

## COMMISSIONER MINUTES

#593

November 23, 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, Stella Sutherland, Deputy Clerk of the Board and Kerry D. McMurray, County Administrator, present.

### CASSIA COUNTY GROUNDWATER

The Board met with Carolyn Firth, John Bokor and K. Wells of the Cassia County Ground Water Improvement Committee. They discussed the Nitrate and Emerging Contaminants Evaluation of Springdale Idaho. The study was developed to characterize the state of ground water quality and to determine whether current land practices in the Springdale area could be identified as potential sources of nitrate and emerging contaminants to the aquifer. The study found that variations occur due to the influence of canals and agriculture-related holding ponds that may change local seasonal flow directions. With proper management practices the problem could be eliminated. The committee expressed their desire to launch a public awareness campaign through education with the support of the commissioners. Commissioner Handy suggested that a letter should be sent to all the residents of Springdale to inform them of the findings. The Commissioners asked if the county could put a link to their website so the report could be viewed by the public. The Cassia County Ground Water Committee will hold its next meeting on December 10, 2009 at 1:30pm in the law enforcement basement.

### EXECUTIVE SESSION

At 9:45am 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 9:50am. Following Executive Session the Board denied case #2009122, 2009110 and 2009079, released case #99021, 200043, 200049, 200085, 201016, 201055, 201056, 201051, 201054, 201045, 201085, 201087, 201089, 201109, 202004, 202014, 202303, 202031, 202045, 202054, 202058, 202060, 202090, 202097, 202108, 202109, 202012, 202122, 202130, 202135, 202139, 202148, 202150, 203004, 203012, 203022, 203015, 203016, 203017, 203035, 203042, 203044, 203045, 203046, 203054, 203061, 203066, 203068, 203072, 203073, 203078, 203079, 203092, 203096, 203103, 203105, 203108, 203110, 203111, 203112, 203113, 203116, 203117, 203123, 203128, 203129, 203130, 203138, 203139, 203141, 203150, 203151, 203154, 203156, 203160, 203163, 203167, 204006, 204009, 204013, 204015, 204021, 204086, 205021, 205043, 205109, 206114, 207007, 206106, 206080, 2009103, 2009123, 2009122, 2009124, 2009126 and 2009125 and one partial denial/approval for case #2009079.

### PREVIOUS WEEK'S MINUTES

The Minutes for November 16, 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, Commissioner Christensen and Chairman Crane all voting yea.

### COUNTY EXPENDITURE

The Board reviewed the County's Payables Approval Report dated November 23, 2009. A motion was made and seconded to approve the report and the roll call vote was unanimous

with Commissioner Handy, Commissioner Christensen and Chairman Crane all voting yea.

CURRENT EXPENSES	104	\$75.53
INDIGENT FUND	105	\$701.20
DISTRICT COURT FUND	106	\$410.62
COUNTY ROADS & BRIDGES FUND	107	\$1,931.58
911 COMMUNICATIONS FUND	115	\$351.42
COUNTY ELECTION FUND	116	\$62.47
JUSTICE FUND	130	\$34,670.91
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$466.58
ADULT MISDEMEANOR PROBATION	149	\$921.22
	<b>TOTAL</b>	<b>\$39,591.53</b>

### CALENDAR

The Board reviewed the calendar for November and December 2009.

### CSI

The Board reviewed and signed CSI Residency Certificates.

### DEPARTMENT HEAD MEETING

**Treasurer:** Patty Justesen reported that the tax notices are out and payments are coming in. Everything is going good.

**Auditor:** Cara Petterson reported that they held open enrollment and are waiting for the forms to be turned back in. Everything has been submitted to the outside auditor. All is going well.

**Assessor:** Marty Holland reported that they are working on the sub-roll and the missed roll. Mr. Holland asked the commissioners if there is a map showing the proposed route of the corridors as he is meeting with the task force and trying to assess the cost of the corridors running across landowner's property.

**Sheriff Department:** Sheriff Randy Kidd reported that they are reviewing bids for the computer aided dispatch (CAD) system. Jeff Fackrell is retiring on November 30<sup>th</sup> and the opening for his position has been posted, there is an opening for the Misdemeanor Probation office as well as a Bailiff Patrol opening. They are ready to put the map up but are waiting for a server to arrive.

**Detention Center:** Rob Neiwert reported they have 145 inmates in custody with 78 from Cassia, 33 from Minidoka 118 are male and 27 are female, 19 on probation and 100 felonies. Things are moving smoothly, they are working on security issues. Russ Rasmussen reported that they have 2 people who have graduated from post. Loretta Williams is retiring and hiring people is a never ending issue. He also stated that the video arraignment is working very well.

**County Administrator:** Kerry McMurray reported that the Building Department is very busy. Planning and Zoning is working on finishing a CAFO ordinance for poultry and Risk Management has been busy but is starting to slow down a bit.

**Prosecuting Attorney:** Al Barrus reported that his office is very busy but all is going well.

### EXECUTIVE SESSION

At 10:20 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)(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 10:30 am.

Following Executive Session the Board took the matter under advisement.

### EXECUTIVE SESSION

At 10:31 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)(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, particularly complaints made concerning public officials. Following the discussion, the Board returned to regular session at 10:37 am.

Following Executive Session the Board took the matter under advisement.

#### **AATRONIC**

The Board reviewed an invoice from Aatronics for \$20,551.72 for the video arraignment system. The invoice is to be split with Minidoka County. Upon review a motion was made and seconded to approve payment by Cassia County of one half of the invoice through the court facilities trust fund.

