

## COMMISSIONER MINUTES

#577

August 25, 2008

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 August 18, 2008 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 August & September 2008.

### CORRESPONDENCE

The Board reviewed the following:

1. An invitation to attend an open house for Intrepid Technology & Resources.
2. A request for \$3,900.00 in the FY2009 budget for the Mini-Cassia Visitor Center, which is included in the budget.

### SNAKE RIVER TRAIL MACHINE RIDERS ASSOCIATION

Fred Spence and Lanny Carlisle met with the Board to discuss the association's concerns with Forest Service Road Closures. They had pictures of the closed roads to show the cause for their disagreement with the USFS. They showed a map that was given to the public for the public input, and it was difficult for use to determine the location of the roads. They discussed the trails that were closed that would also impact those with cattle in the area. They discussed the impact that the trail riders had on the trails, both positive and negative. The Board will discuss the matters with Scott Nannenga later this morning.

### MURTAUGH RECREATION DISTRICT

Marc Berry met with the Board to discuss the circulation of a petition for the formation of the Murtaugh Recreation District, which covers the same area as the Murtaugh School District. After discussion, the Board will have Mr. Barrus ensure that there are no legal issues that need to be considered. If there are no legal issues, the Board will approve the circulation of the petition.

### DEPARTMENT HEAD MEETING

**Assessor:** Marty Holland reported all is going well and they are having normal operations.

**Detention Center:** Dennis Dexter reported that the inmate numbers are considerably less than in the past. The numbers state-wide are also less this year. The current population is 138, with 30 from the State, 57 from Cassia, 35 from Minidoka, 13 from the U.S. Marshall/Border Patrol, 3 from Jerome, with 113 Felonies and 25 Misdemeanors. Rob Neiwert reported that they are down 2 officers and have done some testing. He reflected on the 10 hour schedule, which is causing some difficulties with long week-ends. Sick leave is down two thirds. This is one of the results of the 4 day work-week. There may be grants available from Homeland Security for a finger printing machine.

**Sheriff' Department:** Sheriff-Elect Randy Kidd presented Homeland Security grant application #2006-GE-T6-0030. It was moved and seconded to sign the grant application and roll call vote was unanimous by the Board. Randy reported that Mike Schiers will retire next month and the testing for his replacement will begin soon. There was a hit and run during the County Fair and the mother and child that were hit are doing fine. The driver was arrested and incarcerated. The parking at the Fair and Rodeo was difficult because of the changes in the parking areas this year. The 911 Jackson area report for July 1, 2008 to the current date was reviewed.

**Treasurer:** Gayle Erekson presented a list of records for destruction and discussed a gift certificate for Glen Beck for his assistance in the annual parade.

**Janitorial/Maintenance:** Sharon Higgins reported that all is well and all is going normal.

**County Administrator:** Kerry McMurray reported that Daryl Whitehead was sworn in as a member of the P&Z Commission. The P&Z discussed the various applications they received this past meeting. Sara is doing well with the mapping and phase 1 is ongoing. The Department Heads are requested to be especially observant with the employee leave amounts with the new computation of leave/sick days. He requested approval of 3 bids from Dalry Electric Inc. for replacement of lights in the Basement Women's Restroom with a proposed price of \$316.00, the Courthouse 3<sup>rd</sup> floor retrofit for a cost of \$1,366.00 and an Assessor's Building lighting upgrade for a cost of \$1,466.00. It was moved and seconded to approve and sign the 3 bid requests and roll call vote was unanimous by the Board.

**Clerk:** Larry Mickelsen handed out the copies of the budget for the Budget Hearing.

**Prosecuting Attorney:** Al Barrus reported that all is going as normal. There have been some difficult court cases which take a lot of time. The murder trial that was pending was settled with a plea agreement.

**Commissioners:** Commissioner Handy questioned the tax and revenue from the Geothermal Site and questioned if we are receiving any revenue. Assessor Holland and Treasurer Erekson both responded that they have seen nothing of consequence to date. Gayle later reported that the lease payment received was about \$10,000.00 for a partial year.

#### **HOMELAND SECURITY MATTERS & 911 BULLBERRY CONTRACT**

Randy Kidd reported that additional contractual matters regarding the BullBerry contract needed to be resolved before it could be considered. County Attorney Al Barrus is assisting with the matters that need to be resolved.

#### **ANNUAL COUNTY PICNIC**

The Board and the Department Heads discussed the date and time of the annual County Employee picnic. The date selected was September 11, 2008 at 11:30am – 1:30pm.

#### **EXECUTIVE SESSION**

At 10:45am 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 that the Board return to regular session at 10:46am.

Following Executive Session the Board took the matter under advisement.

#### **EXECUTIVE SESSION**

At 10:46am 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)(b) 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 employee matters. Following the discussion, it was proposed that the Board return to regular session at 10:52am.

