

COMMISSIONER MINUTES

#594

December 21, 2009

The Cassia County Board of Commissioners met this day with 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.

TEMPORARY CHAIRMAN

Commissioner Crane excused himself from the meeting. It was proposed by Commissioner Christensen that Commissioner Handy be appointed acting Vice Chairman and Commissioner Handy seconded the motion with Commissioner Christensen voting yea and Commissioner Handy voting yea.

CORRESPONDENCE

The Board reviewed the following:

1. A copy of the completed 2009-2010 budget agreement from the University of Idaho.
2. A thank you card from staff members to the Commissioners.
3. A Christmas card from Idaho Housing and Finance Authority.
4. A Christmas card from the Idaho State University.
5. A Christmas card from South Central Community Action Partnerships.
6. A thank you card.
7. A letter and booklet from the Governor of Idaho, Butch Otter.

CALENDAR

The Board reviewed the calendar for December 2009 and January 2010.

EXECUTIVE SESSION

At 9:14 am 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 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 9:35 am.

Following Executive Session the Board signed release of lien for case # 2009110, signed notice of lien for case # 2009138, 2009137 and 2009136, heard case # 2009138 and 2009136, denied case # 2009123, 2009131, 2009125, 2009121, 2009120, 2009129 and 2009118, approved case # 2009131, 2009115, 2009105 and 2009091, signed order for reimbursement for case # 2009131, 2009115, 2009105 and 2009091, board agreed to write-off case # 95108, signed certificate of approval for additional treatment for case # 2009122 and signed findings of fact, conclusion of law & decision for case # 2009109 and 2009099.

COUNTY EXPENDITURE

The Board reviewed the County's Payables Approval Report dated December 18, 2009. A motion was made and seconded to approve the report and the roll call vote was unanimous with Commissioner Handy and Commissioner Christensen both voting yea.

CURRENT EXPENSES	104	\$33,805.99
INDIGENT FUND	105	\$21,781.66
DISTRICT COURT FUND	106	\$13.64
COUNTY ROADS & BRIDGES FUND	107	\$905.93
JUSTICE FUND	130	\$30,673.42
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$569.58
PHYSICAL FACILITIES FUND	144	\$1,005.95

TOTAL**\$89,419.17****CSI**

The Board reviewed and signed CSI Residency Certificates.

PLANNING & ZONING MATTERS

The Board discussed Planning & Zoning Matters and the proposed Poultry Ordinance change. A trip is proposed to grow out facilities for some the P&Z members. It was suggested that Commissioner Christensen attend if possible. The County will need to pay for Commissioners' costs in such attendance.

DEPARTMENT HEAD MEETING

Sheriff Department: Sheriff Randy Kidd explained all is going well. They are moving ahead with the Records Management Systems but are still waiting for a server to be installed. Incoming 911 calls will be displayed on a map. The Misdemeanor Probation Office promoted Amber Prewitt as the new Director which leaves an opening for a Probation Officer.

Auditor: Cara Petterson said all is going well. They are getting caught up and working on special projects.

Weed Department: Gordon Edwards discussed various issues they are working on. He explained that the Goose Creek Milk Vetch which is a small broad leaf plant that grows in white sandstone and is non-toxic. Grant monies are being written and some have already started to come in. They are trying to get equipment fixed and repaired for next year.

Detention Center: Rob Niewert reported that they have 136 inmates; 108 are male and 28 are female. He presented a request for a new garbage disposal for \$1326.00. Upon review a motion was made and seconded to approve the request. Russ Rasmussen stated they are down 2 people but have 3 or 4 possible candidates.

Extension Office: Richard Garrard said all is going well. Pesticide training has been completed for farmers. Other school classes are scheduled. Every Monday they run a cooking class and in between they run a sewing class.

Prosecuting Attorney: Al Barrus explained they have a lot of people in the system and a lot of trials coming up.

County Administrator: Kerry McMurray explained that the building department has slowed down due to weather. He reported on a couple of hearings that were held before the Planning and Zoning Commission.

Commissioner Clay Handy expressed his thanks for the good job the employee's and department heads are doing.

GRASSHOPPERS & MORMON CRICKET SUPPRESSION

The Board reviewed a 2010 USDA Idaho Grasshopper and Mormon Cricket Suppression Program. Upon review a motion was made and seconded to sign the letter.

PLANNING & ZONING

The Board discussed Dennis James and Daryl Whitehead of the Planning & Zoning Board. Their commission expires at the end of the year. Upon discussion a motion was made and seconded to reappoint both Dennis James and Daryl Whitehead. Kerry McMurray will check availability for use of City Hall to hold a hearing for the amended zone proposals to be held on Tuesday, January 19, 2010 or as a back-up, Monday, January 25, 2010.

WEED MATTERS

The Board held a hearing with Bennie Smyer to discuss weed issues on his property. He received a certified letter on 7/8/09 for noxious weed clean-up from Gordon Edwards of the Cassia County Weed Control Department. Al Barrus stated that the letter outlined the proper

procedures in Idaho Code that would have needed to be followed in a timely matter to challenge and appeal the decision. Mr. Smyer explained the steps he has taken to get his 1000 acre ranch sprayed for noxious weeds. Upon discussion a motion was made and seconded to uphold the findings and Al Barrus will prepare Findings of Fact, Conclusions of Law and Order for the Board to review and sign at next meeting.

CANCELLATION OF TAXES

The Board held a hearing and reviewed an application from Kenneth T. Anderson that he filed with the Cassia County Commissioners for cancellation of taxes due to hardship. Also present at the meeting was Assessor Mary Holland and Treasurer Gayle Erekson. Mr. Anderson requested a reinstatement of his homeowner's exemption on a piece of property which is not his principle residence. Marty Holland explained that you cannot have a homeowner's exemption on property that is not a person's primary residence. Upon discussion a motion was made and seconded to deny the request.

PUC APPLICATION

The Board reviewed notice of application, case no. IPC-E-09-31, of the Idaho Power Company for authority to sell a Border 011 Feeder line to Raft River Rural Electric Cooperative, Inc.

EXECUTIVE SESSION

At 11:20 am 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 Handy voting yea and Commissioner Christensen voting yea. The purpose and general tenor of the meeting was to discuss pending litigation. Following the discussion, the Board returned to regular session at 11:29 am.

USFS/BLM

The Board met with Mike Courtney of the BLM. He summarized meetings that were held in Malta and Almo regarding the Gateway West Transmission Lines and that there is some confusion in the community. The Ordinance will be finished in January of 2010. He explained other projects are in the works. They are starting a new Resource Management Plan and community outreach to discuss BLM issues.

PREVIOUS WEEK'S MINUTES

The Minutes for December 14, 2009 were discussed. A motion was made and seconded to approve and proceed with publication of an appropriate synopsis. Roll call vote was unanimous with Commissioner Handy and Commissioner Christensen both voting yea.

RECESS

Meeting was recessed until 9:00 a.m., Monday, January 4, 2010.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Margi Owens, Weekly News Journal.

ATTEST:

/s/Wendy L. Marr

Wendy L. Marr, Deputy Clerk

APPROVED:

/s/Dennis D. Crane

Dennis Crane, Chairman