

COMMISSIONER MINUTES

May 2, 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. Along with special minutes approved.

Commissioner Crane requested on behalf of Assessor Dwight Davis a 10:00 a.m. time to meet with the Board for three (3) agenda items that involve him.

CALENDAR

The Board reviewed the calendar.

1. Juvenile Justice meeting on Tuesday, May 3, 2011, in Rupert
2. Emergency Operations Planning Meeting on Friday, May 6, 2011 at the Burley Inn
3. DARE graduation for White Pine Intermediate School on Wednesday, May 4, 2011, at 7:00 p.m. at the King Fine Arts Center
4. Oakley High School Senior Project judging on Thursday, May 5, 2011, at 12:30 p.m.

CORRESPONDENCE

The Board reviewed the following:

1. A memorandum from Trial Court Administrative Assistant, Shelli Tubbs regarding an access and fairness survey she conducted on April 26th and will again conduct on May 31st at the Cassia County Courthouse
2. Seminar in Challis in May for improving local economy
3. Internal memo to Board regarding employee lunch room request

COUNTY EXPENDITURES

The Board reviewed the County's Payables Approval Report dated April 28, 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	\$16,664.54
INDIGENT FUND	105	\$35,615.89
DISTRICT COURT FUND	106	\$1,004.95
AMBULANCE SERVICE	110	\$13,916.67
ELECTION FUND	116	\$2,385.92
JUSTICE FUND	130	\$23,254.09
COURT RESTITUTION FUND	139	\$16.80
PHYSICAL FACILITIES FUND	144	\$1,295.85

ADULT MISDEMEANOR PROBATION

149

\$506.73

TOTAL

\$94,661.44

CHANGE OF STATUS

The Board reviewed one (1) Request for Change of Status form for Mark R. Merrill from the Cassia County Sheriff's Office for an increased in rate of pay 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.

EXECUTIVE SESSION

At 9:15 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 9:24 a.m.

EXECUTIVE SESSION

At 9:25 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)(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 presented Case # 2011-054. Keck presented and the Board approved the following: Order of Dismissal on Case # 2011-004; Finding of Fact, Conclusions of Law, and Decision on Case # 2010-160; Release of Medically Indigent Lien on Case # 2011-004, # 204149, # 2010-156, # 2011-015, # 2011-025, and # 205037; Certificate of Denial on Case # 2011-037, # 2011-045, # 2011-047, and # 2011-050; and Certificate of Approval for Additional Treatment on Case # 2010-126. Following the discussion, the Board returned to regular session at 9:38 a.m.

EXECUTIVE SESSION

At 9:40 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 9:43 a.m.

EXECUTIVE SESSION

At 10:17 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 10:22 a.m.

1. Assessor Davis presented to the Board the current list of exempt properties for their review. There are currently 879 exempt parcels listed for review. 240 property owners did not respond, so they will be taxed based on the last year they reported. Property Tax Reduction (formerly Circuit Breaker) cases were presented to be reviewed by the Board. Davis and Treasurer Justesen reviewed a dual claim on homeowner's exemption from Fred Gorringer. Gorringer's letter back to Davis was read to the Board. Davis and Justesen recommended to the Board that penalty and interest be waived for Gorringer. Davis read the statute regarding the Board's latitude in waiving fees. Commissioner Christensen made a motion to accept Gorringer's request for relief from penalty and interest, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
2. The Board reviewed PUC Case No. IPC-E-11-05 requesting a Commission Order establishing that its expenditures in Energy Efficiency Rider funds in 2010 were prudently incurred expenses. They also reviewed PUC Case No. IPC-E-11-06 where Idaho Power Company filed its annual power cost adjustment Application.
3. Doug Adams requested a letter from the Board in support of a grant for Life Run Ambulance. Following the review of the prepared letter, Commissioner Christensen made a motion to sign the letter of support, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
4. As requested by the Board, Assessor Davis wrote a letter denying the request of Intralot USA for refund of taxes paid to Cassia County for 2010. Going forward as required by Idaho Code, lottery equipment is exempt and Intralot's personal property in Cassia County will be tax exempt.
5. The Board reviewed the City of Rocks National Reserve GMP Preliminary Alterations. Chairman Crane requested that the Board take some time to review proposals of the City of Rocks National Reserve. Administrative McMurray was requested by Commissioner Christensen to read the summary of alternatives.
6. The Board discussed Public Defender matters. Administrator McMurray suggested that the County consider contracting a second level conflict public defender. He had dialogue with attorney, McChord Larsen who expressed interest. Clerk Larsen was asked to get information on those assigned beyond conflict attorney, Clayne Zollinger for second level conflict cases.
7. A memo was sent to the Board from Doug Balfour regarding the MSTI line. An open house will be held on Tuesday, May 17, 2011, from 1-4 p.m. at the Idaho State Campus. The Board will consider attendance or having someone related to the situation attend that meeting.
8. Administrator McMurray indicated that there are two applications being considered for the open position of Custodial Supervisor. Both have custodial experience and there has been a criminal background check on both applicants with satisfactory results. Commissioner Christensen made a motion to allow McMurray to hire at his discretion who he desires of the two applicants, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
9. Commissioner Christensen made a motion to into Board of Equalization, seconded by Commissioner Kunau, followed by a unanimous yeas vote. Following review, Commissioner Christensen made a motion to certify diligent examination of applications for Property Tax Reduction HB 619, seconded by Commissioner Kunau, followed by a unanimous yeas vote. Commissioner Kunau made a motion to sign a letter of denial for homeowner exemption

