

COMMISSIONER MINUTES

#595

September 27, 2010

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; Dee Yeaman, Clerk of the Board, and Kerry D. McMurray, County Administrator, present.

INTRODUCTION OF SOLID WASTE DIRECTOR

Dave Lore was introduced to the Board by Commissioner Handy. Dave is the newly appointed director of Southern Idaho Solid Waste. Dave updated the Commissioners about the plans he has for managing the landfill.

COUNTY ROAD

Sam Adams reported on the John Deere grader that the road crew had tested. He proposed to the Board that the County wait until next year to try to purchase a new grader in the 2012 budget.

Sam presented proposals from three engineering firms to provide engineering for the bridge at the EY junction near Almo. The proposals were as follows; Paragon Engineering, \$6,000.00 Butler Engineering, \$6,800.00 Civil Science, \$19,410.00 Mr. Adams proposed to the Board that he be allowed to gather prices on the material needed to put a culvert in and have the County Crew install the culvert and irrigation diversion pipe. A motion was made by Commissioner Christensen and seconded by Commissioner Handy to accept the proposal of \$6,000.00 from Paragon engineering and to instruct Mr. Adams to proceed in gathering material cost estimates for the project. Commissioners Crane, Handy and Christensen voted yea.

Sam reported on a proposed building construction project at the shop location near Almo. He proposed that the road crew build the building as time allows. A motion was made by Commissioner Christensen and seconded by Commissioner Handy to have Mr. Adams determine if the project could be done within the 2011 budget and if so to proceed. Commissioners Crane, Handy and Christensen voted yea.

PREVIOUS WEEK'S MINUTES

The Minutes for September 13, 2010 were discussed. A motion was made and seconded to approve. Roll call vote was unanimous with Commissioner Handy, Commissioner Christensen and Chairman Crane all voting yea.

CALENDAR

The Board reviewed the calendar for Sept. 2010.

CORRESPONDENCE

The Board reviewed the following:

DEPARTMENT HEAD MEETING

At 9:45 a.m. the Board conducted a Department Head Meeting with reports from the following:

TREASURER: Gayle Erekson reported that the treasurers' office was getting ready for

the property tax payment season. She also expressed some concern for the lack of communication between departments in the relocation of the AS400 equipment.

JAIL: Rob Neiwert reported on the current population statistics at the jail. He also reported that the jail was inspected by the Department of Corrections and also by the US Marshals. No negative issues were reported from the inspections. Rob reported that there were some complaints from the inmates about the new food service providers. He stated that the meals were meeting the nutritional standards required.

Russ Rasmussen reported that the staff was involved in the annual training workshops. There is one officer going to attend POST. He also reported that the jail was down four employees of being fully staffed

WEED DEPT.: Gordon Edwards reported on the fall, post harvest weed control work that was being done. He reported that the BLM is requiring that hay taken on BLM ground be certified.

SHERIFF: Sheriff Kidd reported that installation of new computer equipment was nearing completion. He reported that one officer had graduated from POST. A discussion was held on the issues of PEP-SPICE and that legislation was being proposed in the state to make it illegal. County Prosecutor Al Barrus was counseled to consider working on a County Ordinance to make PEP-SPICE, and other named products that synthetically mimic marijuana, illegal in Cassia County.

ASSESSOR: Marty Holland reported on work being done with property splits. He reported of efforts being made to accommodate the transition to the newly elected Assessor.

EXTENSION OFFICE: Joel Packham reported on the success of the livestock sale at the Cassia County Fair. He also reported that negotiations were underway with CSI for the rent on office space for the Extension Office. CSI was asking the rent be raised to \$11,900.00

CLERK: Dee Yeaman reported that preparations were being made for the November general election. He also reported that the workload of posting traffic citations was heavy following the Labor Day weekend, however when the ISP starts entering those citations electronically the work load could be reduced substantially. This could begin as soon as Jan. 1 2011.

PROSECUTOR: Al Barrus reported that there are several jury trials scheduled in the near future. He also reported that he was dealing with staffing issues and was taking applications for positions in his office, but was not receiving many.

ADMINISTRATOR: Kerry McMurray reported that the building department and the compliance officer were busy. He reported that the elevator in the Court House was repaired and it is now in operation. He reported that the mapping dept. was working well for both the Administrative office and the Assessors office.

FEE CHANGE-WATER CRAFT

The Board discussed changing fees for collection of water craft fees by tax collector. A motion was made by Commissioner Christensen and seconded by Commissioner Handy to proceed with the process of changing fees and to set a hearing date for October 18. Commissioners Crane, Handy and Christensen voted yea.

REQUEST TO CANCEL TAXES/PACIFIC ETHANOL

Mr. Barrus reviewed a letter from Pacific Ethanol requesting cancellation of taxes at the Burley facility. Assessor, Marty Holland reported that they had missed the deadline for the appeal process and Mr. Barrus felt that there was not a legal avenue that the County could take to approve the request. He advised that the request be denied and inform Pacific Ethanol that they bring their request next year prior to the deadline for appeals. A motion was made by Commissioner Handy and seconded by Commissioner Christensen to deny the request and to have a letter drafted to inform Pacific Ethanol of the County's position and inform them of their options for the next year. Commissioner Crane voted yea. Commissioner Handy voted yea. Commissioner Christensen voted yea.

