

COMMISSIONER MINUTES

April 11, 2011

The Cassia County Board of Commissioners met this day with Chairman Dennis Crane, Paul Christensen and Bob Kunau, Board Members; Alfred E. Barrus, Prosecuting Attorney; Joseph W. Larsen, Clerk of the Board, and Kerry D. McMurray, County Administrator, present.

PREVIOUS WEEK'S MINUTES

The Minutes for April 4, 2011, were discussed. A motion was made and seconded to approve. Roll call vote was unanimous with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.

CALENDAR

The Board reviewed the following calendar items:

1. DARE graduation for White Pine Intermediate School to be held at the King Fine Art Center on Wednesday May, 4, 2011
2. Joint Jail meeting on Tuesday, April 12, 2011
3. IAC District IV meeting at the Jerome Courthouse on Wednesday, April 13, 2011
4. Solid Waste Board interviews for Director position on Friday, April 15, 2011
5. Minidoka Dam State Park Stakeholders meeting at 10:30 a.m. on Saturday, April 16, 2011
6. Meeting for Administrator McMurray and Chairman Crane with the Almo Water Company on Wednesday, April 13, 2011

CORRESPONDENCE

The Board reviewed the following correspondence items:

1. Thank you from the family of George Warrell, III, for flowers for the funeral of his father
2. Bonneville Power Administration *Journal* for April 2011
3. University of Idaho College of Agriculture and Life Sciences *AgKnowledge* #266, 2011

COUNTY EXPENDITURES

The Board reviewed the County's Payables Approval Report dated April 8, 2011. A motion was made and seconded to approve the report and the roll call vote was unanimous with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.

CURRENT EXPENSES	104	\$85,215.40
INDIGENT FUND	105	\$21,246.76
DISTRICT COURT FUND	106	\$920.80
COUNTY ROADS & BRIDGES FUND	107	\$2,939.51
WEED & PEST FUND	108	\$8,797.54
REVALUATION FUND	114	\$912.54
911 COMMUNICATIONS FUND	115	\$7,214.57
COUNTY ELECTION FUND	116	\$1,845.99
COUNTY SNOWMOBILE FUND	118	\$268.10
JUSTICE FUND	130	\$31,545.64
D.A.R.E TRUST	137	\$147.40

PHYSICAL FACILITIES FUND	144	\$1,073.96
ADULT MISDEMEANOR PROBATION	149	\$5,392.61
	TOTAL	\$167,520.82

CHANGE OF STATUS

The Board reviewed four (4) Request for Change of Status forms. Justin Jay Jackson as a new hire as a Detention Officer, Nicole Jeneath McCallum for rate of pay increase for physical fitness evaluation, and David Luke Wells for rate of pay increase for physical fitness evaluation, all in the Mini-Cassia Criminal Justice Center; and Brian K. Hunsaker as a new hire as Deputy – Patrolman in the Cassia County Sheriff’s Office. It was moved and seconded to approve the changes of status and roll call vote was unanimous with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.

EXECUTIVE SESSION

At 9:30 a.m. it was proposed by Commissioner Christensen and seconded by Commissioner Kunau 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 Kunau 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 9:46 a.m. with the matter being taken under advisement.

EXECUTIVE SESSION

At 9:47 a.m. it was proposed by Commissioner Christensen and seconded by Commissioner Kunau that the Board convene in Executive Session under Idaho Code Section 67-2345(1)(c) with Commissioner Christensen voting yea, Commissioner Crane voting yea, and Commissioner Kunau voting yea. The purpose and general tenor of the meeting was to discuss acquiring an interest in real property which is not owned by a public agency. Following the discussion, the Board returned to regular session at 10:04 a.m., with the matter being taken under advisement.

BOARD OF EQUALIZATION

At 10:26 a.m. the Board went into Board of Equalization by motion from Commissioner Christensen, seconded by Commissioner Kunau, followed by a unanimous yea vote. Attorney William A. Parsons on behalf of The Mini-Cassia Commerce Authority requested a property tax exemption by application under Idaho Code Subsection 70-2206 (6). Commissioner Christensen made a motion to approve the exemption as requested, seconded by Commissioner Kunau, followed by a unanimous yea vote. The Board returned to regular session at 10:32 a.m.

BOARD OF EQUALIZATION APPEAL HEARING

This is an appeal hearing for S & W, LLC, Troy Winmill, Assessors ID #RPB2N01000020A. At 10:35 a.m. Commissioner Christensen made a motion to go into a Board of Equalization hearing, seconded by Commissioner Kunau, followed by a unanimous yea vote. In attendance at the hearing were Troy Wade Winwill and Assessor Dwight Davis, who were both sworn in by Clerk Larsen. These proceedings were digitally recorded which recording is in the possession of the Clerk’s office. As the hearing ended, Assessor Davis was asked for

any legal authority that would allow for relief to be granted, as was requested by taxpayer. He will try to provide that later today. This being the case, the matter was taken under advisement. At 10:55 a.m. Commissioner Christensen made a motion to go back to regular session, seconded by Commissioner Kunau, followed by a unanimous yea vote., with the matter being taken under advisement.

