



BOARD OF COUNTY COMMISSIONER MINUTES

June 27, 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 June 20, 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. The Minutes for June 24, 2011, from the Board's Special Meeting with the Gateway West Transmission Line Task Force 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.

ADD TO AGENDA

An issue regarding County employee text messaging for business purposes was presented after public posting of the agenda. Commissioner Christensen made a motion to add that discussion to the agenda, seconded by Commissioner Kunau, followed by a unanimous yea vote.

CALENDAR

The Board reviewed the calendar.

1. Solid Waste Meeting on June 29, 2011, at 10:00 a.m.
2. Patriotic Program on July 3, 2011, at 6:00 and 8:30 p.m. at the King Fine Arts Center
3. Chamber of Commerce Economic Development Meeting
4. Idaho Citizen Commission for Reapportionment 2011 Public Hearing on June 28, 2011, at 7:00 p.m. at the Little Theater at Burley High School
5. Emergency Planning Committee Meeting at Boise Packaging
6. County auction for surplus property to be held on July 14, 2011, at 5:30 p.m.
7. 5th Judicial District Drug Court Graduation on June 29, 2011, at 6:30 p.m. at the CSI Recital Hall

CORRESPONDENCE

The Board reviewed the following:

1. Letter from the Region IV Development District requesting membership dues in the amount of \$2844. The Board will review that request during budget workshops.

COUNTY EXPENDITURES

The Board reviewed the County's Payables Approval Report dated June 27, 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	\$8,218.20
DISTRICT COURT FUND	106	\$775.60
COUNTY ROADS & BRIDGES FUND	107	\$13,720.99
WEED & PEST FUND	108	\$161.62
HISTORICAL SOCIETY FUND	112	\$6,250.00
ASSESSOR TRUST FUND	123	\$103.58
JUSTICE FUND	130	\$1,428.35
COURT BOND FUND	138	\$92.50
PHYSICAL FACILITIES FUND	144	\$576,681.28
ADULT MISDEMEANOR PROBATION	149	\$3,779.60
	TOTAL	\$611,211.72

CHANGE OF STATUS

The Board reviewed three (3) change of status forms from the Mini-Cassia Criminal Justice Center. A raise in the rate of pay for Detention Officer Ryan Lyman Dixon for certification and as new Detention Officer hires, Angus Ross Merrell and Jacob Coleman Mitchell. 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.

DIRECT DEPOSIT SHERIFF BENOVOLENT ASSOCIATION

Sheriff's Deputy Shannon Taylor, president of the Sheriff's Benevolent Association presented that their association has been revitalized. Taylor asked that Sheriff's Office employees be allowed to have volunteer contributions taken from their paychecks on behalf of their association. Auditor Larsen suggested that there be criteria established regarding the frequency of changes requested for those volunteer contributions. Commissioner Christensen made a motion that the Sheriff Benevolent Association work with the Auditor's Office to facilitate those volunteer donations, seconded by Commissioner Kunau, and followed by a unanimous yea vote.

SOUTHERN IDAHO TOURISM – DEBBIE DANE

Debbie Dane from Southern Idaho Tourism discussed their group's services to bring people to our area and to have them return again. She talked about their "Stay and Play Guide" and indicated that things are improving with occupancy staying steady even though meetings held in the area have decreased. Dane indicated that they use funding from counties for the sixteen (16) page booklet and they also want to create a mobile application representing tourism concerns. She expressed appreciation to Cassia County and requested consideration for the annual contribution they have received in the past in the amount of \$700.

DEPARTMENT HEAD MEETING

Sheriff (Randy Kidd) – Kidd indicated that Mapper, Todd Quast just returned from attendance at a 911 conference. Quast reported that Cassia County is heading in the right direction and is right on track with 911 services from what he learned at this conference. Kidd

reported that things are going well and that there aren't any issues that need to be reported. His department is down one (1) patrol officer and is currently taking applications.

Treasurer (Patty Justesen) – Justesen reported that they just concluded with June tax collections. Collections are statistically .0022% below last year's collections. Administrator McMurray reported that a new ordinance for a warrant of distraint fee of ten dollars (\$10) that will take effect on July 1, 2011.

