

COMMISSIONER MINUTES

#586

June 15, 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 8, 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 Riedesel Engineering to introduce their new logo
2. An invitation for public comment on the Community Development Block Grant

Recovery Substantial Amendment

3. An invitation to attend a Storm Water seminar in Boise on August 27, 2009
4. An invitation to the Upper Snake River Cooperation Weed Management Area 2009 Weed Warrior workshop on June 16, 17, 2009

DIGITAL RECORDER

Sheriff Randy Kidd presented Digital Recorder Bids from White Cloud Communications for \$30,601.74, WesTek Marketing for \$40,250, and VECTRA Solutions, no pricing given, for the Cassia County Sheriff's Office. VECTRA Solutions, Inc. made written objection to the bid specifications and requested that all bids be rejected, the bid specs be reviewed and rewritten and that the matter be re-bid. The Board requested that the County Attorney Al Barrus review each bid and discuss them with Sheriff Kidd for presentation and recommendation to the Board.

OAKLEY EMERGENCY STATION

The Board reviewed a request from the Sheriff's Office, seeking approval for a Budget Amendment for the Oakley Emergency Station. This is for a generator to provide electrical power for the Emergency Operations Center, which is proposed to be located in Oakley. The total cost will be \$33,943.60, and the 2006 Homeland Security monies will be expended for it. It was moved and seconded to have Clerk Mickelsen and Kerry McMurray schedule a public hearing for the amendment of the Sheriff's budget for the expenditure of the anticipated revenue and roll call vote was unanimous by the Board.

Sheriff Kidd also discussed expending unanticipated revenue from the Department of Justice totaling \$61,797.00. The revenue will be used to replace 2 patrol cars, which was approved by the DOJ. It was moved and seconded for Clerk Mickelsen and Kerry McMurray schedule a public hearing for amendment of the Sheriff's budget to allow for the expenditure of the unanticipated revenue and roll call vote was unanimous by the Board.

Sheriff Kidd also discussed a grant request for revenue from the Idaho State Parks & Recreation Department for \$18,000 for purchase of a pickup to use with the new boat. Cassia County Waterways department will contribute \$12,000 to assist with the purchase of the pickup. It was moved and seconded to sign and execute the grant request and roll call vote was unanimous by the Board. The budget will be amended upon receipt of the revenue, prior to expenditure.

ZONE AMENDMENT FEE

The Board reviewed a Request for a Waiver of the Zone Amendment Fee for AgTech for farmland in the Bridge area. This request is for approval for a 5,000 cow/7,500 animal unit dairy facility. The total acreage will be over 4,000 acres of which 2,500 is multiple use zoned and will be requested to change to Prime Agricultural zoning district. The Board took the matters under advisement and will inform AgTech of their decision.

EXECUTIVE SESSION

At 9:48am 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 9:55am.

Following Executive Session the Board Signed Release of Lien for Case # 200078; Signed Notice of Lien for Cases # 2009060, 2009066, and 2009068; Signed Stipulation of Time Limitations for Case # 2009006; Denied Cases # 2009046, 2009050, and 2009067

EXECUTIVE SESSION

At 9:55am 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. Following the discussion, the Board returned to regular session at 10:05am.

Following Executive Session the Board requested that Kerry McMurray research what is allowable by statute.

USFS

Scott Nannenga met with the Board to discuss road, paved and unpaved, in the Forest Service area within the County. This is in reference to the law which allows unlicensed drivers to operate ATVs on Forest Service roads. The discussion focused on legal responsibilities of the County and the USFS in enforcing the laws for ATVs on the Forest Service and County roads.

YELLOWSTONE CUTTHROAT TROUT

Scott Nannenga of the US Forest Service and Douglas Megargle representing Idaho Fish & Game met with the Board to present information Re: Management of the Yellowstone Cutthroat Trout. After the discussion, Doug will get a one-page synopsis of their comments for the Board for their use to inform the public.

GATEWAY UPDATE

The Board requested that Commissioner Handy and Attorney Barrus attend the Gateway West Transmission Line meeting today at 2:00pm in the Burley City Hall and contribute to the progress of the Gateway Task Force.

DRUG COURT GRADUATION

The Board reviewed an invitation to attend the Drug Court Graduation on June 24, 2009 at the CSI Fine Arts building in Twin Falls.

