

## COMMISSIONER MINUTES

#576

July 14, 2008

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

### PREVIOUS WEEK'S MINUTES

The Minutes for June 30, 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 July 2008.

### CORRESPONDENCE

The Board reviewed the following:

1. Case No. INT-G-08-02 Notice of Filing, Notice of Modified Procedure Order No. 30590
2. An email from Lyle Randall requesting 30 minutes at the budget hearing on 28 July, to discuss the E-911 fees. No decision was made concerning the time allocation to any participant.

### CITY OF ROCKS SCENIC BYWAY

Bob Johnson and Walt Burnside met with the Board to discuss the City of Rocks Back Country By-way, Stage 3 matters. They explained that the federal government has appropriated \$3.5 million for Stage 3, and with revenue from all other sources, there is \$5.9 million available to complete Stage 3, and it must be obligated by October 2008. If this happens, the bid process will take place this fall or winter, with construction slated for next year. The total required to complete Stage 3 will be about \$7 million. The decision was to begin construction at Conner Creek and continue to the LDS Church in Elba. The remaining mile from the LDS Church to the beginning of Stage 2, and seal coating on the entire By-way will be accomplished in Stage 4, for which ITD has already submitted a request for discretionary funding from the federal government. We should be apprised of Stage 4 funding by mid-2009. It was moved and seconded to proceed with the planning, obligating and the bid process as discussed and roll call vote was unanimous by the Board.

### BOWEN BUILDING

The Board discussed the recently purchased Bowen Oil building near the County Fairgrounds. The discussion concerned the fencing and clean up of the lot, which must be completed before the county takes possession. The final payment of \$9,000 for the property is due on October 15, 2008.

### FAIRGROUND ISSUES

The Board reviewed the necessity to repave the handicapped parking areas at the County Fairgrounds. The cost to accomplish the paving will be \$4,592 for the North gate and \$2,350 for the South gate. It was moved and seconded to approve the expenditure of funds to pave the handicapped parking at the North and South gates of the Fairgrounds and roll call vote was unanimous by the Board.

### CITY OF BURLEY

Jeff Hawker, Mayor Jon Anderson and Zeke Zimmerman met with the Board to discuss the City of Burley Recreation activities. They discussed the county-wide Recreation Department that has succeeded in Minidoka County and explained how it could succeed in Cassia County. The City of Burley cannot fund all of the recreation facilities without the assistance of the County. The youth

activities are very successful when there is community involvement and a strong leader to help to facilitate the programs. Jeff recommended having a person appointed to manage the youth activities and manage the Recreation Department in Cassia County. Zeke Zimmerman explained the support that the Oregon Trail Recreation District has given the programs of the Recreation Department. Mayor Anderson discussed the need to have an equitable solution, with the cities and the county, to fund the youth recreation district. Commissioner Christensen stated that he felt that the Oregon Trail Recreation District was organized to support activities such as youth activities and the elected Board members need to become involved in planning and supporting the activities.

#### **JUNKYARD MATTERS**

Melissa Price, County Enforcement Officer met with the Board to discuss the clean-up efforts of Bill & Darlene Cole, which are not up to the standards established by a Court Order. The Coles have a loader scheduled to come to their junkyard tonight to put the vehicles in a pile for the crusher. They requested a 30 day extension to accomplish the clean-up. Melissa showed pictures showing that there has been substantial change since last September. The Coles are going to apply for a junkyard permit, but Mr. Barrus explained that the area will have to be rezoned for a junkyard. They propose to have a fence so that nothing is visible from the road. It was moved and seconded to approve the 30 day extension and give the Coles the time to complete the clean-up and roll call vote was unanimous by the Board. Kerry McMurray explained that since the area is in a Prime Ag area, they also needed to apply to have the area rezoned, inasmuch as the current zoning does not allow for salvage operations.

#### **EXECUTIVE SESSION**

At 10:24am it was proposed by Commissioner Christensen and seconded by Commissioner Crane that the Board convene in Executive Session under Idaho Code Section 67-2345(1)(d) with Commissioner Christensen voting yea, and Commissioner Crane 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 10:30am. Roll call vote was unanimous by the Board.

Following Executive Session the Board Approved Case # 207114.

#### **WIND ANEMOMETERS**

The Board discussed the agreement with Cassia County and the Office of Energy Resources for the State of Idaho, to have wind anemometers installed in designated sites within Cassia County. There will be 4 towers and some are on public lands and some on private lands. This matter will be discussed later when Commissioner Handy can be present.

