reconsideration and further research prior to having the Alternative Waste Management System Ordinance as an integral component of the County CAFO Ordinance.

### **FAIR BOARD ANNUAL REVIEW**

The members of the Cassia County Fair Board met with the BoCC and presented their annual report. With Chairman Don Knopp as the spokesman, they presented their financial report of all of the activities associated with the County Fair. Revenue totaled \$287,636.00 and expenses totaled \$268,081.00 resulting in a Net Income of \$19,555.00. They reported on the Major Purchases or Improvements in 2007. The report showed that attendance was good in all areas. 4-H participation increased, the fat stock sale was up by \$156,000.00, totaling \$384,808.00. The Food Booth sales were up overall and other events were successes also. Elections for the 2008 Officers were held and there were no changes in the leadership, re-electing Don Knopp as the Chairman and Jeff Chatburn as the Vice-Chairman. They discussed the events for 2008 and other future projects, to include replacing the shingles with a metal roof. They will also start plans for the Cassia County Fair & Rodeo 100 year anniversary. They are appreciative of the support of the BoCC and all who assist with the events. The remarks centered on having some special pictures and assorted items to

celebrate the 100 years of the Fair & Rodeo.

**EXECUTIVE SESSION**

At 11:43am 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 11:45am. Roll call vote was unanimous by the Board.

Following Executive Session the Board approved the claim for Mr. McMurray to reimburse the owner of the animal out of the Risk Management budget.

**RECESS**

Meeting was recessed until 9:00 a.m., Tuesday, November 13, 2007.

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

Sven Berg, SIP; Bruce Bowen, Brice Beck, Jeff Chatburn, Corey Parish, Ted Higley, Jack Funk, Paul Marchant, Don Knopp, Cassia County Fair Board Members

**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