Extension Office (Joel Packham) – Packham reported on Medusa Head Rye that is currently seen on many roadways and a newsletter will come out next week regarding this. This annual grass sprouts in the fall and roots grow all winter long allowing it to flourish in the spring. It is a big concern as it is a tremendously invasive range invader as it takes water away from other plants around it. It also gets on roadways and vehicles carry it to other areas. Weed Supervisor, Gordon Edwards was unable to be to the department head meeting and wanted the Packham to report this issue to the Board since he was not able to be in attendance. It will be devastating to the range area.

Packham just returned from a 4-H camp with twenty-one (21) youth from five (5) area counties. The Leader's Council paid nine hundred dollars (\$900) in scholarships which amounted to fifty dollars (\$50) per youth to cover their costs. He reported that eighteen (18) children have been involved in with archery and there will be a district event on July 16, 2011. Rosie Davids is teaching a sewing class in Elba. He reported that rust in the grain is in epidemic proportions. Those who didn't spray early with weed control may lose most of their crop as spring weed control spraying was the only thing that has been able to stop it. It is too late to help with winter grain and almost too late for the spring grain as well. There will be a grain tour for the Mini-Cassia area in Rupert starting on July 7, 2011. Vendors in the area will supply lunch. The Board questioned Packham and asked for further explanation about Rosie David's 4H Conference that involved a cruise and attendant costs submitted for reimbursement.

Mini-Cassia Criminal Justice Center (Darwin Johnson & Russ Rasmussen) – Rasmussen reported on the current jail population. They are trying to get a commitment for more pen holds. ICE inspections were held last month and Rasmussen indicated that they were deficient in five (5) five of thirty-five (35) areas. Some were repeat deficiencies such as key and lock control and some of those issues have been corrected. The suicide prevention and intervention log showed some deficiency, their fire plan needed to be approved by the Burley Fire Department, hazardous material disposal for sharps need to be disposed of properly, their barber is supposed to maintain their own cleaning rather than jail personnel, and there needs to be instructions at every post position. They have corrected some issues and are working on finishing the rest. An inventory of nurse tools also needs to be completed. They have ninety (90) days to report to ICE on compliance.

They have hired two new Detention Officers and there is one more Detention Officer and one more Jail Tech position still to fill. Training is currently being conducted with the Sheriff's Department.

Clerk (Joseph W. Larsen) – Larsen reported on Judge Crabtree's appreciation for providing them with a big screen flat panel monitor for the District Courtroom. He reported on cross-training with our Court Assistance clerk to cover various clerk responsibilities when there is illness or vacations. The Recorder's Office is working closely with the Genealogical Society of Utah, who currently is working in the courthouse to digitize microfilm. That will allow the

County to send old Court and Recorder documents to the Idaho Historical Society for preservation. We have a potential for a taxing district election to be held in August. The Auditor's office is currently conducting budget workshops for department head budgeted expenditures. There will be Court Assistance and Jury Commissioner Workshops at the end of July in Twin Falls that will include two clerks. Welfare requests and attendant expenditures have continued to escalate.

Prosecuting Attorney (Al Barrus) – Barrus indicated that filings are up with a number of serious crimes in the past couple of weeks. There has been a real influx of child molestation cases in the last little while that will probably go to trial. These kinds of cases are the most difficult and take the most time, especially when children are young, according to Sheriff Kidd and Barrus.

Administration (Kerry D. McMurray) – McMurray reported on building department matters including issuance of ag sighting permits and building permits. He indicated that quarterly jail visits are statutorily required. The next Commissioner visit was scheduled for July 11, 2011, at 8:00 a.m. County business will follow with joint budget hearings with Minidoka County for the rest of the day. The Board will not meet on Tuesday, July 5, 2011. There will be a Planning & Zoning hearing on July 21, 2011, on proposed zoning amendments. The IRS increased to fifty-five and one half cents (\$.555) travel reimbursement starting July 1, 2011. Commissioner Christensen inquired what Planning & Zoning issues they have been reviewing. McMurray indicated there are two (2) gravel pits and two (2) subdivisions. Also, extensions have been requested on some dairy CAFO permits.

Commissioners (Dennis Crane, Chairman; Paul Christensen; and Bob Kunau) – Chairman Crane discussed planning for a County picnic or barbeque for this summer. He also asked about any suggestions for changes. More plans will be forthcoming.