MARCH 2009 MINI-CASSIA JUVENILE DETENTION REPORT

The Board reviewed the March 2009 Mini-Cassia Juvenile Detention Center Report.

WATER ON ROAD ISSUES

The Board discussed the economic feasibility of fines for farmers having their sprinklers spray water on the road. The Board will discuss the issue with Sheriff Randy Kidd and ensure that the Sheriff's Deputies are aware of the law and potentially cite those who abuse the issue.

CHANGE OF STATUS

The Board reviewed one change of status form for the Recorder's Office. It was moved and seconded to approve the changes of status and roll call vote was unanimous by the Board.

BILL & DARLENE COLE PROPERTY

County Attorney Al Barrus reviewed the Regulatory Takings Analysis Re: Bill & Darlene Cole's property with the Board. After discussion the Regulatory Takings Analysis was prepared to be served. It was moved and seconded to sign and execute the Regulatory Takings Analysis and roll call vote was unanimous by the Board.

SOUTH CENTRAL HEAD START

The Board reviewed an Amended Letter of Support for South Central Head Start. After review and discussion, it was moved and seconded to sign and execute the Letter of Support and roll call vote was unanimous by the Board.

SOLID WASTE FEES

The Board discussed the solid waste fees as established by County Ordinance and will ensure that the Treasurer's Office is aware of the different amounts for taxing purposes for the businesses that have a large amount of solid waste. Commissioner Handy will be reviewing the specific businesses at issue with the Director at the Landfill, thereafter reporting back to the Board.

ODOR CONTROL

H.L. Pringle of Jerome met with the Board to present information on Odor Control. He processes zeolite into a product, which when fed to cows and chickens will reduce the odor and amount of their manure.

COUNTY EXPENDITURE

The Board reviewed the County's Payables Approval Report dated 6/12/2009. A motion was made and seconded to approve the report and roll call vote was unanimous by the Board.

CURRENT EXPENSES	104	\$19,219.95
INDIGENT FUND	105	\$1,630.30
DISTRICT COURT FUND	106	\$5,396.09
COUNTY ROADS & BRIDGES FUND	107	\$8,689.86
JR COLLEGE TUITION FUND	113	\$35,000.00
REVALUATION FUND	114	\$989.22
911 COMMUNICATIONS FUND	115	\$10,017.93
COUNTY BOAT LICENSE FUND	117	\$4,000.00
COURT TRUST FUND	127	\$50.00
JUSTICE FUND	130	\$21,087.04
NARCOTICS SIEZED ASSETS FUND	134	\$1,065.90
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$26,540.40
COURT RESTITUTION FUND	139	\$374.55
PHYSICAL FACILITIES FUND	144	\$4,724.19
ADULT MISDEMEANOR PROBATION	149	\$1,623.14
	TOTAL	\$140,408.57

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>
#2010-004	Hipolito Aguayo	Polo's Café
#2010-005	Triple S Oil Company	Mr. Gas Car Wash

#2010-006	Triple S Oil Company	Mr. Gas Quik Pik
#2010-007	Triple S Oil Company	Mr. Gas South Overland
#2010-008	Mike Williams Golf Shop	Mike Williams Golf Shop Inc.
#2010-009	Brent Searle	Searle's
#2010-010	Stinker Stores Inc.	Stinker Station #61
#2010-011	Stinker Stores Inc.	Stinker Station #79
#2010-012	Dick Randklev	Burley Trap Club
#2010-013	Cindy DeRoche	Li'l Cinders Smoke Shop
#2010-014	Shaker's	Shaker's
#2010-016	Anh Trang	Shon Hing
#2010-017	Filemon Alvarez	El Dorado 2000
#2010-018	Thayne Buck	Malta Fuel Depot

LUNCH

At 12:00pm the Board departed for lunch at Angela's, where they received the report from Richard Garrard, County Agent regarding state poultry regulations and his survey of other state's efforts in the poultry regulation field, during their working luncheon.

RECESS

Meeting was recessed until 9:00 a.m., Monday, June 22, 2009.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Margi Owens, Weekly News Journal; Anisha Cinamisa, While Cloud Communications; Garrett Dewsnup, Doug Manning, Bridge Farms; Chad Newey, Matt Thompson, AgTech

ATTEST:

/s/Larry A. Mickelsen

Larry A. Mickelsen, Clerk

APPROVED:

/s/Dennis D. Crane

Dennis Crane, Chairman