

## COMMISSIONER MINUTES

#572

February 11, 2008

The Cassia County Board of Commissioners met this day with Chairman Dennis Crane, Paul Christensen and Clay D. Handy, Board Members; Deputy Prosecuting Attorney Doug Abenroth; Larry Mickelsen, Clerk of the Board, and Kerry D. McMurray, County Administrator, present. Prosecuting Attorney, Alfred E. Barrus was excused from the meeting.

### PREVIOUS WEEK'S MINUTES

The Minutes for January 28, 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 February 2008.

### CORRESPONDENCE

The Board reviewed the following:

1. A letter from Bionomics Environmental Inc. Re: environmental assessment for proposed Burley Municipal Airport.
2. A letter from Many Inman Re: National Heritage Areas.
3. A letter from south Central Community Action Partnership Re: Cassia County annual contribution.
4. A thank you card from the Severe Family.
5. A letter from Attorney Donald J. Chisholm Re: J&P Salvage

### LANDFILL MATTERS

Terry Schultz discussed the Milner Butte Five-Year Landfill Inspection that was conducted on September 11, 2007 by representatives of the Idaho Department of Environmental Quality (DEQ). The result of the inspection was excellent in the operations and all matters. He explained there might be "gas lines" installed this year to burn off the accumulated gases from the waste materials. He stated that there was the potential for generation of electricity and for the production of ethanol from the waste disposal. There are other processes that could be undertaken for the disposal of waste that would have positive results. He discussed specific portable equipment that would be moved every week or two, used for waste disposal that would result in the increases of revenue. Terry and the Board discussed the annual "clean up" activities that are conducted. He also discussed the disposal methods of tire carcasses. Previously the tires were recycled in Oregon but due to changes in procedures, they now are processed by a company in Utah. He discussed the value of collecting and processing scrap metal and the ease of disposing the trailer houses. He stated that with an order from the County Commissioners, to dispose of the trailer houses, the disposal fees are waived.

### MID-SNAKE RC&D

Julie Thomas met with the Board to discuss RC&D matters. She presented a sponsor contribution request for \$100.00 to assist with postage and administrative matters. It was moved and seconded to approve the request for funding and roll call vote was unanimous by the Board. She discussed all-hazard mapping for the county. It was moved and seconded to open the Cassia County Fire Plan to include Howell Canyon in the plan and roll call vote was unanimous by the Board. She informed the Board that there would be training sessions conducted throughout Southern Idaho regarding fire fighting and the inspection of equipment at the annual "Contractor Rodeo." Publicity will be made in the newspaper and other publications in the County.

### EXECUTIVE SESSION

At 9:53am 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 10:05am. Roll call vote was unanimous by the Board.

Following Executive Session the Board Denied Cases #207132, 208003, 208004 208008 and 208014; Presented Case #208002; Approved Case #208007; Signed Notice of Lien for Cases # 208009, 208010 208011, 208012, and 208013; Signed Order of Reimbursement for Case #208007; Signed Release of Lien for Cases #204159, 206033, and 207083;

#### **JUNK YARD MATTERS**

The Board discussed the Egan Junk yard located West of Burley. After discussion and review of a proposal from Egan's, it was moved and seconded to have Doug Abenroth send a letter to Egan Junk Yard, Re: the Commissioners stipulations, to have portable bathroom facilities in place immediately, a fence in place by July 1, 2008 and permanent restroom facilities in place by July 1, 2009 and roll call vote approving this timeline was unanimous by the Board.

#### **EXECUTIVE SESSION**

At 10:43am 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 10:46am. Roll call vote was unanimous by the Board.

Following Executive Session the Board approved of Attorney Jim Davis' approach and asked the County Risk Manager to remain informed on proceedings in the matter.

#### **INDIGENT FUND MATTERS**

The Board reviewed the status of the repayment of the loan to the Indigent Fund. Clerk Larry Mickelsen reported that because of the loan, the Indigent financial matters are in a stable situation. The Indigent fund will not be able to repay the loan at this time. Repayment date and conditions will be renegotiated at a later date.

#### **BOARD OF EQUALIZATION**

At 10:58am it was proposed and seconded to convene as the County Board of Equalization. Roll call vote was unanimous by the Board.

It was proposed and seconded to deny the Home Owners exemptions on the following parcels: (See attached list), and to cancel the taxes on the following list of properties (See attached list). Roll call vote was unanimous by the Board. Notices will be sent to the property owners.

At 11:00am it was proposed and seconded to return to regular session. Roll call vote was unanimous by the Board.

#### **ANNUAL AUDIT REPORT**

Jeff Poulson and Ed Evans of Evans and Poulson, PA Certified Public Accountants met with the Board and presented the results of the Annual Audit of the County Financial Records. Jeff explained the audit process and the results of the audit, which was a "clean" audit with no deficiencies or shortcomings. It was moved and seconded to accept the audit as presented and roll call vote was unanimous by the Board.

#### **ALBION HISTORICAL SOCIETY**

The Board reviewed the Developer Agreement with the Albion Valley Historical Society. It

was moved and seconded to sign the Developer Agreement and roll call vote was unanimous by the Board.

**BURLEY FIRE DEPARTMENT**

The Board reviewed the Burley Fire Department fire safety inspection results. There were no significant deficiencies and the two minor shortcomings have been corrected.

**COUNTY ROAD & BRIDGE**

The Board discussed County Road & Bridge matters and will tour the area to inspect the snow removal efforts of the highway districts within the County.

**COUNTY EXPENDITURE**

The Board reviewed the County's Payables Approval Report dated 2/8/2008. A motion was made and seconded to approve the report and roll call vote was unanimous by the Board.

CURRENT EXPENSES	104	\$20,281.30
INDIGENT FUND	105	\$179.29
DISTRICT COURT FUND	106	\$2,188.12
WEED & PEST FUND	108	\$775.63
REVALUATION FUND	114	\$267.66
911 COMMUNICATIONS FUND	115	\$5,606.71
JAIL TRUST FUND	129	\$125.00
JUSTICE FUND	130	\$70,379.84
ADULT MISDEMEANOR PROBATION	149	\$2,287.58
	<b>TOTAL</b>	<b>\$102,091.13</b>

**NOTICE OF PUBLIC HEARING**

The Board of Commissioners have scheduled a public hearing at 11:00am on Monday February 25, 2008 to receive input from taxpayers concerning a levy correction on valuation of equipment in Minidoka County that caused the value to be overstated. Lowering the value will require an increase in the levy for the portion of Cassia County within the taxing are for the Minidoka County School District.

**COURT HOUSE MATTERS**

The Board reviewed the posting that firearms and explosive flammable items are prohibited and are banned from the Cassia County Courthouse, effective Feb 1, 2008. The County Administrator was asked to work with the Judges in regard to language included in the poster and posting of the matter concerning the Courthouse.

**RECESS**

Meeting was recessed until 9:00 a.m., Tuesday, February 19, 2008.

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

Sven Berg, SIP; Jay Michaels, KMVT; Terry Schultz, Southern Idaho Solid Waste; Julie Thomas RC&D; Donna Bush, Cara Petterson, Gayle Erekson, Kent Searle, Cassia County

**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