

COMMISSIONER MINUTES

#586

June 8, 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 June 1, 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 June 2009.

CORRESPONDENCE

The Board reviewed the following:

1. A letter from Homeland Security Re: Natural Disasters (Floods, Wildfire, Earthquake) meeting June 16, 2009 in Twin Falls.
2. A notice of public hearing for the City of Albion on June 16, 2009 at 7:00pm
3. A request to encourage the County VSO to attend the Veteran's Conference in August
4. A notice of election from NACo, but there will not be a representative to the NACo Annual Conference; therefore the county will not cast a ballot.

SUBDIVISION FINAL PLAT REVIEW

Robert Silcock met with the Board for the Silcock West Subdivision Final Plat review. After review, it was moved and seconded to approve and sign the final plat and roll call vote was unanimous by the Board.

BYWAY MATTERS

The Board discussed Byway matters related to the road shoulder by the Elba Church. Gordon Edwards explained the problems that result from having parking on either side of the road near the Church. Gordon requests curb and gutter be included as part of the project to prevent traffic control problems. The Board will contact ITD to further discuss the matters and get their input. Additional discussion occurred to explain the necessity for the Byway modifications. The Board's decision was to not ask for any modifications to the original ITD plan but they will still check with the ITD regarding curb and gutter.

WEED CONTROL

Gordon Edwards discussed the problems encountered with weed control around the county and especially within the City of Burley. He has some bills for spraying from last year which have not been paid and requested that they be placed on the property tax rolls for collection. After review and discussion it was moved and seconded to include the past-due weed control invoices on the tax rolls and roll call vote was unanimous by the Board.

ROAD MATTERS

A group of department representatives met with the Board to discuss the Water on the Road Issues. There were representatives from the Burley Highway District, Murtaugh Highway District, Raft river Highway District, County Road & Bridge and the Sheriff's Office. The BHD has discussed the problems in their Board meetings but no solution has been determined. Sheriff Kidd discussed the water issues as related to law enforcement and the additional expenses they incur. After receiving information from BHD, Al Barrus and Randy Kidd will meet and determine the expense and feasibility of employing an enforcement officer to enforce water on

the road laws.

EXCESS ROADWAY EXCAVATION MATERIALS

The Board reviewed the Excess Roadway Excavation Materials Agreement with Staker Parsons Company. After review, it was moved and seconded to sign and execute the agreement and roll call vote was unanimous by the Board.

ICRMP MEMBERSHIP

The Board reviewed the MCCA request for ICRMP membership renewal. After review and discussion, Kerry McMurray will contact Minidoka County to split the cost of ICRMP membership with Cassia County and Minidoka County.

SOUTHERN IDAHO TOURISM

The Board reviewed a letter of information and budget request from Southern Idaho Tourism. The budget request was for \$700.00, the same as last year. Clerk Mickelsen was requested to find out how many years Cassia County has participated with this and inform Kerry McMurray.

EXECUTIVE SESSION

At 10:55am 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 11:10am.

Following Executive Session the Board Signed Notice of Lien for Medically Indigent Benefits for Cases # 2009058, 2009059, 2009060, 2009061, 2009062, 2009063, 2009064, 2009065, and 2009066; Denied Case # 2009049; Approved Cases # 2009014, 2009022, and 2009052 (amended); Signed Stipulation of Time Limits for Case # 2009006; Signed Order of Reimbursement for Cases # 2009014 and 2009022; Signed Findings of Fact, Conclusions of Law and Decision for Case # 2009029; Presented Cases # 2009045 and 2009052.

COURTHOUSE COPY MACHINES

The Board reviewed and discussed new contracts with Xerox for 3 copy machines for Magistrate Court, District Court, and the Recorder's Office. It was moved and seconded to sign and execute the contracts and roll call vote was unanimous by the Board.

EXECUTIVE SESSION

At 11:11am 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. Following the discussion, the Board returned to regular session at 11:21am.

Following Executive Session the Board approved the change in hiring date for a county employee and took other matters under advisement.

EXECUTIVE SESSION

At 11:22am 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, the Board returned to regular session at 11:25am.

Following Executive Session the Board took the matter under advisement.

GATEWAY TASK FORCE

The members of the Gateway West Task Force met with the Board to receive guidance from the Board during their negotiations with Idaho Power Company (IPCo) for installation of the power lines through Cassia County. The Task Force will meet on Mondays at 2:00pm for the next 6 weeks at the Burley City Hall.

RENT REDUCTION

The Board gave consideration for a rent reduction in the County Apartments. The Board moved that Kerry McMurray write a letter to the tenant denying the rent reduction and roll call vote was unanimous by the Board.

ESRI MAINTENANCE

The Board reviewed the ESRI Maintenance quote. After review, it was moved and seconded to sign and execute the maintenance agreement and roll call vote was unanimous by the Board.

RESOLUTION NO. 2009-020

The Board reviewed Resolution No. 2009-020 regarding surplus vehicles at the Cassia County Sheriff’s Office. After review and discussion, it was moved and seconded to sign and execute Resolution No. 2009-020 and roll call vote was unanimous by the Board.

MOU WITH BLM

The Board reviewed and discussed a Memorandum of Understanding with the Bureau of Land Management regarding Development of the Environmental Impact Statement for the Gateway West Transmission Line Project. The Board recommended some changes to the MOU for Kerry McMurray to incorporate and send the changes to the BLM. It was moved and seconded to sign the amended MOU and send it to the BLM and roll call vote was unanimous by the Board.

COUNTY EXPENDITURE

The Board reviewed the County’s Payables Approval Report dated 6/05/2009. A motion was made and seconded to approve the report and roll call vote was unanimous by the Board.

DISTRICT COURT FUND	106	\$1,288.23
COUNTY ROADS & BRIDGES FUND	107	\$2,009.43
WEED & PEST FUND	108	\$1,590.36
REVALUATION FUND	114	\$1,989.00
COUNTY BOAT LICENSE FUND	117	\$344.91
JUSTICE FUND	130	\$35,541.71
ADULT MISDEMEANOR PROBATION	149	\$290.21
	TOTAL	\$59,051.04

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>
#2010-001	Farmer’s Corner LLC	Farmers Corner
#2010-002	Lee Butterfield	Skyline Bar
#2010-003	Shirley Middleton	Nelson’s Café & Pilot Lounge

LUNCH

At 12:40pm the Board departed for lunch at Stevo’s Restaurant, and they discussed the potential chicken production operations within Cassia County, during their working luncheon.

RECESS

Meeting was recessed until 9:00 a.m., Monday, June 15, 2009.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Margi Owens, Weekly News Journal; Carl Boden, Elba; Tome Malone, Murtaugh Highway District; Sam Adams, CCRB; Chad Black and Tom Hitt, RRE; Randy Kidd and George Warrell, CCSO; Rob Carson and Gaylen Smyer, BHD; Claude Bryant, Self; Stan Lloyd, Elba; Robert Whiteley, Kent Searle, Douglas Pickett, Joe Tugau, Von Gibby, Terry Greenman, Mike Beck, Bob Kunau, Brent Stoker, Mark Studer, and Mark Wehl, Task Force

ATTEST:

/s/Larry A. Mickelsen

Larry A. Mickelsen, Clerk

APPROVED:

/s/Dennis D. Crane

Dennis Crane, Chairman