#### **BOARD OF EQUALIZATION**

At 10:35am 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 appeals by the taxpayers on the following parcels: #RP10S23E268982, RP10S24E297550, RPSS0010010040, and RP11S24E043182. Roll call vote was unanimous by the Board. Notices will be sent to the property owners.

At 11:20am it was proposed and seconded to return to regular session. Roll call vote was unanimous by the Board.

#### **COUNTY EXPENDITURE**

The Board reviewed the County's Payables Approval Report dated July 11, 2008. A motion was made and seconded to approve the report and roll call vote was unanimous by the Board. Total expenditure from all funds was \$63,901.67.

### **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.

### **SURPLUS PROPERTY**

The Board discussed a house and lot at 818 Schodde Avenue, owned by the County by virtue of tax deed, that has suffered a fire and is now a haven for the homeless. The weeds are overgrown and Gordon Edwards has sprayed to control them. The Board discussed having US Auctions sell the property. Kerry will meet with the Treasurer's office and US Auctions to dispose of the property.

### **PLANNING & ZONING COMMISSION**

Daryl Whitesides met with the Board to discuss participating as a member of the Planning & Zoning Commission. The decision will be made on his application after Commissioner Handy returns.

### **CITY OF ROCKS**

The Board discussed a letter from the City of Rocks to the Bureau of Land Management regarding historical preservation of the National Reserve and the adjoining lands. The support will be determined after a tour of the area, viewing the adjoining lands and discussing the proposal with Wallace Keck, which is scheduled next Monday, July 21, 2008.

### **REVIEW AGREEMENTS**

The Board reviewed the following Service Agreements:

- a. Quest Enhanced 911 Service Agreement. It has some potential constitutional items that will need to be reviewed by the County Attorney before consideration by the Board.
- b. BullBerry Contract for GIS Services. Needs to be reviewed by County Attorney before consideration by the Board.
- c. BullBerry Contract for E-911 Mapped-ALI Software. Initial cost will be \$26,000 and a yearly fee of \$300. It also needs review by the County Attorney before consideration by the Board.

### **JOINT MEETING WITH MINIDOKA COUNTY COMMISSIONERS, BUDGETS**

The Board met with the Minidoka County Board of Commissioners at Conner's Café to discuss the Mini-Cassia shared budgets. The Adult Misdemeanor Probations, Public Defender, Veteran's Service Officer, Juvenile Detention, and Adult Detention Center budgets were presented and discussed.

### **EXECUTIVE SESSION**

At 2:02pm it was proposed by Commissioner Christensen and seconded by Commissioner Crane that the Board convene in Executive Session under Idaho Code Section 67-2345(1)(d) with Commissioner Christensen voting yea, and Commissioner Crane 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 4:08pm. Roll call vote was unanimous by the Board.

Following Executive Session the Board Approved Cases # 208027, 208053, 208064, 208041, 208076, 208077; Denied Cases # 208003, 208055 and 208056; Signed Notice of Lien for Cases # 208071, 208072, 208073, 208074, and 208075; Signed Order of Reimbursement for Cases # 208027, 208053, 208064, and 208041; Conducted Appeal Hearings for Cases # 207116, 208037, 208032, and 208030 which were taken under advisement.

### WEED CONTROL

The Board reviewed Amendment of Request for Application/Modification of Assistance Agreements, Mod No. 5 and Mod No. 6, with the BLM for control of noxious weeds. It was moved and seconded for Chairman Crane to sign the requests 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>
#2009-020	Lee Butterfield	Skyline Bar
#2009-021	Thrifty Payless Inc.	Rite Aid #5404
#2009-022	Mike Williams Golf Shop Inc	Mike Williams Golf Shop
#2009-023	Thayne & Marilyn Buck	Malta Fuel Depot
#2009-024	Gary Bake	Bake Central
#2009-025	Brent & Tina Searle	Searle's
#2009-026	Stinker Stores Inc	Stinker Station #79
#2009-027	Stinker Stores Inc	Stinker Station #61
#2009-028	Kevin Edwards	610 Club
#2009-029	Richard Randklev, Chairman	Burley Trap Club
#2009-030	Roger Jenkins	Albion Village Gas & Grocery
#2009-031	Maverik Stores Inc	Maverik Store #259
#2009-032	NPC International	Pizza Hut #2151
#2009-033	Chadwick LP	Chadwick Grille

### RECESS

Meeting was recessed until 11:30 a.m., Monday, July 21, 2008.

### OTHERS IN ATTENDANCE AT TODAY'S MEETING

Sam Adams, Steve Ward, Cassia County Road Board; Jim Leichliter, JUB Engineers, Inc; Lyle Randall, Self; Joe Belt, Self.

**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