

## COMMISSIONER MINUTES

#584

April 27, 2009

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 April 20, 2009 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 April/May 2009.

### MEETING W/LEGISLATORS

The Board discussed scheduling a meeting with the Legislators later in the week, to discuss the legislative session and the impact on Cassia County.

### COUNTY ROAD MATTERS

Sam Adams met with the Board to discuss road maintenance to the Elba and Almo Cemeteries. The commissioners determined that the cemeteries are owned and operated by private entities and the county cannot legally donate work for them.

### ROAD MATTERS

Devin Rigby of the Idaho Transportation Department met with the Board and discussed the Stage 3 of the Elba/Almo highway. The revenue for Stage 4 is available because of savings from the Stage 3 project. He discussed submitting a change order to get the revenue savings added to the contract for the entire project but that could cause legal issues, so the recommendation is to request a new contract and include seal coating of the entire road as part of Stage 4. He also discussed the improvements in the services during winter storms.

Walter Burnside discussed the funding for the entire project that has been allocated and the benefits of our current position, which is positive. Bob Johnson discussed the positive position that we are in because of support of Representative Simpson.

### ENVIRONMENTAL STEWARDSHIP AWARD

Bob Johnson of the Idaho Transportation Department met with the Board for presentation of an Environmental Stewardship Award to the County Commissioners. This was for a project in the City of Rocks Backcountry Byway Project.

### CORRESPONDENCE

The Board reviewed the following:

1. A letter from the Intermountain Hospital Re: Update for 2009 agreement between Cassia County and Intermountain Hospital.

2. An invitation to an Accounts Payable Strategies to Improve Working Capital in Twin Falls on May 12, 2009.

### DEPARTMENT HEAD MEETING

**Assessor:** Marty Holland reported that they are very busy right now, but the Circuit Breakers are finished. They are working on personal and real property and getting everything in the computer.

**Detention Center:** Rob Neiwert reported that things are running pretty smoothly now. He will have the county sign an agreement with the US Marshal Service this week. He feels that the impact of losing State holds may not be as significant as originally thought. They will receive the new finger print machine this week. They have an agreement with the AMPO office for McWork and the administration of the program. All detention officers will become experienced with working on the

McWork program. The current population is 164 with 68 for Cassia County, 43 for Minidoka County, 9 for the US Marshal Service, 38 for the State, 2 for the Border Patrol and 4 from other counties. 89 are pre-sentenced and 75 are sentenced, with 134 males and 30 females.

Russ Rasmussen reported that an officer resigned last week and they now have 3 openings. He discussed the advertisement process for new employees. They had 1 graduate from POST last week.

**Sheriff' Department:** Sheriff Randy Kidd reported that he had received the completed Cassia County Multi-Jurisdiction All Hazard Mitigation Plan and presented a copy to the Board. He discussed the Jackson area responses. He reported that the security enhancements will begin this week. He stated that all is going well.

**Treasurer:** Gayle Erekson reported that things are quiet at this time and all is well. The credit card fees for cards that are used by customers will be charged to the customer, rather than the county.

**Janitorial/Maintenance:** Sharon Higgins reported that they are gearing up for the summer. They will be planting flowers very soon and the grass is ready to be cut too.

**Extension Office:** Richard Garrard reported that Kelly Crane is a real asset to the County. He said that all is going well. They are busy getting the animals prepared and weighed for the Fair. They numbers of animals is up that will be sold at the Fair. There is a problem with mice in the area and they have almost exhausted their poisoned grain supply.

**Weed Department:** Gordon Edwards reported that the weed department is going well and they are working with the County Highway Department as well as the Burley and Raft River Highway Districts to control the weeds along the roads for which they have responsibility. Goose Creek Milk Vetch control is being coordinated with US Wildlife Service and the BLM. Scotch Thistle is becoming a problem throughout the County. Discussion regarding the major power lines through the County and weed control problems related to them, was discussed.

**County Administrator:** Kerry McMurray reported that building permits are increasing. P&Z is working on the codification of the amendments that were passed by the Board.

**Clerk:** Larry Mickelsen asked if the budgeting process has begun and asked if anyone needed assistance. He reported that work would continue this week to develop the MCCJC budget.

**Prosecuting Attorney:** Al Barrus reported that everything is going good. The new Deputy is getting settled in and he is doing very well.

**Commissioners:** Questioned the numbers of sentenced and pre-sentenced inmates. Mr. Barrus explained the process and how things are going the best they can. Commissioner Crane led a discussion regarding the current Swine Flu epidemic and how we can be proactive in controlling it.

### **CHANGE OF STATUS**

The Board reviewed 2 changes of status forms, 1 for the MCCJC and 1 for the Adult Misdemeanor Probations Office (AMPO). It was moved and seconded to approve the changes of status and roll call vote was unanimous by the Board.

### **EXECUTIVE SESSION**

At 10:20am 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, the Board returned to regular session at 10:58am.

