

# COMMISSIONER MINUTES

March 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.

## PREVIOUS WEEK'S MINUTES

The Commissioner Minutes for March 7, 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 Morrison Funeral Home regarding the Pella Cemetery.
2. Bonneville Power Administration March 2011 Journal.

## CALENDAR

The Board reviewed the following:

1. Intermountain Healthcare meeting Friday in Salt Lake City, Utah, for Commissioner Christensen.
2. Soil and Water Conservation Annual Awards Banquet at 6:00 p.m. Friday, March 18, 2011, at the Burley Inn & Convention Center.
3. Idaho Department of Transportation meeting regarding the Connor Creek to Almo highway at 11:00 a.m. Wednesday, March 16, 2011, in Boise.
4. A Notice of Hearing was set by the Board for the annual review for the emergency communication fee to be held at 9:15 a.m. Monday, March 21, 2011.
5. The Mini-Cassia Citizen's Against Drugs is sponsoring its 3<sup>rd</sup> Drug Awareness Conference at the King Fine Arts Center at 7:00 p.m. Thursday, March 31, 2011.
6. National FFA Organization Chapter Banquet at 6:00 p.m. on Tuesday, March 15, 2011.

## COUNTY EXPENDITURES

The Board reviewed the County's Payables Approval Report dated March 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	\$3,366.50
INDIGENT FUND	105	\$41,181.76
DISTRICT COURT FUND	106	\$2,040.23
COUNTY ROADS & BRIDGES FUND	107	\$124.68
WEED & PEST FUND	108	\$3,074.56
COUNTY ELECTION FUND	116	\$5,285.08
COUNTY SNOWMOBILE FUND	118	\$5,845.50
JUSTICE FUND	130	\$25,102.40
PHYSICAL FACILITIES FUND	144	\$98.66
ADULT MISDEMEANOR PROBATION	149	\$6,885.22
	<b>TOTAL</b>	<b>\$93,004.59</b>

### **CHANGE OF STATUS**

Request for Change of Status was presented by the Sheriff's Office for Kevin Lee Horak for change from Drug Task Force – Corporal to Investigation – Corporal for physical fitness completion and for Jeanette K. Hayden as Bailiff – Court Security for certification. 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.

### **CSI RESIDENCY APPLICATIONS**

Three (3) 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.

### **911 AND EMS EXPENDITURES**

911 Coordinator Kent Searle requested the funds to replace an existing failed Uninterruptable Power Supply in the amount of \$3097.50. Searle presented the Cash Fund Balance for money received. Searle discussed that the Emergency Medical Services' Board would pay for EMT immunizations out of the EMS fund. The remainder of the budgeted \$6500 will then be divided among the six (6) volunteer units. It was posed that in the future additional funds be budgeted for immunizations, plus \$6500 for annual distributions or for other unexpected emergencies. A motion was made to allow the use of current budgeted funds for immunizations. A motion was made by Commissioner Christensen to do such, seconded by Commissioner Kunau.

### **HOWELL CANYON ROAD – EARL WARTHEN**

County resident Earl Warthen presented a concern on behalf of property he owns in Albion regarding public roads access. Declaration of what a road is was of concern to Warthen. He referred to a hearing presided over by Judge Crabtree where he supposedly threw out evidence regarding the designation of a road in question. The property that was concerning to Warthen is owned by Xanda Las Vegas Investment Corporation. Prosecuting Attorney Barrus referred to Idaho Code Section 40-1210 that puts concerns regarding roads within a highway district under their own jurisdiction and out of the hands of the Board of County Commissioners.

### **CANVASS OF CASSIA COUNTY JOINT SCHOOL DISTRICT BOND ELECTION**

Clerk Larsen and Deputy Election Clerk Theresa Forthun presented the abstract of the Cassia Joint School District Bond Election held on March 8, 2011. The Board reviewed the abstract and a motion by Commissioner Christensen was made to accept the Canvass of that election, seconded by Commissioner Kunau, followed by a unanimous yea vote.

### **EXECUTIVE SESSION**

At 11:05 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. County Welfare Director Susan Keck presented an Appeal on Case # 2010-156 which the Board will take under consideration. She also presented and the Board approved the following: Order of Dismissal for Case # 2010-033 and # 2010-159; Stipulation for

Enlargement of Time Limitations for Case # 2010-019, # 2010-040, and # 2010-151; Notice of Continuance of Hearing on Case # 2010-040 and # 2010-019; Release of Medically Indigent Lien on Case # 2011-020, # 2010-033, # 2009-094, and # 2010-159; Notice of Lien and Application for Medically Indigent Benefits for Case # 2011-041, # 2011-037, # 2011-038, # 2011-039, # 2011-040, # 2011-033, # 2011-032, # 2011-036, # 2011-035, # 2011-034; Certificate of Denial on Case # 2011-008; Certificate of Approval on Case # 2011-014, # 2011-013, and # 2011-042; and Order of Reimbursement on Case # 2011-013 and # 2011-014. Following the discussion, the Board returned to regular session at 11:48 a.m.

#### **EXECUTIVE SESSION**

At 9:15 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 9:35 a.m.

#### **EXECUTIVE SESSION**

At 10:25 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)(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 10:45 a.m.