COUNTY EXPENDITURE

The Board reviewed the County's Payables Approval Report dated September 24, 2010. 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	\$9,777.83
INDIGENT FUND	105	\$5,977.25
DISTRICT COURT FUND	106	\$40.40
COUNTY ROADS & BRIDGES FUND	107	\$37.87
WEED & PEST FUND	108	\$0.29
AMBULANCE SERVICE	110	\$6,000.00
911 COMMUNICATIONS FUND	115	\$1,759.17
JUSTICE FUND	130	\$71,682.06
EMERGENCY MEDICAL SERVICE FEES	133	\$6,499.98
PHYSICAL FACILITIES FUND	144	\$1,397.43
ADULT MISDEMEANOR PROBATION	149	\$1,953.54
	TOTAL	\$105,125.82

EXECUTIVE SESSION

At 11:17 a.m. 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. Susan Keck presented case # 2010127, 2010108, 2010120, 2010119, 2010109, 2010107, 2010129, 2010126, and 2010125. The Board signed Notice of Lien and Application for Medically Indigent Benefits on case # 2010130, 2010128, 2010127, 2010126, 2010125, 2010119, 2010124, 2010123, 2010122, 2010121, 2010120, 2010131. The Board signed Order of Dismissal on case # 2010067, and 2010091. The Board signed Finding of Facts on case # 2010083, 2010064, and 2010063. The Board signed Assignment to Collection on case # 201086, 205135, and 2009026. The Board signed Release of Medically Indigent Lien on case # 2010067, 2010110, 2010091, 2010103, 2010104. The Board signed Certificate of Denial on Case # 2010107, 2010109, and 2010125. The Board signed Certificate of Approval on case # 2010129, 2010126, 2010125, 2010063. The Board signed Certificate of Reimbursement on case # 2010063, and 2010125. Following the discussion, the Board returned to regular session at 11:38 a.m. The Board reconvened at 1:37 p.m. and returned to regular session at 2:02 p.m.

EXECUTIVE SESSION

At 11:55 a.m. 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 11:59 a.m.

EXECUTIVE SESSION

At 1:24 p.m. 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 1:28. The Board reconvened in Executive Session at 2:18 p.m. and returned to regular session at 2:40 p.m.

BUDGET MATTERS

Clerk Yeaman reported to the Board that due to unforeseen costs in the primary election, attributed to multiple ballots, the election budget was overdrawn to the amount of \$11,362.94. A motion was made by Commissioner Christensen and seconded by Commissioner Crane to transfer the amount of \$11,362.94 from the general fund to the elections fund. Commissioner Crane voted yea and Commissioner Christensen voted yea. Commissioner Handy was absent.

OTHER BUSINESS

1. Mr. McMurray reported on the status of the Memorandum of Understanding with the parties involved with the gateway transmission line issues.
2. Mr. McMurray reviewed a Letter from Lake County California regarding Federal Geothermal Regulations.
3. The Board reviewed a recommendation from Planning and Zoning for a rezone of the old Hobson Beet transfer site to allow for a Propane Gas distribution facility. The Board instructed Mr. McMurray to have the Planning and Zoning Commission to move forward with the issue and schedule a hearing on the matter.
4. The Board reviewed an application for credit with Cate Idaho Equipment Company to allow the Jail to purchase items from Cate. A motion was made and seconded to send the application to Cate with Commissioners Crane, Handy, and Christensen voting yea.
5. A discussion was held on the issue of Bonding/Decommissioning of wind towers. The Board sent recommendation to the Planning and Zoning Commission to consider amending the wind farm ordinance to address these issues.
6. The Board reviewed the status of the Cassia Creek Irrigation District formation. A hearing will be scheduled for November 8.
7. Mr. McMurray reported on County Building Matters and stated that the elevator

in the Court House has been repaired. The cost of the repairs totaled \$5,332.00

USFS/BLM

The Board met with Scott Nannenga from the USFS and Mike Courtney from the BLM. Scott reported that the water well being drilled to provide drinking water for the Lake Cleveland camp ground had not produced any water. He also reported of trees being taken out near pomerelle to allow growth of aspen trees. Test holes will be drilled at Black Pine to determine the feasibility of further gold mining in the area. Mike reported of erosion mitigation work that was being done in burn areas and stated that BLM ground was currently in a high fire danger status.

LUNCH

At 12:00pm the Board departed for a Jail inspection where lunch was served.

RECESS

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

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Stephanie Hansen, Weekly News Journal;
Laurie Welch, Times News

ATTEST:

/s/Dee Yeaman

Dee Yeaman, Clerk

APPROVED:

/s/Dennis D. Crane

Dennis Crane, Chairman