

COMMISSIONER MINUTES

#592

October 5, 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.

CORRESPONDENCE

The Board reviewed the following:

1. An invitation to a conference from the State of Washington Water Research Center.
2. A letter of concern from the Cache Peak Civic Association.
3. An invitation from East Cassia Soil and Water Conservation District.
4. A thank you letter from the Idaho Transportation Department.
5. A letter from High Country Resource Conservation and Development Area, Inc. requesting a donation.
6. A decision memo from the USDA Forest Service.

CALENDAR

The Board reviewed the calendar for October 2009.

PREVIOUS WEEK'S MINUTES

The Minutes for September 28, 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 October 5, 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	\$26,533.69
INDIGENT FUND	105	\$8,666.66
DISTRICT COURT FUND	106	\$1,456.41
COUNTY ROADS & BRIDGES FUND	107	\$22,490.00
AMBULANCE SERVICE	110	\$39,775.02
REVALUATION FUND	114	\$220.25
911 COMMUNICATIONS FUND	115	\$9,489.02
COUNTY BOAT LICENSE FUND	117	\$1,432.93
JUSTICE FUND	130	\$40,140.00
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$3,400.77
PHYSICAL FACILITIES FUND	144	\$171.68
ADULT MISDEMEANOR PROBATION	149	\$410.92
BOX ELDER CO. BOOKMOBILE TRUST	151	\$4,641.00
	TOTAL	\$158,828.35

EXECUTIVE SESSION

At 9:20am 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)(j) 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 risk management issues, adjustment of pending claim or prevention of claim imminently likely to be filed. Following the discussion, the Board returned to regular session at 9:27am. Following executive session, the Board directed Mr. McMurray to send the notices of tortclaims to ICRMP, but to provide no further response at this time.

EXECUTIVE SESSION

At 9:28am 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. Following the discussion, the Board returned to regular session at 9:45am., and the matter was taken under advisement.

CHANGE OF STATUS

The Board reviewed 3 changes of status forms from the Sheriff's Office. It was moved and seconded to approve the changes of status and roll call vote was unanimous with Commissioner Handy, Commissioner Christensen and Chairman Crane all voting yea.

AGREEMENT

The Board reviewed a letter of response regarding an agreement between Cassia County and a citizen of Malta regarding Byway reconstruction. Upon review, a motion was made and seconded to sign and mail the response letter to the citizen of Malta.

COUNTY ROAD & BRIDGE MATTERS

The Commissioner's discussed the County Road and Bridge progress and stated they are still on schedule. They were due to test a strip of asphalt but due to the change in weather it has been postponed to the end of the week.

AGREEMENT WITH USFS

The Board reviewed an agreement for a special use permit with the USFS to use the area in North Heglar Canyon from grooming shed. Upon review, a motion was made and seconded to sign and execute the agreement.

CITY OF ROCKS

The Board discussed the City of Rocks National Reserve General Management Plan and the comments they will issue. Kerry McMurray will prepare the response for the Board's review, consideration and adoption.

BHC INTERMOUNTAIN HOSPITAL

The Board reviewed an agreement with BHC Intermountain Hospital. Upon review a motion was made and seconded to sign and execute the agreement.

P & Z

The Board discussed the terms of Darrell Whitehead and Dennis James on the Planning & Zoning Commission which are due to expire at the end of the year. Mr. McMurray will contact them to discuss their intentions.

ORDINANCE NO. 2009-10-01

The Board reviewed Ordinance No. 2009-10-01 adopting amendments to Electrical Transmission Corridor section of Comprehensive Plan. After review and discussion, it was moved and seconded to sign and execute Ordinance No. 2009-10-01 and roll call vote was unanimous by the Board.

ICRMP

The Board reviewed the nominations for ICRMP, District IV, Board members.

Commissioner Nance from Lincoln County is interested in continuing his service, and therefore, no nominations were proposed by the Board.

SALES TAX MATTERS

The Board reviewed and discussed a quarterly sales tax, base, excess & revenue sharing report for Cassia County from prior years to present.

EXECUTIVE SESSION

At 10:11am 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 11:05am. Following Executive Session the Board denied case # 2009088, 2009100, 2009103 and 2009091; Heard case #2009094, 2009058, 2009099, 2009092, 2009096, 2009098, 2009059, 2009101 and 206084; Wrote-Off case # 2009101 and Assigned case #206084 to a collection agency. Upon review a motion was made and seconded to sign an Agreement with Homeland Security, US Citizenship and Immigration Services.

POTENTIAL FEDERAL PRISON

The Board met with Winston Inouye to discuss a Consulting Agreement with New West Strategies regarding a potential site for a Federal Prison with a monthly fee of \$5000.00. Mr. Inouye and other members of the Board are searching for other businesses or private individuals who would like to participate with funds for the project. Senator Craig, a member of New West Strategies, is anxious to get started on the appropriate language that needs to be inserted in the bill, so an immediate discussion is needed. Various sites are still being reviewed. The project is estimated to be complete in 4 1/2 to 5 years which would provide approximately 300 - 350 new jobs to the area. The Board will review the matter later today with the Minidoka County Commissioners and come to a decision.

WORKING LUNCH

At 12:00pm the Board met with the Minidoka County Commissioners to discuss Misdemeanor Probation issues. Various questions were asked regarding who and how is probation determined, what would be a suitable number of cases be for a probation officer to handle and various other issues. They discussed the different levels of probation and how they operate. 35% of probationers have prior felony convictions. Cassia County is the only county in Idaho that does not receive tax dollars for the probation program; their funds are derived through fines and costs. Mike Duncan explained how his office works very hard with the probationer's to help find jobs and training, education and proper rehab in efforts of greater success and fewer repeat offenders. There is an effort to organize a uniformed state program in the near future. Also discussed was including a NCIC or Repository report with each case being presented to the judge so they would have a better history of criminal behavior prior to rendering a judgment. Cara Petterson was asked to speak to the clerks to determine who would be able to prepare the report, how much time would be needed to obtain the report and if any training would be necessary. The Board will continue discussion in the future.

CONSULTING AGREEMENT

The Board reviewed and discussed the consulting agreement regarding a potential site for a Federal prison with the Minidoka County Commissioners. Upon review, a motion was made and seconded for both Cassia and Minidoka to sign the consulting agreement for a month to month commitment and continue to look for other partners to assist in funding this agreement.

EXECUTIVE SESSION

At 1:15pm 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 personnel matters. Following the discussion, the Board returned to regular session at 1:45pm and directed Mr. Barrus and Mr. McMurray to send letters of response to an employee concerning requests for information and to a local attorney advising him that his client (a county employee) will be expected to adhere to relevant County Personnel Policy. Additionally, the Mini-Cassia Misdemeanor Probation Office Joint Powers Agreement will be rewritten to provide that day to day administration of the office will be under direction of the Joint Jail Executive Board, instead of the Cassia County Clerk. This executive board will be involved with all personnel issues, including but not necessarily limited to hiring, disciplining and termination matters.

RECESS

Meeting was recessed until 9:00 a.m., Monday, October 19, 2009.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Margi Owens, Weekly News Journal; Lori Welch, Times News; Judge Mick Hodges and Judge Rick Bollar, Magistrate Judges; Sheriff Randy Kidd; Kevin Halverson, Minidoka Sheriff's Office.

ATTEST:

APPROVED:

Wendy L. Marr, Deputy Clerk

Dennis Crane, Chairman