

# COMMISSIONER MINUTES

February 14, 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. Commissioner Christensen was excused at 11:20 a.m. to attend a funeral.

## PREVIOUS WEEK'S MINUTES

The Commissioner Minutes for January 31, 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.

## CORRESPONDENCE

The Board reviewed the following:

1. Letter from Rep Mike Simpson regarding support of extending the geothermal royalty shares that counties receive under the Energy Policy Act of 2005.
2. Invitation from the Cache Peak Civic Association to attend their meeting to discuss the establishment of a new road board for the Elba-Almo area.
3. A Thank You note from the Prosecuting Attorney's Office for the employee gift certificates for Christmas.
4. A notice of Source Water Protection Grant availability from the Idaho Department of Environmental Quality.
5. The February 2011 Journal from the Bonneville Power Administration.
6. An invitation to Medicaid Matters community rally at the Cassia County Courthouse Park on Saturday, February 19<sup>th</sup> from 12:00 to 12:30 p.m.
7. Idaho Transportation Department letter of local share of costs for Cassia County.

## CALENDAR

The Board reviewed the following:

1. 4H Banquet at the Art Building at the Fairgrounds at 6:30 p.m. Tuesday, February 15, 2011
2. Commissioner Christensen to be excused from Commissioner Meeting on Monday, March 14, 2011
3. Public Defender and Jail Meeting on Tuesday, February 22, 2011
4. RC&B meeting on Tuesday, February 22, 2011
5. P&Z meeting on Thursday, February 17, 2011

## COUNTY EXPENDITURES

The Board reviewed the County's Payables Approval Report dated February 11, 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	\$11,491.60
INDIGENT FUND	105	\$28,052.50

DISTRICT COURT FUND	106	\$1,544.92
COUNTY ROADS & BRIDGES FUND	107	\$69,807.97
WEED & PEST FUND	108	\$3,844.88
REVALUATION FUND	114	\$1,793.92
911 COMMUNICATIONS FUND	115	\$9,552.68
COUNTY ELECTION FUND	116	\$402.14
COUNTY SNOWMOBILE FUND	118	\$2,276.42
JUSTICE FUND	130	\$64,197.19
PHYSICAL FACILITIES FUND	144	\$870.71
ADULT MISDEMEANOR PROBATION	149	\$11,947.13
	<b>TOTAL</b>	<b>\$205,782.06</b>

### CHANGE OF STATUS

The following Request for Change of Status forms were presented to the Board: the Criminal Justice Center hiring of David Evans Daniel Potter as Detention Officer, the Sheriff's Department promotion from Corporal – Patrolman to Corporal – Investigation for Jason B. Rogers, and the County Building Department hiring of Justin Dickson in maintenance, 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.

### MEETING WITH CASSIA REGIONAL MEDICAL CENTER ADMINISTRATOR

Rod Barton, Administrator of the Cassia Regional Medical Center introduced himself. He came from Powell, Wyoming and has served as administrator since September of 2010. Commissioner Christensen has been appointed as a new member of their Board and former Commissioner Clay Handy will continue on their Board as an at-large member. Barton discussed the mission of the hospital, financial performance, and the implications of the Federal Health Reform Act.

### ANNUAL MEETING OF THE EAST & WEST SOIL & WATER CONSERVATION DISTRICTS

The East and West Soil and Water Conservation Districts met with the Board for their annual meeting at 9:30 a.m. In attendance were the following : Administrative Assistant, Megan Heward; East Cassia President, Mark Streeter; West Cassia President, Richard Kunau; East Cassia Vice Chairman, Mark Webb; West Cassia Secretary/Treasurer, Tia Mullins; and West Cassia Members, Brent Stoker and Kathy Poulton. Streeter introduced Megan Heward as the new Administrative Assistant. The District reported on the annual convention held in Burley that brought in 200 people as well as their hosting of the Idaho State Soil Evaluation event. The Performance Report for East Cassia Soil and Water Conservation District was reviewed for the Fiscal Year 2010. They requested additional funding from the Board. Commissioner Christensen advised them of the potential funding cutbacks the County will be experiencing. The Board will take their request under advisement.