US FOREST SERVICE/BUREAU OF LAND MANAGEMENT

US Forest Service Ranger, Scott Nannenga reported to the Board that snow pack on Forest Service ground is still above average. Some permit users are requesting date changes based on their inability to get to snow-packed grazing areas. Drilling for gold content has begun in Black Pine with thirty-two (32) test holes to get core samples. The Forest Service has decreased from four (4) to two (2) their number of initial attack engines for forest fires. Nannenga indicated that it shouldn't effect response time but will decrease costs to taxpayers.

BLM director, Mike Courtney indicated that they had responded to lightning storm fires already and presented their standard Fire Prevention Order for wildfire prevention. They have numbered camp sites in the Milner Recreation Site for better identification in the event of an emergency. Grazers are stuck on BLM ground because they can't get on US Forest ground because of snowpack. A Traditional Cultural Property has been proposed by the Shoshone Bannock and Shoshone Piute tribes. If that is accepted by the BLM it will elevate the tribe's concerns in that area. A map was provided detailing the boundaries representing the tribe's concerns. The keeper of the Historic Register is the entity that decides on that and there will be no additional input accepted from the County. Courtney indicated that concerns regarding sage grouse are drawing a lot of attention as the Shoshone Basin is a stronghold for sage grouse. He indicated that BLM sold another geothermal lease in the Raft River area.

EXECUTIVE SESSION

At 10:32 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 real property matters. Following the discussion, the Board returned to regular session at 10:42 a.m.

EXECUTIVE SESSION

At 10:44 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 the following: Case # 2011-078, # 2011-074, # 2011-079, # 2011-040. After presentation, the Board approved the following: Order of Dismissal on Case # 2011-047 and # 2011-035; Notice of Lien and Application for Medically Indigent Benefits Case # 2011-074, # 2011-075, # 2011-076, # 2011-078, and # 2011-079; Release of Medically Indigent Lien on Case # 2011-053, # 2011-055, # 2011-047, #2011-035, and # 2011-049; Assignment for Collection on Case # 2010-096, # 207078, # 2009-092, # 2010-034, # 2010-063, # 2010-132, # 2010-088, # 205131, # 2010-065, # 2010-085, # 2009-028, and # 2009-105; Certificate of Denial on Case # 2011-063, # 2011-059, # 2011-040, and # 2011-061; Certificate of Approval on Case # 2011-073, # 2011-072, and # 2011-062; Order of Reimbursement on Case # 2011-062; Certificate of Approval for Additional Treatment for Case # 2011-069 and # 2011-064; and a review and discussion of appeal for Case # 2010-151. Following the discussion, the Board returned to regular session at 11:14 a.m.

OTHER BUSINESS

1. The Board discussed a Notice of Appeal for taxes that had been filed by Intralot, Inc. Assessor Davis asserted the appeal had not been completed appropriately. Prosecuting Attorney Barrus concurred and recommended that a letter should be sent to Intralot, Inc. from the Board of Equalization denying their appeal due to the incomplete application. Clerk Larsen was asked to prepare that letter for the Board to sign.
2. The Board reviewed a Medical Utilization Management Agreement with the Idaho Association of Counties. A motion to accept and sign that agreement was made by Commissioner Christensen and seconded by Commissioner Kunau. Commissioners Crane, Kunau, and Christensen voted yea.
3. The Board reviewed Idaho Public Utilities Commission Case No. IPC-E-11-08, a request for Idaho Power Company to increase their rates for electric service in Idaho by an overall average of 9.9%.
4. The Board discussed consideration of Resolution No. 2011-014 regarding increasing mileage reimbursement for County purposes to \$ 0.555 beginning July 1, 2011. Administrator McMurray indicated that this is the IRS increased mileage rate for the remainder of 2011. Commissioner Christensen made a motion to accept and sign Resolution No. 2011-014, seconded by Commissioner Kunau, followed by a unanimous yea vote.