#### **ALMO/ELBA ROAD ISSUES**

The Board met with Doug Ward, a resident of Almo, and Bill Wickel, a resident of Elba, to discuss an irrigation pipe issue related to the Byway reconstruction with regard to Wickel's ranch. The residents outlined the area of the proposed installation for the pipeline. Previous minutes were reviewed to attempt to locate a referenced agreement but were unsuccessful. Mr. Wickel will obtain proposed prices for pipe and installation for the Board's consideration, and the Board will take the matter under advisement.

#### **FLAG COMMITTEE**

The Board reviewed the FLAG Committees request for reappointment of Mike Ricondo, Zane Gillette and Brandon Blackenbury. Upon review a motion was made and seconded to reappointment all three.

#### **FEDERAL PRISON**

The Board discussed making application to Business Plus 4 for a grant to assist with promotion of federal siting of a prison in Cassia County. Commissioner Christensen has an email with information that will provide a lead in to the application process.

#### **COUNTY ROAD MATTERS**

Kerry McMurray read an email from Superintendent Wallace Keck of the City of Rocks National Reserve regarding turning the jurisdiction of road maintenance over to the park service. After discussion, the request was denied and Mr. McMurray was directed to communicate the decision of the Board to Mr. Keck.

A bridge located at the Narrows in southern Cassia County was discussed. Commissioner Crane will instruct Sam Adams to do further inspection on the bridge and report back to the Commissioners.

#### **JACKSON DISPATCH MATTERS**

The Board met with Sheriff Randy Kidd and Kent Searle to discuss dispatch matters. Commissioner Crane reported on a meeting he attended in the Jackson area on November 12<sup>th</sup> where concerns were expressed by several members of the Jackson area that the area of Jackson may be better served if dispatch was through Minidoka County instead of Cassia County. Commissioner Crane requested that interested members of Jackson gather their information and provide it to the Sheriff for his review. Bart Hanson and Nate McBride indicated willingness to obtain the information and provide it to Sheriff Kidd. Commissioner Crane then requested that the Cassia County Sheriff's Office gather information and report its findings back to the Board.

#### **COUNTY BUILDING DEPARTMENT**

The Board reviewed a letter of request from a resident of Cassia County who built a shed without obtaining the appropriate building permits. The letter was directed to the Commissioners requesting the fines be dropped. The County Administrator pointed out that Cassia County zoning regulations direct that the matter should have been directed to the Planning and Zoning Commission as an appeal. Mr. McMurray will contact the resident and advise him of process and costs to perfect an appeal of the building department determination. The process generally is that the appeal must be to the P & Z Commission and will have a 28 day time limit to appeal the fines as well as a cost of \$400.00 to file the appeal.

#### **DISTRICT 4 INTEROPERABILITY GOVERNANCE BOARD**

The Board discussed District 4 Interoperability Governance Board Matters. Upon review a motion was made and seconded to sign a letter appointing Sheriff Randy Kidd, Kent Searle and George Warrell III to represent Cassia County on the Subcommittee.

#### **COUNTY HEALTH INSURANCE**

The Board reviewed the Stop Loss Disclosure Statement to be used in health insurance renewal negotiations. Upon review a motion was made and seconded to sign the statement.

#### **USFS/BLM**

Scott Nannega reported that the USFS has one wind testing tower up and are working on the other; there is a proposal for two additional towers. The burning season has closed. Pomerelle should be opening soon. They need to transport fish from 8 mile into 6 mile for spawning as long as the snow stays down. The gate has been installed at Lake Cleveland. Mr. Nannega stated that efforts to drill a well to supply Thompson Flat and Lake Cleveland have been unfruitful. They will try on more well site, and if it does not prove out, the two camping sites may not have water.

Mike Courtney reported on BLM matters affecting the area. He indicated that the Resource Management Plan is coming up for review and that a travel planning will also be an upcoming issue.

#### **ROCK CREEK FIRE PROTECTION DISTRICT**

The Board reviewed a letter to Don Dietrich, Director of the Idaho Department of Commerce, regarding a project to construct a new fire station near the City of Kimberly which will serve as the District's headquarters. Upon review a motion was made and seconded to sign and execute the letter.

#### **MEETING WITH MINIDOKA COUNTY COMMISSIONERS**

The Cassia and Minidoka County Boards of Commissioners met together at the Mini-Cassia Criminal Justice Center to conduct the quarterly review of the facility as mandated by statute. The Boards were served lunch, then received a report on operations. Generally all was found to be in order. The review report is on file in the County Administrative Office. Following the jail review, both Boards met at the Cassia Commission Chambers to discuss federal prison siting matters with a representative of U.S. Geothermal. Both Boards also discussed recent Veterans Service Officer matters, and the discontent with moving office space from Burley to Rupert. It was the unanimous consensus of both Boards that the move of the VSO office from Burley to Rupert and into a County facility was in the best interests of both Counties and their respective taxpayers. This being the case the Counties will facilitate no further move.

#### **FEDERAL PRISON SITING MATTERS/US GEOTHERMAL**

Doug Glaspey was present to discuss with the commissioners the DPV Agreement and he stated that they are continuing to work with consultants. The US Geothermal approach is to promote the Raft River site for this purpose. The Commissioners and Mr. Glaspey will continue to discuss siting issues of the prison. Doug Glaspey also discussed Operation Specifics.

**GATEWAY WEST TRANSMISSION LINE MATTERS**

Brent Stoker discussed the NEPA process with the Commissioners and expanding the NEPA study area. Brent stated that there were extension services coming today and there is still room to negotiate with Idaho Power.

**RECESS**

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

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

Laurie Welch, Time News; Benito Baeza, KMVT News;

**ATTEST:**

/s/Wendy L. Marr

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Wendy L. Marr, Deputy Clerk

**APPROVED:**

/s/Dennis D. Crane

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Dennis Crane, Chairman