Following Executive Session the Board received a report of the counseling that the employee received.

#### **EXECUTIVE SESSION**

At 10:52am 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 that the Board return to regular session at

11:10am.

Following Executive Session the Board Approved Cases # 208089, 208099, 208101, 208045, and 208055; Signed Order of Reimbursement for Cases # 208045, 208089, and 208055; Denied Cases # 208079 and 208081; Signed Findings of Fact for Cases # 208045, 208055, 208006 and 208031; Signed Release of Lien for Case # 205152; Signed Notice of Lien for Case # 208100; Signed Stipulation for Time Limitations for Case # 208060; Presented Case # 208083.

### **DEQ**

Bill Allred of the DEQ met with the Board to introduce himself as the new Regional Administrator of the Twin Falls office of the DEQ. He discussed the controversial crop residue burning issue. The public comment period ends this month and a crop residue burning policy will be in effect on September 2, 2008 and will require a 30 day advance notice to the DEQ so they can observe the burning.

### **IDAHO OFFICE OF ENERGY RESOURCES**

The Board reviewed a Memorandum of Agreement (MOA) between the Idaho Office of Energy Resources and Cassia County for Transfer of Ownership of Anemometers. After review and discussion, it was moved and seconded to sign and execute the MOA and roll call vote was unanimous by the Board.

### **MIDDLE SNAKE REGIONAL WATER RESOURCE COMMISSION**

The Board reviewed and discussed a letter of Reappointment of Noel Bowcutt as the Cassia County representative on the Middle Snake Regional Water Resource Commission. After review and discussion it was moved and seconded to sign the letter of reappointment and roll call vote was unanimous by the Board.

### **BLM**

Mike Courtney, the new BLM Field Manager for the Burley Field Office discussed the issues that are currently impacting the BLM in this area. He also discussed some of the grazing permittees. He presented a map of the proposed energy projects for the Twin Falls BLM District. He reported that he will have a meeting with the Windland Inc. Re: the Cottrell Mountain Windland Project.

### **USFS**

Scott Nannenga discussed the spur road closures in the Pomerelle area and the problems that the trail riders encounter resulting from the closures. He reported on the map that they used for road closures and the instructions they received for use. He agreed that it was difficult to use but the Federal office has given instruction that it will be the only official map used. The water system in the Rock Creek area has been repaired and the oil problem is resolved. He discussed the grazing permittees and some violations for which they are responsible. The Labor Day weekend is the end of the camping season and there will be no charges for camping afterward.

### **MISDEMEANOR PROBATIONS AUDIT REPORT**

The Board reviewed the report of the annual internal audit of the Adult Misdemeanor Probations office.

### **BUILDING MATTERS**

The building matters were the lighting issues and bids discussed by Kerry McMurray during the Department Head meeting.

### **COUNTY ROAD & BRIDGE**

The Board reviewed the minutes of the August 21, 2008 meeting of the County Road Board. The Board and discussed procedures and authorization for processing the County Road & Bridge Department bills. It was moved and seconded to authorize Viki Osterhout to sign the claim forms with the verbal approval of Sam Adams and roll call vote was unanimous by the Board.

### **BUDGET HEARING**

The Board reviewed the Cassia County Budget for FY2009, as presented by Clerk Larry Mickelsen. After review and discussion it was moved and seconded to approve the FY2009 Budget as presented, including the expenditure of approximately \$100,000 of the foregone balance, and roll call vote was unanimous by the Board. It is recorded as August 2008 budget hearing.

**EXECUTIVE SESSION**

At 1:55pm 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 that the Board return to regular session at 2:01pm.

Following Executive Session the Board took the matters under advisement.

**MILL CREEK SUBDIVISION APPEAL**

The Board discussed and established October 6, 2008 at 11:00am as the date and time for the Mill Creek Subdivision appeal hearing.

**COUNTY EXPENDITURE**

The Board reviewed the County's Payables Approval Report dated 8/25/2008. A motion was made and seconded to approve the report and roll call vote was unanimous by the Board.

CURRENT EXPENSES	104	\$7,419.14
INDIGENT FUND	105	\$11,498.37
DISTRICT COURT FUND	106	\$1,406.88
COUNTY ROADS & BRIDGES FUND	107	\$1,714.07
911 COMMUNICATIONS FUND	115	\$289.55
JUSTICE FUND	130	\$21,691.87
JAIL TRUST FUND	129	\$30.00
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$312.07
D.A.R.E TRUST	137	\$418.64
PHYSICAL FACILITIES FUND	144	\$949.35
ADULT MISDEMEANOR PROBATION	149	\$982.60
	<b>TOTAL</b>	<b>\$46,712.54</b>

**RECESS**

Meeting was recessed until 9:00 a.m., Monday, September 8, 2008.

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

Lyle Randall, Stan Buckley, Mark Sanderson, Mary Walton, Janet Duncan, Jackson area.

**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