5. The Board reviewed a grant award letter from the US Forest Service resulting from an application for Federal Assistance from Weed Supervisor, Gordon Edwards. The grant is funded through the Secure Rural Schools and Community Self-Determination Act and is for use with the Goose Creek Leafy Spurge Control and Inventory. A motion was made by Commissioner Christensen to accept and sign the award letter, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
6. The Board discussed consideration of Ordinance No. 2011-06-01 providing for warrant of distraint fees in the amount of ten dollars (\$10) for issuing each warrant. Administrator McMurray indicated that these warrants are issued when there is a levy on property and when seizure of personal property to force payment of delinquent obligations in necessary. Commissioner Christensen made a motion to accept and sign Ordinance No. 2011-06-01, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
7. The Board was presented with and discussed a proposal to Sheriff Randy Kidd from Whisper Mountain Professional Services, Inc. for them to provide services in the revision of the Cassia County Emergency Operations Plan to maintain National Incident Management and National Response Framework compliance at a cost of \$6,600. Kidd asked for the approval and signature of the Board to accept that contract and expressed that they desired to use Bureau of Homeland Security grant money for that update. Commissioner Christensen made a motion to accept and sign the agreement, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
8. The Board considered the application from Peggy Moore to serve as a volunteer with the Mini-Cassia Board of Community Guardians. Moore is the wife of Minidoka County Commissioner Bob Moore and is a former employee of Minidoka County. Commissioner Kunau made a motion to accept Moore's application to serve as a volunteer, seconded by Commissioner Christensen, followed by a unanimous yeas vote.
9. The Board discussed County roads matters. Road Supervisor, Sam Adams reported they had applied magnesium chloride as a dust guard from the top of City of Rocks nearly to the pavement in Almo. This week they will be working in a cooperative agreement with Murtaugh and Oakley Highway Districts seal coating roads. They will also be working on some of their trucks. The County has concrete barriers that were donated to Cassia County and Adams wants to surplus eight (8) of those barriers at \$200 to \$225. Commission Christensen made a motion to allow the sale of those surplus barriers, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
10. The Board conducted a general review and discussion of provisions of a proposed law enforcement agreement between the City of Burley and Cassia County. The Board determined to hold a Special Meeting of the Board on Friday, July 1, 2011, at 9:00 a.m. to further discuss matters pertaining to the proposed law enforcement agreement.
11. The Board discussed preparing a press release regarding a Freedom of Information Act request on the Gateway West project concerning sage grouse and roadless area mitigation plans.

12. The Board reviewed comments regarding the Draft General Management Plan for the City of Rocks. Chairman Crane requested Administrator McMurray to prepare a letter of support for the Board to sign recommending the Cache Peak Civic Association's alternative concept.
13. Budget workshops were held with the Board
14. At 11:55 a.m., the Board of Equalization went into session to review a Notice of Appeal from Intralot, USA, by motion from Commissioner Christensen, seconded by Commissioner Kunau, followed by a unanimous yea vote. The Board denied the appeal due to an incomplete application.
15. The Board considered six (6) CSI Residency Applications. A motion was made by Commissioner Kunau to accept those applications, seconded by Commissioner Christensen, followed by a unanimous yea vote.
16. The Board reviewed and discussed Beer Licenses for: Kiko's Bar, Bake Central, Skyline Bar, Polo's Café, Maglaughlin Gas & Grocery, Nelson Café & Pilot Lounge, Adams Petroleum, Shon Hing Restaurant, Stokes Fresh Food Market, Shakers, and Stinker Stations. A motion was made by Commissioner Christensen and seconded by Commissioner Kunau. Commissioners Crane, Kunau, and Christensen voted yea.

RECESS

Meeting was recessed for lunch at 12:35 p.m. until a scheduled 2:00 p.m. meeting with Land Title and Escrow.

REAL ESTATE CLOSING WITH LAND TITLE AND ESCROW – LARRY ROBERTS

The Board met with Larry Roberts of Land Title and Escrow for the closing of the County's purchase of the former Swenson's Market property. According to adopted resolution, the Board signed the Purchase Agreement and provided a check from Cassia County for the purchase price less earnest money previously paid to close the sale.

RECESS

Meeting was recessed until 9:00 a.m., Friday, July 1, 2011, for a Special Meeting.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

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

ATTEST:

APPROVED:

/s/ _____
Joseph W. Larsen, Clerk

/s/ _____
Dennis Crane, Chairman