

COMMISSIONER MINUTES

#568

October 22, 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 October 15, 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 October 2007.

CORRESPONDENCE

The Board reviewed the following:

1. Notification of the IASCD Division IV Fall Meeting on Tuesday, November 6, 2007 at the Camas Senior Center.
2. An email Re: Support for Household Hazardous Waste Collection Event.
3. An email Re: Sali, Otter oppose plan to designate 9.5 million acres of Idaho land as Wilderness.
4. A letter from Idaho Department of Water Resources Re: Notice of Potential Curtailment of Ground Water Rights in the Eastern Snake Plain Aquifer.
5. An email Re: Urgent action requested on Wilderness bill.

PUBLIC HEARING ON PROPOSED FEE INCREASES

At 9:04am the Board conducted a Public Hearing on Proposed Fee Increases for Solid Waste User Fees in Cassia County, as outlined in Cassia County Ordinance Number 2007-10-01. The proposed fee increases were published in the South Idaho Press for two weeks and there have been no telephone calls or letters regarding the fee increases to date. After review and input from interested parties, it was moved and seconded to adopt Cassia County Ordinance Number 2007-10-01 and roll call vote was unanimous by the Board.

At 9:15am the Board discussed the registration renewal notification cards sent to the citizens of the County to notify them their registration will expire during the next 2 months. The proposal is to collect a fee (\$0.30) per postcard mailing and handling fee to cover the actual costs associated with the notification service as published in the South Idaho Press for two weeks. There previously has been no fee collected for this mailing and handling. After review and discussion, it was moved and seconded to adopt the new fee proposal and roll call vote was unanimous by the Board.

DRUG & COMMUNITY AWARENESS

Vaughn Egan met with the Board to discuss the Drug and Community Awareness program in Cassia County as a part of his campaign for the Burley City Council. He discussed the priorities he would have as a member of the City Council.

DEPARTMENT HEAD MEETING

Assessor: Marty Holland reported that the office is doing missed, occupancy and personal property issues. The mapping effort is still under going the change process. The Assessors will meet with the State Tax Commission on November 21, 2007 to discuss property tax issues.

Detention Center: Dennis Dexter reported that there is an emotionally disturbed inmate that is causing a lot of difficulty for the MCCJC staff. The average population for the MCCJC is about 155 at this time. The MCCJC is short 3 employees and their turn-over averages about 28%, which is lower than the national average of about 40%

Sheriff' Department: Sheriff Jim Higen reported on the Zion's Bank robbery and how it has turned into more than they anticipated. The person, who robbed that bank and was caught, could be charged with many counts of felony theft because of the amount of goods they discovered on his property. The Cassia Prosecutor's office will handle the charges rather than turn him over to the Federal authorities. He is on Federal Probation and will likely face a probation violation. The Sheriff's Office is moving into another Evidence Room because they have outgrown their current room. The Deputy who was involved in an accident at Pomerelle is not recovering as anticipated and may have to have surgery, and possibly may not be able to continue as an officer of the law.

Janitorial/Maintenance: Sharon Higgins presented the estimates for new carpet in the District Courtroom. It was moved and seconded to contract with Skaggs Furniture for the \$3,012.30 estimate to replace the carpet and roll call vote was unanimous by the Board.

Extension Office: Richard Garrard reported that they are moving along. Grace Wittman has conducted an after school program for the kids. Richard is conducted classes for farmers and others to be licensed for their activities. He is encouraging farmers to plant grass in borrow pits to compete with the noxious weeds, rather than using sterilent and Round-Up. They have a 1 hour session in the classes they teach on how to help control noxious weeds. The farm management classes they teach have low registration this year because of the success in the previous classes they have taught.

County Administrator: Kerry McMurray reported that we have ADA concerns with access to and throughout the building. They will be addressed in the best and most economical manner possible. The P&Z Commission has 4 openings and there has been one application letter received to date. The P&Z will meet with the Board of County Commissioners on November 15, 2007 to discuss CAFO rules. The building department will be very busy inspecting and approving building issues, and Dee Yeaman will be prepared to give an annual report on the building department issues. Melissa Price will give a report on her activities for the year. The addressing for the Jackson area is in the process of being changed and will go into effect during this month. The County responsibility for the addressing is completed at this time.

Clerk: Larry Mickelsen thanked the Department Heads for being conservative with their budget expenditures for FY2007. The total the Department Heads committed not to spend was \$791,200.00 and the actual carry-over was \$1,068,891.55.

Prosecuting Attorney: Al Barrus things are going fine, even with all of their normal activities increasing. The Jackson area citizens have appealed the BoCC decision to disapprove the creation of the City of Jackson, to the District Court. The matter has been argued and was taken under advisement by Judge Crabtree. Their proposal for incorporation will impact many issues, to include roads and bridges.

EXECUTIVE SESSION

At 10:32am 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 10:36am. Roll call vote was unanimous by the Board.

Following Executive Session the Board will call the individual in to justify and explain his activities to the Board.

EXECUTIVE SESSION

At 10:37am 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 10:48am. Roll call vote was unanimous by the Board.

Following Executive Session the Board took the matter under advisement.