### MEETING WITH REPRESENTATIVES OF FEDERAL LEGISLATIVE DELEGATION

Representing the federal legislative delegation were the following: A. J. Church – U.S. Senator Mike Crapo, Mike Mathews – U.S. Senator James Risch, and Linda Culver – U.S.

Congressman Mike Simpson. Chairman Crane addressed concerns regarding the lost Geothermal Lease, Secretary of the Interior Salazar's "Wild Lands" designation, and the possible adoption of neighboring county's proposed power corridor as a national corridor. Commissioner Christensen addressed budget issues, PILT, property tax, and unfunded mandates.

Linda Culver – Rep. Simpson's is in support of language to stop funding for "Wild Lands" designations and is in favor of renewal of the lost Geothermal Lease.

A.J. Church – Sen. Crapo will support continuing current funding of PILT with other western states but will not know the outcome until the budgets are set. PILT will still be funded through 2013.

Mike Mathews – Sen. Risch is stressing the use of some dollar values to indicate the difficulty we are in financially on a national basis. \$3.8 trillion is President Obama's budget, \$2.2 trillion in revenues, a \$1.6 trillion deficit, and we are currently borrowing 40 cents on every dollar.

### **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 11:13 a.m.

### **EXECUTIVE SESSION**

At 11:14 a.m. it was proposed by Commissioner Kunau 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 Kunau voting yea. The purpose and general tenor of the meeting was to discuss medical indigent matters. Welfare Director Susan Keck presented and the Board approved the following: Certificate of Denial on Case # 2011-010 and #2011-004; Stipulation for Enlargement of Time Limitations on Case #2010-145, #2010-154, and #2010-135; Notice of Lien and Application for Medically Indigent Benefits for Case #2011-015, #2011-014, #2011-013, #2011-012, #2011-011, #2011-020, #2011-021, and #2011-022; Release of Medically Indigent Lien on Case #2010-150, #200025, #200086, #2010-169, and #2010-101; Order of Dismissal on Case #2010-169, #2010-150, and #2010-101; Certificate of Approval on Case #2010-164, #2010-172, #2010-092, #2010-019, and #2011-016; Order of Reimbursement on Case #2010-164, #2010-172, and #2010-092; Certificate of Approval for Additional Treatment on Case #2010-142; and an Appeal Hearing on Case #2010-100. It was decided to take under advisement the findings of said appeal. Following the discussion, the Board returned to regular session at 12:05 p.m.

### **OTHER BUSINESS ITEMS**

1. The Board reviewed Resolution No. 2011-001, a resolution amending Resolution No. 2010-028 setting a service fee for collection of special assessments for water districts by the Tax Collector. The new resolution changes that assessment from \$1.50 per water user to \$1.50 per water right. Commissioner Christensen made a motion to approve and adopt Resolution No. 2011-001, seconded by Commissioner Kunau, followed by a unanimous

yea vote.

