

## **COMMISSIONER MINUTES**

**#569**

**November 26, 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 November 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 November & December 2007.

### **CORRESPONDENCE**

The Board reviewed the following:

1. A letter from the Idaho State Department of Water Resources, Re: Water Calls.
2. A County RX Card Re: discount prescription program
3. The Court decision Re: the proposed City of Jackson
4. A letter from the Bonneville Power Administration Re: the reviewing and updating of BPA's financial plan.
5. An invitation to the Mini-Cassia Economic Development Commission 1<sup>st</sup> annual open house on November 29, 2007 in Heyburn from 11:00am to 1:00pm.
6. An invitation to the Southern Idaho Tourism Annual Meeting Open House in Twin Falls on November 28, 2007 from 5 – 7 pm.

### **ANIMAL DAMAGE CONTROL**

John Noh met with the Board to discuss animal damage control board. He explained the Wildlife Services pest control, managed by the Department of Agriculture. He explained the sources of revenue under which the fund their operations. He also explained the benefits to the County, mainly disease control, through control of birds and pests.

### **RESOLUTION NO. 2007-11-3**

The Board reviewed Resolution No. 2007-11-3 Re: Cassia County Indigent Fund terms and upon conclusion or review and discussion, it was moved and seconded to sign and execute Resolution No. 2007-11-3, to transfer \$115,710.13 to the indigent fund, from the General Fund, to pay outstanding accounts to providers for May, June and July 2007, and roll call vote was unanimous by the Board.

### **BURLEY HIGHWAY DISTRICT**

The Board reviewed the Burley Highway District Howell Canyon Road Expense Report.

### **MCCJC CONTRACT**

The Board reviewed and MCCJC and Swank Motion Pictures, Inc. contract. Upon completion of discussion and review it was moved and seconded to sign and execute the contract and roll call vote was unanimous by the Board.

### **DEPARTMENT HEAD MEETING**

**Assessor:** Marty Holland reported that they just finished the sub-roll and they are still working on personal property issues. There are many issues regarding personal property and housing tax increases that are still open. He discussed the geothermal sites and the tax revenues that will be received by the State and the County.

**Detention Center:** Dennis Dexter reported that the MCCJC population currently totals 152, with 47 from Cassia County, 45 from Minidoka County, 49 from the State, 10 from other jurisdictions, 42 are females, 110 males and 1 juvenile. The inmates are charged with 126 felonies and that makes it difficult to get them processed through the legal system, in a timely manner. He discussed the mental health issues. ECS, the contractor for the control system is concerned because there is no signed contract with the County. He will inform them that the County needs a proposed contract to review and execute after review. Rob Neiwert reported that things are going well and there has been a marked increase in morale. They are still short 4 officers and that could become a major concern. They promoted 5 officers during the past week. With the shortages, there is a lot of overtime being paid. Discussion was held about the lengthy times that some detainees are held before they appear before the Judge. Some complaints have been registered with the State Bar.

**Sheriff's Department:** Under-Sheriff Cary Bristol reported that they are sending the newest deputy to POST in January. They are updating their fire alarm system for the Sheriff's Office.

**Janitorial/Maintenance:** Sharon Higgins reported that the Santa House was put in place during the weekend. Her staff is working on installing the Christmas lights on the Courthouse. Renovation work in the District Courtroom is almost completed. All other areas of responsibility are normal.

**Extension Office:** Richard Garrard discussed the school programs and remarked on the success of the programs. Rosie is running 4-H programs on days that the school is out of session. He informed the Board that the University of Idaho has required that the Extension Office to be closed during the Christmas Holidays. He informed the Board that Kochia weed is becoming very resistant to Roundup weed spray. The growth is very vigorous in the Raft River area, but not too bad in the remainder of the County. The suggestion was made that a good crop rotation could help to solve the problems with weeds because of different chemical being applied to the crops. He explained the procedures that are associated with sugar beet crops and limitations.