ALBION SENIOR CITIZENS BUILDING FEE PERMIT WAIVER

Keith Amende appeared before the Board to get a waiver of the Senior Citizens building fee permit. The Board discussed and it was moved and seconded to waive the fee for the Senior Citizens and roll call vote was unanimous by the Board.

WEED DEPARTMENT VEHICLE REQUEST

The Board reviewed the request for a new vehicle for the Weed Department. After review of the proposal from Bonanza Motors for a 2007 Dodge 2500 long box 4X4 for \$30,848.00 with no trade in, it was moved and seconded to approve the purchase on the "State buy" contract and roll call vote was unanimous by the Board.

EXECUTIVE SESSION

At 10:50am 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 10:59am. Roll call vote was unanimous by the Board.

Following Executive Session the Board signed 2 Amended Assignments; signed 4 Assignments; signed 1 Subordination Agreement; Approved Cases # 207016 and 207099; signed Release of Lien for Case #207039; Signed Notice of Lien for Case #207119; and Signed Order of Reimbursement for Case #207099.

OUTSIDE AUDITOR ENGAGEMENT LETTER

The Board reviewed the letter of understanding between Cassia County and Evans & Poulsen, P.A. to conduct the annual outside audit. After review and discussion, it was moved and seconded to sign and execute the letter of understanding the roll call vote was unanimous by the Board.

CITY OF ROCKS BYWAY STATUS

Bob Johnson of the ITD and Sam Adams of the County Road & Bridge Department discussed the status of the City of Rocks Byway. There are issues with the contractor and the quality of work that he is doing. Bob recommended getting with the contractor to discuss and resolve the issues with the roadbed prior to seeding. The completion of the Byway is dependent upon receiving funding from the Federal Government. They plan for the final stage is completed and if funding is received, the Byway could be completed next year. Any funding that could be left over may be used for chip sealing of the roads. There are other roads in the County that will have work done on them by the State.

ROAD & BRIDGE ISSUE

The Board reviewed the list of part time Road & Bridge Employees. The Road Board has removed the names of the employees that are no longer available to work. The Road Board has proposed the pay rate of \$9.00 per hour for part-time employees. It was moved and seconded to approve the pay change and roll call vote was unanimous by the Board.

RESOLUTION NO. 2007-10-2

The Board reviewed Resolution No. 2007-10-2, Re: County Road & Bridge Repayment of the Loan for \$103,000.00 at 5¼% interest, for a 5 year repayment plan for the Motor Grader Purchase. The annual payments will be \$23,466.72, for a total repayment of \$117,333.60. After review and discussion, it was moved and seconded to sign and execute the Resolution and roll call vote was unanimous by the Board.

BLM

Rance Marquez reported that the next acting director will be from Twin Falls, but the position has been re-advertised because the candidates have not met the requirements the BLM would like to see. He discussed the Bedke lawsuit and the Goose Creek group grazing allotment. They are repairing the damage caused by the vehicles used for the fire suppression. The re-seeding of the burned areas is going quite well, but the seed is difficult to find because of all of the fires in the Western States.

USFS

Scott Nannenga reported on the snow plowing agreement at Pomerelle that needs to be renewed. He also discussed the agreements with Twin Falls County and controlled burning that will be done. He discussed the signage that needs to be installed to ensure the users of the road ways will know they are on the correct trails and roads. He discussed the letters of non-compliance that are sent to the permit holders and the things that the holders need to do upon receipt of the letters. He discussed the trespassing and unauthorized use of grazing lands.

TRACKER PAL AGREEMENT

The Board discussed the Tracker Pal Agreement presented by the Adult Misdemeanor Probation office. There are some changes that need to be made to the agreement and they will be discussed with the Adult Misdemeanor Probation Office during the Jail Meeting on October 23, 2007.

MINI-CASSIA ADULT PROBATION OFFICE

The Board reviewed the Rental Agreement with Xerox and the Adult Misdemeanor Probation Office for a new copier. It was moved and seconded to approve and execute the rental agreement and roll call vote was unanimous by the Board.

COUNTY EXPENDITURE

The Board reviewed the County's Payables Approval Report dated October 19, 2007. A motion was made and seconded to approve the report and roll call vote was unanimous by the Board.

CURRENT EXPENSES	104	\$111,327.37
INDIGENT FUND	105	\$152.50
DISTRICT COURT FUND	106	\$189.23
WEED & PEST FUND	108	\$583.82
JR COLLEGE TUITION FUND	113	\$250.00
REVALUATION FUND	114	\$52.75
911 COMMUNICATIONS FUND	115	\$289.38
JUSTICE FUND	130	\$87,237.66
PHYSICAL FACILITIES FUND	144	\$1,197.67
	TOTAL	\$201,280.38

CHANGE OF STATUS

The Board reviewed one (1) change of status form for the Sheriff's Office. It was moved and seconded to approve the changes of status and roll call vote was unanimous by the Board.

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>
#2007-53	Keith & Diane Bevan	Bevan's Sweetheart Manor

RECESS

Meeting was recessed until 9:00 a.m., Monday, October 29, 2007.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Sven Berg, SIP; Therryl Anderson, Cassia County Assessor's Office; Bernard Scott;

ATTEST:

/s/Larry A. Mickelsen

Larry A. Mickelsen, Clerk

APPROVED:

/s/Dennis D. Crane

Dennis Crane, Chairman