relief for 2010 on behalf of S&W, LLC, following their appeal, seconded by Commissioner Christensen, followed by a unanimous ye a vote. The Board returned to regular session at 10:15 a.m.

10. Ten (10) CSI Residencies were presented. Commissioner Christensen made a motion to approve, seconded by Commissioner Kunau, followed by a unanimous ye a vote.

LAW ENFORCEMENT SERVICES REVIEW – DISTRICT COURTROOM

At 11:00 a.m. the Board and Sheriff Randy Kidd met in the District Courtroom to discuss Law Enforcement Services with various members of the City Council and other citizens of Cassia County. This meeting was recorded. A list of all people present is attached.

Sheriff Kidd conducted the meeting and addressed the room at large to discuss statistics and cited that the detectives review all cases both city and county. The majority of these cases are within the city limits.

Sheriff Kidd broke down the actual cost of law enforcement currently being provided to the city of Burley with a deficit of almost a half million dollars. The Sheriff also reviewed the cost and comparisons from 2006 through 2010. Sheriff Kidd stopped to answer questions from the citizens. Comments were made by officials of the City of Burley, Cassia County, and citizens at large.

At 11:20 a.m. Sheriff Kidd stated he believed that it served the county better to keep all law enforcement under the county umbrella. He stated reasons being consistency, lower cost, less confusion, officer relations, elimination of jurisdictional issues, and an all-around better police force. Due to funding issues, if the city were to take over a portion of the law enforcement the swat teams, dive teams, drug task force and other services could be cut.

Chairman Crane stated his desire to keep law enforcement the same. Commissioners Christensen and Kunau both agreed with Chairman Crane. Commissioner Kunau expressed some concern regarding communication. Chairman Crane stated the County and the City need to work together to create a budget for 2012.

Mayor Greenwell stated they will talk about it tomorrow night during their City Council meeting. Mr. Heward addressed the crowd and gave statistics from other towns. The meeting concluded at 11:45 a.m.

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; Jay Lenkersdorfer – Weekly News Journal & Burley City Council; Laurie Welch – The Times News; Renee Wells – The Voice; Blaine Cannon – Deputy Cassia County Prosecutor; Casey Anderson, Vaughn E. Egan, Gordon Hansen, and Denny Curtis – Burley City Council; Terry Greenman – Mayor of the City of Burley; Winston Inouye – Idaho Policy Advisors; Mark Mitton – City of Burley Administrator; Keith E Martin – Burley Fire Department; Loyal Egbert, Jay Heward, Kevin Horan, Terry Bell, George Warrell, III, Dan Renz, and Chris Jensen – Cassia County Sheriff's Office; Clay Handy, Jon Anderson, Kent Searle, John Terence Walsh, and Gerald E. Egan.

ATTEST:

/s/
Joseph W. Larsen, Clerk

APPROVED:

/s/
Dennis Crane, Chairman