**Weed Department:** Gordon Edwards reported that some acres are being put in the Federal CREP program and this will result in a weed infestation. The weed control efforts are assisted by the placing of "gall fly" in key areas that are not farmed with row crops. He discussed the Animal Control line item in his budget.

**County Administrator:** Kerry McMurray reported that the building department has been very busy with the fair weather that allows for cement to be poured. He also reported that the Compliance Officer will receive additional training from the Idaho Department of Agriculture. The P&Z hearing will be held this week to reconsider the alternate waste management matters.

**Clerk:** Larry Mickelsen informed the Department Heads that a meeting with Senator Darrington, Representatives Bedke and Woods will be rescheduled and he will notify the Department Heads of the date and place. He introduced Wendy Marr as the deputy who will take minutes when he is attending another activity.

**Prosecuting Attorney:** Al Barrus reported that the Fifth District Court Judge sustained the decision of the Board of County Commissioners regarding the City of Jackson lawsuit.

### **CHAIRMAN CRANE**

At 10:45am Chairman Crane excused himself from the meeting and Commissioner Handy assumed the role of Chairman. Chairman Crane returned at 11:40am, and reassumed his role as Chairman of the Board.

## **COUNTY MENTAL HEALTH PROGRAM**

Ph.D. Brek Pilling met with the Board and presented the annual Cassia County Mental Health Program Report. He explained that the current system is constantly being refined and all concerned are satisfied with the results of his efforts. He has developed a good relationship with the State Mental Health Department. There are protocols in place to deal with those who abuse the system. Captain Bristol reported that the Sheriff's Department is aware and supportive of the protocols that are in use. Discussion ensued regarding the times when Dr. Pilling is not available to evaluate and assist those who have a real need for counseling.

## **ELECTION AGREEMENTS**

Donna Bush met with the Board and discussed the Election Assumption Agreements with the Secretary of State Office. After discussion and review, it was moved and seconded to sign the Agreements and roll call vote was unanimous by the Board.

Ms. Bush presented a list of surplus voting equipment for the Board to consider. After discussion and consideration, it was moved and seconded to sign the declaration of surplus property and roll call vote was unanimous by the Board. A resolution will be prepared by the County Administration office that will enable the equipment to be sold to Bingham County.

## **USFS**

Scott Nannenga remarked that the USFS will sell Christmas trees starting next week. They sell between 1400 and 1500 trees per year and the USFS keeps the revenue. The fees they collect for snowmobiles will have a portion returned to the USFS to assist with the cost of snow removal to keep the roads open for traffic. The USFS has had lawsuits filed regarding domestic sheep and wild bighorn sheep. This may result in certain grazing areas being closed to domestic animals. The result of domestic and wild sheep being near to each other is diseases are being spread. The USFS has begun steps to repair and rebuild the fences and roads that were destroyed by the forest fires during this year.

## **EXECUTIVE SESSION**

At 11:47am 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 11:57am. Roll call vote was unanimous by the Board.

Following Executive Session the Board Denied Case #207119; Signed Order of Reimbursement for Case #207120; Presented Case #207123.

## **EXECUTIVE SESSION**

At 11:58am 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 11:59am. Roll call vote was unanimous by the Board.

Following Executive Session the Board denied the application for unemployment benefits.

## **PUBLIC LANDS ISSUE**

The Board discussed the possibility of having a luncheon for those who have recently been released as members of the Public Lands Commission. Chairman Crane will contact Lex Kunau to develop a schedule the luncheon.

**BACKCOUNTRY BYWAY COMMITTEE**

The Board reviewed and discussed the status of the City of Rocks Backcountry Byway Committee. The Board will send letters to the members of the Committee that will notify them of the dissolution of the Committee. The Committee will be re-established when the need arises.

**EXECUTIVE SESSION**

At 1:32pm 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 1:35pm. Roll call vote was unanimous by the Board.

Following Executive Session the Board declined to authorize additional paid sick leave for the employee beyond the accrued amount.

**RECESS**

Meeting was recessed until 9:00 a.m., Monday, December 10, 2007.

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

Sven Berg, SIP;

**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