EXECUTIVE SESSION

At 10:58 a.m. it was proposed by Commissioner Christensen and seconded by Commissioner Kunau 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 Kunau 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 11:09 a.m. with the matter being taken under advisement.

EXECUTIVE SESSION

At 11:10 a.m. it was proposed by Commissioner Christensen and seconded by Commissioner Kunau 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 Kunau 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 11:18 a.m., with the matter being taken under advisement.

EXECUTIVE SESSION

At 11:20 a.m. it was proposed by Commissioner Christensen and seconded by Commissioner Kunau 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 Kunau voting yea. The purpose and general tenor of the meeting was to discuss medical indigent matters. Welfare Director Susan Keck presented a review and subsequent hearing with applicant on Case #2010-160. The Board will take that matter under advisement. The Board considered a request for relief from the Voluntary Income Tax Refund Payment Program on Case #2010-148. The Board approved relief from half of the applicant's tax refunds based on positive payment record. Present to the Board of Case # 2011-036, # 2011-035, and # 2011-034; Order of Dismissal on Case # 2010-163, and # 2010-019; Stipulation for Enlargement of Time Limitations on Case # 2010-153; Release of Medically Indigent Lien on Case # 203122, # 2010-024, # 2010-163, # 99086, # 2010-019; Notice of Continuance of Hearing on Case # 2010-153; Certificate of Approval on Case # 2011-033, # 2011-032, and # 2011-048; Order of Reimbursement on Case # 2011-032; Certificate of Denial on Case # 2011-024, # 2011-029, and # 2011-046. Following the discussion, the Board returned to regular session at 11:56 a.m.

BOARD OF EQUALIZATION RECONVENED

At 11:58 a.m. Commissioner Christensen moved to reconvene the Board of Equalization, seconded by Commissioner Kunau, followed by a unanimous yea vote. Assessor Davis provided further information regarding any legal basis for relief on the Winmill appeal. Following discussion Commissioner Christensen made a motion to sustain the Assessor's denial of relief to Mr. Winmill's appeal for exemption as there was no legal basis for relief as requested, seconded

by Commissioner Kunau, followed by a unanimous yea vote. At 12:03 p.m. Commissioner Kunau made a motion to return to regular session, seconded by Commissioner Christensen, followed by a unanimous yea vote.

EXECUTIVE SESSION

At 12:04 p.m. it was proposed by Commissioner Christensen and seconded by Commissioner Kunau that the Board convene in Executive Session under Idaho Code Section 67-2345(1)(c) with Commissioner Crane voting yea, Commissioner Christensen voting yea, and Commissioner Kunau voting yea. The purpose and general tenor of the meeting was to discuss risk management issues, concerning labor negotiations. Following the discussion, the Board returned to regular session at 12:40 a.m. Thereafter, it was directed that a letter be prepared for the Commissioners to remit on contract negotiations.

OTHER BUSINESS MATTERS

1. Discuss and execute Homeland Security Grant signatures – Sheriff Kidd received a message from Homeland Security amending the 2007 Homeland Security Grant from \$82,655.87 up to \$82,808.28 and requested the signature of approval from the Board.
2. The Board reviewed the Veteran’s Advisory Board draft minutes dated March 17, 2011. Chairman Beedle of that Board indicated that their next meeting would be on June 2, 2011.
3. The Board was to review proposed Resolution No. 2011-009, the Treasurer Authorization Investment Policy. Treasurer Patty Justesen expressed a desire to review and provide input on the matter, and so it was tabled to allow her to address any concerns regarding changes. Commissioner Christensen made a motion to table, seconded by Commissioner Kunau, followed by a unanimous yea vote.
4. The Board reviewed a letter of request to Clerk Larsen from the Idaho State Animal Damage Control Board to include in the budget FY2012 the amount of \$2,500. That reflected a \$500 increase from the budgeted amount for the current fiscal year. Commissioner Christensen made a motion to recommend it be kept at the same rate as this fiscal year, seconded by Commissioner Kunau, followed by a unanimous yea vote.
5. The Board reviewed an Idaho Liquor Catering Permit application on behalf of the Sports Shop for a wedding reception at the Marsh Creek Events Center. Loyal Egbert from the Sheriff’s Office had been made aware of the event and had already signed the license. A motion to approve and sign was made by Commissioner Christensen, seconded by Commissioner Kunau, followed by a unanimous yea vote.
6. Twenty-Nine (29) CSI Residency applications were reviewed by the Board. Commissioner Christensen made a motion to accept those applications, seconded by Commissioner Kunau, followed by a unanimous yea vote.

LUNCH

At 12:45 p.m. the Board departed for lunch at Stevo’s.

RECESS

Meeting was recessed until 9:00 a.m., Monday, April 18, 2011

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Stacey Hughey, Weekly News Journal

ATTEST:

/s/
Joseph W. Larsen, Clerk

APPROVED:

/s/
Dennis Crane, Chairman