

## COMMISSIONER MINUTES

#590

August 3, 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; Wendy L. Marr, Deputy Clerk of the Board, and Kerry D. McMurray, County Administrator, present.

### PREVIOUS WEEK'S MINUTES

The Minutes for July 27, 2009 and July 30, 2009 were discussed. A motion was made and seconded to approve and proceed with publication of an appropriate synopsis. Roll call vote was Commissioner Handy, Commissioner Christensen and Chairman Crane all voting yea.

### CALENDAR

The Board reviewed the calendar for August 2009.

### CORRESPONDENCE

The Board reviewed the following:

1. An invitation for August 4<sup>th</sup> to participate in a LMMN 4C meeting.

### GATEWAY WEST TRANSMISSION LINE MATTER

The Board reviewed BLM's approval directing Tetra Tech to provide GIS assistance to Cassia County, and adjacent counties (including but not limited to - - Bannock, Oneida, Power and Twin Falls Counties, Idaho; Box Elder County, Utah, and Elko County, Nevada) for the purpose of delineating a reasonable alternative to the proposed route for the Gateway West Transmission Line Project in Segments 5 & 7.

### MURTAUGH RECREATION DISTRICT PROPOSAL

The Board met with Wendy L. Marr, Chief Election Deputy to discuss the Murtaugh Recreation District proposal. Al Barrus, County Attorney, reviewed Idaho Statute to clarify the proper way to proceed with the creation of a new taxing district. Upon review of Idaho Code 63-802(C), it was determined that a notice of election would be mailed to all residences within the proposed taxing district and compliance with this statute would satisfy any notice or publication requirement as may be provided by law. Mr. Barrus requested that the petitioner submit a list of all residents located in the proposed boundaries along with their addresses to comply with the statute. Idaho Code 34-308 was reviewed and proceeding as a Mail Ballot Precinct complies with that statute.

### RESOLUTION NO. 2009-22

The Board reviewed Resolution No. 2009-22 regarding Public Land Use Policies as applies to public lands within the geographic boundaries of Cassia County. After review and discussion, it was moved and seconded to sign and execute Resolution No. 2009-022 and roll call vote was unanimous by the Board.

### RESOLUTION 2009-023

The Board reviewed Resolution No. 2009-023 regarding destruction of Semi-Permanent Records in the Records Office. After review and discussion, it was moved and seconded to sign and execute Resolution No. 2009-023 and roll call vote was unanimous by the Board.

### PATHOLOGY AGREEMENT WITH ADA COUNTY

The Board reviewed the Pathology Agreement with Ada County, upon review it was moved and seconded to sign the agreement.

### CCSO DISPATCH PROPOSAL

The Board reviewed the proposal on CCSO dispatch for the City of Heyburn. This proposal reflects that PMT has opted to discontinue billings for additional trunking to facilitate the system. Therefore, this contract updates and provides the same service for the traditional amount of \$10,766 per annum. Upon review it was directed that the proposal be sent to the City of Heyburn for their review and consideration.

**EXECUTIVE SESSION**

At 9:30am 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 regarding discipline. Following the discussion, the Board returned to regular session at 9:42am.

**COUNTY EXPENDITURE**

The Board reviewed the County's Payables Approval Report dated August 3, 2009. A motion was made and seconded to approve the report and the roll call vote was Commissioner Handy, Commissioner Christensen and Chairman Crane all voting yea.

CURRENT EXPENSES	104	\$7,311.07
INDIGENT FUND	105	\$2,440.00
DISTRICT COURT FUND	106	\$805.40
COUNTY ROADS & BRIDGES FUND	107	\$10,551.72
911 COMMUNICATIONS FUND	115	\$8,351.26
COUNTY BOAT LICENSE FUND	117	\$2,500.00
JUSTICE FUND	130	\$20,540.07
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$176.25
PHYSICAL FACILITIES FUND	144	\$186.97
ADULT MISDEMEANOR PROBATION	149	\$425.46
	<b>TOTAL</b>	<b><u>\$53,288.20</u></b>

**EXECUTIVE SESSION**

At 9:54am 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 11:14am. Following Executive Session the Board signed Release of Lien for cases # 97023, 208107 2009083 and 2009084. Heard case # 2009085. Signed Stipulation for Enlargement of Time Limitations for case # 2009045, 2009037 and 2009000.

**WHISPER MOUNTAIN – HAZARD MITIGATION**

The Board met with Sheriff Randy Kidd and Rick Fawcett. Rick explained that there is currently \$75,000,000 of grant money from the Flood Mitigation Program available. National Flood Insurance Programs are also available to homeowners in Oakley, Malta and Albion. Upon review it was moved and seconded to submit a letter of intent.

**BUDGET REVIEW**

The Board continued FY2010 Budget reviews. County Auditor, Cara Petterson presented the additional documentation requested by the Commissioner's at last weeks meeting. Additional documentation was requested to clarify PILT funding. Jail revenue was discussed. It was requested that Rob Neiwert meet with the Commissioners in today's afternoon session to discuss

projected revenue from the Mini-Cassia Jail. Deadline for publication is August, Monday 10, 2009.

**EXECUTIVE SESSION**

At 11:55am 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. The Board maintained executive session but moved on to lunch for continued personnel discussions.

**LUNCH**

At 12:05pm the Board departed for lunch at The Canton, in Burley, Idaho , where Kerry McMurray, County Administrator and Al Barrus, County Prosecuting Attorney, reported on personnel matters during their working luncheon, which discussion remained in executive session.

**BUDGET REVIEW CONTINUED**

The Board met with Rob Neiwert to discuss the FY2010 Mini-Cassia Jail Trust Fund Budget. The population of Cassia County continues to grow which has caused the jail to become overcrowded. Increased funds were requested to help with the growing issues facing the detention center.

**RECESS**

Meeting was recessed until 9:00 a.m., Wednesday, August 5, 2009, for a Special Meeting to be held in Executive Session.

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

Margi Owens, Weekly News Journal; Dave Bagley and JoAnn Smith, PMC; Wendy Dean and Laurie Poulton, CRMC.

**ATTEST:**

**APPROVED:**

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Larry A. Mickelsen, Clerk

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Dennis Crane, Chairman