Following Executive Session the Board Approved sending Case #s 200005, 203029, 204119, and 207109 to the Collection Agency; Signed an Amended Assignment for 1 case; Signed Release of Lien for Cases # 2009023 and 2009036; Signed Notice of Lien for Cases # 2009042, 2009043, 2009044, 2009045; Signed Stipulation of Time Limits for Case # 208127 and 2009000;

Denied Case # 2009026, 2009031, and 2009032; Approved Cases # 208082, 2009002, 2009030; Signed Order of Reimbursement for Case # 2009002, 2009030; Wrote off Case # 2009027 for a cremation as uncollectible; Signed Findings of Fact for Case # 208107; Presented Case # 2009034; Conditionally Approved making COBRA payments for Case # 2009043 for 1 month.

#### **HOUSING AND TRANSPORTATION CONTRACT MATTERS**

Sheriff Randy Kidd and MCCJC Director Rob Neiwert met with the Board and discussed the Housing and Transportation Contract with the U.S. Marshals Service, Prisoners Operations Division. The fee for housing would increase from \$45 to \$55 per day and the contract includes being reimbursed \$20 per hour for transportation of the prisoners. It was moved and seconded to sign the contract and roll call vote was unanimous by the Board.

#### **U OF I PUBLIC LAND DISCUSSION**

Kelly Crane met with the Board to be introduced as the University of Idaho Public Lands Specialist. Mike Poulton explained some of the difficulties they encounter with other Federal agencies and how they will be resolved. He requested assistance from the County in getting information from the USFS and other involved committees. Mike would like information for the FLAG Committee to be able to resolve issues between permittees and the USFS. Kelly explained some of the difficulties that could be encountered when coordinating with the Federal agencies. He will also try to get some examples of by-laws of other committees to help to resolve issues that are of concern.

#### **USFS**

Scott Nannenga reported that there will be news release about fees for campgrounds beginning on July 1, 2009. The majority of the revenue will be utilized in the county. The USFS met with the Sheriff's Office regarding law enforcement of ATVs. Any unlicensed driver, 16 years of age can use the ATV if supervised by a licensed adult.

#### **BLM**

Mike Courtney reported that they have a contract for further geothermal leases with Aqua Caliente, who is working with US Geothermal under a mutual agreement. The BLM submitted a economic stimulus request for projects throughout the County and they will know about the results very soon. He wants to develop a partnership through the County with the FLAG. The proponents of the Gateway Project are receiving resistance from the residents of the County. They are busy renewing the grazing permits. Mike Courtney, BLM Regional Manager, commented the projects that benefit the public should be on public lands as much as possible.

#### **GOODING COUNTY LAWSUIT**

Al Barrus reviewed a lawsuit between the Idaho Dairymen's Association and Gooding County regarding CAFOs and explained the possible impact on Cassia and Jerome Counties.

#### **EMS**

Al Barrus discussed disputes between the EMS/QRUs in the County. He will follow up with Kent Searle and other involved parties.

#### **GATEWAY WEST TRANSMISSION PROJECT**

The Board reviewed the coordination efforts and related documents that are relative to the Gateway West Transmission Project. After discussion and review, it was moved and seconded to sign and execute Resolution No. 2009-016, A Resolution Asserting Entitlement to Coordination Mandated to Federal Agencies and State Agencies Involved with Federal Agencies in matters Affecting Cassia County.

**COUNTY ROAD & BRIDGE**

The Board gave consideration to a Task Agreement between IDPR and County Road & Bridge for dust guard. After discussion and review it was moved and seconded to sign the Task Agreement and roll call vote was unanimous by the Board.

**PUBLIC DEFENDER**

The Board reviewed court-ordered claims for services for Clayne Zollinger, Conflict Public Defender. It was moved and seconded to approve payment of the claims for services rendered and roll call vote was unanimous by the Board.

**COUNTY EXPENDITURE**

The Board reviewed the County's Payables Approval Report dated 4/24/2009. A motion was made and seconded to approve the report and roll call vote was unanimous by the Board.

CURRENT EXPENSES	104	\$16,342.42
INDIGENT FUND	105	\$21,706.24
DISTRICT COURT FUND	106	\$1,142.75
AMBULANCE SERVICE	110	\$30,309.54
REVALUATION FUND	114	\$41.95
ASSESSOR TRUST FUND	123	\$160.05
JUSTICE FUND	130	\$22,710.68
PHYSICAL FACILITIES FUND	144	\$1,236.78
ADULT MISDEMEANOR PROBATION	149	\$703.46
BOX ELDER CO. BOOKMOBILE TRUST	151	\$4,641.00
	<b>TOTAL</b>	<b>\$99,002.77</b>

**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>
#2009-005	James C Lynch	Mr. Gas Quik Pik (Adding Wine to license)

**LUNCH/ NEW BOATHOUSE INSPECTION**

At 12:05pm the Board departed to inspect the new Sheriff's Office Boathouse and to have lunch with the boathouse personnel.

**RECESS**

Meeting was recessed until 9:00 a.m., Monday, May 4, 2009.

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

Margi Owens and Renee Wells, Weekly News Journal; Claude Bryant, 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