2. The Board reviewed Resolution No. 2011-002, a resolution authorizing the destruction of semi-permanent Auditor's Certificates and Receipt records in the Recorder's Office that have been retained the required statutory minimum time. Commissioner Christensen made a motion to approve and adopt Resolution No. 2011-002, seconded by Commissioner Kunau, followed by a unanimous yea vote.
3. The Board reviewed an Application and Permit to Use Right-of-Way from ATC Communications to plow and bore a 1 ¼ inch conduit along a section of the Elba-Almo Road for a fiber optics cable. A condition was set to develop and follow a Weed and Vegetation Plan with the County Weed Department. A motion to grant permission with the preceding condition was made by Commissioner Christensen, seconded by Commissioner Kunau, followed by a unanimous yea vote.
4. Cassia County Health Benefits were discussed by the Board. Administrator McMurray indicated that further review of policy provisions and exclusions needed to be done with Bowen Insurance Company. A motion was made by Commissioner Christensen to agree and sign an Excess Loss Insurance Policy through Standard Security Life Insurance Company of New York, seconded by Commissioner Kunau, followed by a unanimous yea vote. Further, a motion was made by Commissioner Christensen to sign an election for a HIPAA Opt-Out exempting the Cassia County Employee Benefit Plan in the application for certain limits to mental health benefits, seconded by Commissioner Kunau, followed by a unanimous yea vote.
5. Chairman Crane discussed the invitation and his intention to attend the Cache Peak Civic Association on March 3<sup>rd</sup> regarding the creation of a new road board. He also discussed the guardrail placement in the Big Fill area in Elba.
6. The Board reviewed the Scoping Package for the BLM Raft River Valley Geothermal Leasing Nomination. The Board determined to comment on zoning issues for the area and water quality and quantity impacts.
7. The Board reviewed the USFS Scoping Document regarding the Sublett Fuels – Vegetation Project including the treatment and commercial harvesting of Aspen and Douglas Fir trees. The Board asked Administrator McMurray to prepare a letter of support of the proposed treatments.
8. At 1:45 p.m. Chairman Crane made a motion to go into session to consider Board of Equalization matters, seconded by Commissioner Kunau, followed by a unanimous yea vote. Assessor Davis presented Deleted Homeowners Exemptions from January 28, 2011 to February 10, 2011. Chairman Crane made a motion to accept those exemptions, seconded by Commissioner Kunau, followed by a unanimous yea vote. The Board returned to regular session at 1:49 p.m.
9. The Board discussed the use of promotional cards for Simplifile in the Recorder's Office. It was determined that most title companies who do electronic record filing are already using that process.
10. Todd Quast, on behalf of the Sheriff's Office 911 program, presented a proposed purchase of a third software seat for dispatch of ProQA Software Stations CAD NAE for \$3300.00, three (3) portable UHF digital portable radios totaling \$2211.21, and three (3) digital mobile radios totaling \$2098.44. Commissioner Christensen made a motion to approve that purchase, seconded by Commissioner Kunau, followed by a unanimous yea

vote.

11. Assessor Davis, Clerk Larsen, and Treasurer Justesen discussed with the Board items talked about at the Idaho Association of Counties meeting in Boise. Items of concern were unfunded mandates, potential cuts in sales tax revenue sharing, potential reduction of Federal PILT money, and elected official responsibilities, procedures, and guidelines.
12. One hundred forty-three (143) CSI Residency Applications were reviewed and a motion to approve those applications was presented by Commissioner Kunau, seconded by Commissioner Christensen, followed by a unanimous yea vote.
13. Administrator McMurray discussed with the Board the possibility of having a 12:00 p.m. Friday deadline for submitting Board agenda items for the following Monday to enable timeliness in the legal posting and email dissemination to department heads.
14. Andrew Giesbrecht, who had filed a conditional use permit for poultry close to residential and agricultural zones, which was not pursued, asked for a refund of the application fee. Where not much time had been expended by the county, McMurray suggested it was appropriate to refund the entire amount. Commissioner Christensen made a motion to make that refund, seconded by Commissioner Kunau, followed by a unanimous yea vote.

#### **LUNCH**

At 12:20 p.m. the Board departed for lunch at Perkins, where legislative issues and the meeting with the Idaho Association of Counties were discussed.

#### **RECESS**

Meeting was recessed until 9:00 a.m., Monday, February 28, 2011.

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

Laurie Welch, The Times News; Renee Wells, The Voice; Stacey Hughey, The News Journal

**ATTEST:**

/s/ \_\_\_\_\_  
Joseph W. Larsen, Clerk

**APPROVED:**

/s/ \_\_\_\_\_  
Dennis Crane, Chairman