#### **EXECUTIVE SESSION**

At 10:52 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)(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 10:59 a.m.

#### **EXECUTIVE SESSION**

At 1:32 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)(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. The decision of the Board was to take the findings of this session under advisement, review with Prosecuting Attorney Barrus, and followup with a letter to the employee with the Board's response. Following the discussion, the Board returned to regular session at 1:50 p.m.

#### **OTHER BUSINESS ITEMS**

1. Information from the culvert problem in the Elba area from last week was presented to the Flood District from the Road Department. The Board made a conference phone call to Gary Blick, the District 4 Board representative of the Idaho Transportation District regarding the contract the County is negotiating with ITD for maintenance and the County proposal for "compensation credit" instead of salt and sand in payment for maintenance

on the highway from Connor Creek to Almo. The Board will meet at 11:00 a.m. Wednesday in Boise to discuss this contract with the IDT. The Board made a conference phone call to Road Supervisor Sam Adams and requesting him to prepare information regarding this matter and accompanying the Board to Boise on Wednesday.

2. At 9:57 a.m. Commissioner Christensen made a motion to go into session to consider Board of Equalization matters, seconded by Commissioner Kunau, followed by a unanimous yeas vote. Deleted Homeowners Exemptions were presented from March 7, 2011 to March 9, 2011. Commissioner Kunau made a motion to accept those exemptions, seconded by Commissioner Christensen, followed by a unanimous yeas vote. A motion was made to go out of Board of Equalization at 10:02 a.m. by Commissioner Christensen, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
3. The Board signed thank you notes for the service of 4-H leaders.
4. Deputy Director Russ Rasmussen from the Mini-Cassia Criminal Justice Center requested to purchase a floor scrubber at the cost of \$ 2,357.00. There is money in their budget under janitorial supplies for the purchase. A motion was made by Commissioner Christensen to accept the purchase up to \$2500 for the floor scrubber, seconded by Chairman Crane, followed by a unanimous yeas vote.
5. The Board reviewed the Federal Energy Regulatory Commission's order amending license between Idaho Power Company and Milner Dam, Inc.
6. The Board reviewed Resolution # 2011-007, a request to destroy semi-permanent 911 records in the possession of the 911 Coordinator, Kent Searle. Commissioner Christensen made a motion to destroy those records, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
7. The Board reviewed Resolution # 2011-008, a request to destroy temporary 911 records in the possession of the 911 Coordinator, Kent Searle. Commissioner Christensen made a motion to destroy those records, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
8. The Board reviewed PUC Case # IPC-E-11-01 for Energy Sales Agreement between Idaho Power and Western Desert Energy.
9. Oakley City Administrator, Jared Mitton requested waiving a building permit fee for the City of Oakley to install a wind turbine on BLM ground at their well site. They also requested that the County agree to inspect footings to see if they are installed correctly. A motion was made to approve their request by Commissioner Christensen, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
10. The Board reviewed a draft prepared by Administrator McMurray regarding a County credit card policy. Clerk Larsen on behalf of the Auditor's Office requested that Item 8 under Provision C be revised from requiring payment of balances due in 30 days instead of 60 days of the initial statement date due to late charges and finance fees. He also requested temporary suspension of the use of the County Costco Card for auditing and clarifying some discrepancies with that account. Commissioner Christensen made a motion for revising that draft as stated and suspending use of the Costco Credit card, seconded by Commissioner Kunau, followed by a unanimous yeas vote. Resolution # 2011-009, a Resolution Establishing Credit Card and Charge Account Guidelines, Policy and Procedures for the County was presented as revised by Administrator McMurray. Commissioner Christensen made a motion to accept and sign that Resolution, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
11. A request from the Mini-Cassia Criminal Justice Center regarding the issuance of a credit

card in the name of the Center Director, Darwin Jensen. The Board determined that this request falls in line with the new County credit card/ charge policy. Commissioner Christensen made a motion to issue that credit card as requested, seconded by Commissioner Kunau, followed by a unanimous yea vote.

12. Welfare Director Susan Keck and Clerk Larsen presented to the Board concerns enumerated at the Elected Clerks and Welfare meeting they attended in Twin Falls the previous week. There was a general consensus of support amongst that group regarding H0128 regarding the change from “necessary medical services” to “emergency medical services” under catastrophic health care, strong support of H0216 regarding indigency CAT Board modifications, and strong opposition to H0212 requiring an addition \$1000 deductible from the County on CAT cases. The Board requested Administrator McMurray to draft a letter to our State legislative delegation regarding those matters. The letters were drafted, reviewed, and signed by the Board in preparation for mailing to our local legislators.

#### **LUNCH**

At 12:03 p.m. the Board departed for lunch at Angela’s, where they had lunch with Sheriff Kidd.

#### **RECESS**

Meeting was recessed until 8:00 a.m., Monday, March 21, 2011.

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

Renee Wells – The Voice, Jay Lenkersdorfer – The News Journal, Laurie Welch – The Times News, and Albert Warthen of Albion.

**ATTEST:**

**APPROVED:**

/s/  
Joseph W. Larsen, Clerk

/s/  
Dennis Crane, Chairman