



## **BOARD OF COUNTY COMMISSIONER MINUTES**

### **October 24, 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; Susan Keck, Deputy Clerk, and Kerry D. McMurray, County Administrator, present.

#### **PREVIOUS WEEK'S MINUTES**

The Board of County Commissioner Minutes for October 17, 2011, were reviewed. Following review, a motion was made and seconded to approve the minutes. Roll call vote was unanimous with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.

#### **CALENDAR**

The Board reviewed the calendar.

1. Joint Public Defender meeting at 7:30 a.m. Tuesday, October 25, 2011.
2. Mini-Cassia Criminal Justice Center meeting at 8:00 a.m. Tuesday, October 25, 2011.
3. LAPC meeting on Tuesday, October 25, 2011, 1:00 P.M., at the fire department.
4. Burley City Council candidate debate on Tuesday, October 25, 2011 at the Burley Public Library.
5. Economic Development meeting, Tuesday, October 25, 2011
6. RC&D Meeting Tuesday, October 25, 2011
7. Cassia Regional Medical Center Board meeting at 7:00 a.m. Wednesday, October 26, 2011.
8. Solid Waste meeting Wednesday, October 26, 2011.
9. Zeb Bell Fundraiser for Meals on Wheels on Thursday, October 27, 2011, at the Burley Senior Citizens Center.

#### **CORRESPONDENCE**

The Board reviewed the following:

1. Letter from INL requesting application for membership/input for an advisory board.
2. Letter from Region IV Development regarding payment request for membership dues for FY 2012 in amount of \$2,844.00. A motion was made and seconded to approve the request, pending verification of amount and roll call vote was unanimous with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.
3. Letter from South Central Public Health District regarding an invitation to a morning legislative reception on November 16, 2011.
4. Letter from Idaho Public Utilities Commission regarding comments on current cases.

#### **CHANGE OF STATUS**

The Board reviewed one Request for Change of Status form from the Cassia County Sheriff's Office for David Turner for increase of pay for physical fitness. 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.

**PUBLIC HEARING – AMENDMENTS TO  
COORDINATED WATER RESOURCE MANAGEMENT PLAN**

A public hearing was conducted regarding the proposed amendments to the coordinated Water Resource Management Plan. Bob Muffley, Executive Director of the Mid-Snake Water Resource Commission, reviewed the changes and amendments of the plan with the Board, stating that the majority of changes to the water quantity plan consisted of clarification of wording, definitions, and combining sections. He also noted a new section on aquatic nuisances. He then discussed the primary change in the plan regarding a drinking water protection plan to be implemented at both the city and county levels. He indicated that the DEQ will be in contact with cities and counties soon to discuss the recommendations for implementation to protect drinking water wells. He further noted that they will be updating the economic and water quality portions of the plan in the future. A motion was made and seconded to approve the amendments, and roll call vote was unanimous with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea. Administrator Kerry McMurray will prepare a resolution for the Board to adopt the proposed amendments.

**DEPARMTENT HEAD MEETING**

***Randy Kidd (Sheriff)*** – Sheriff Kidd reported that it was a very busy weekend, with a fire at a Burley processing plant, with arson suspected. There were also numerous arrests. They will soon be filling a position and then they will be fully staffed.

***Patty Justesen (Treasurer)*** – Justesen reported that everything is going well. The Treasurer’s office is preparing for tax notices to be mailed out the end of this week, and that they are working closely with the Assessor’s office to verify all information.

***Amber Prewitt (Misdemeanor Probation)*** - Prewitt noted that things are going well. The TouchPay system should be up and running this week, with Stephenson’s conducting final testing. The construction is going well with the testing lab. Hopefully that project will be completed in mid-November.

***Dwight Davis (Assessor)*** – Davis stated that all is going well. They will be interviewing for the GIS Tech position next week. The Evaluations position closes today and they have received approximately twenty (20) applications for that position. The revaluations are going well, noting a trend downward, but only affecting the homes of higher value. Homes of lower value still held firm with little affect.

***Darwin Johnson (Mini-Cassia Criminal Justice Center)*** – Johnson reported that they are in the process of working through discrepancies with the computer system updates. They still have one position open but are in the interview process to fill that position very soon. It was noted that the McWork crews are keeping very busy.

***Joe Larsen (Clerk’s Office)*** – Deputy Clerk Susan Keck reported in Larsen’s absence. Larsen and several of the court deputy clerks are attending the Idaho Institute of Court

Management in Boise today through Wednesday. The Auditor's office is preparing for the outside audit coming up on December with Evans and Poulsen representative, Jeff Poulsen. The Recorder's office is preparing for digitization of all our microfilmed data recently contracted for. The November 8<sup>th</sup> consolidated election will include municipal elections for the cities of Burley, Oakley, Declo, Albion, and Malta. Ballots are printed and legal notifications have been sent to the appropriate newspapers. A regional welfare meeting will be held this coming Wednesday at the Twin Falls Courthouse.

*Al Barrus (Prosecuting Attorney)* – Barrus stated that things are moving along. There will be staff changes coming up as they will be hiring two secretaries that they intend to have in place by February of 2012.

*Kerry McMurray (Administrator)* – McMurray updated the Board on three recent Planning and Zoning hearings regarding CAFO's. He also noted that the mapping department has been busy with Gateway Mapping.

#### **APPEAL OF PERMIT FEE DISCUSSION**

Scott Harris brought an appeal of a building permit fee before the Board. The Board listened to testimony of the appellant regarding this matter, and the request of the appellant to have part of the permit fee refunded, based on the actual costs of the project versus the assessed permit fees for the project. Issues were raised regarding the calculation of the permit fees based upon valuation schedules and building codes adopted by the County. A letter from County Building Inspector Dave Zanone, stating the current County policy on permit fee calculations, was reviewed by the Board. The board will take this matter under advisement.

#### **US FOREST SERVICE/BUREAU OF LAND MANAGEMENT**

*Scott Nannenga (Forest Service Ranger)* – Nannenga noted a recent field trip with Chuck Jones of Jones Pallet, including discussion of a potential product from trees harvested. He also discussed some non-compliance issues in the Black Pine area.

*Mike Courtney (BLM Director)* – Courtney indicated that Walt George, BLM will be back in January to further discuss Gateway alternatives. He also briefly discussed local rock climbing issues.

#### **LUNCH**

At 12:15 p.m. the Board departed for lunch. Following lunch, the Board reconvened at 1:36 p.m.

#### **EXECUTIVE SESSION**

At 1:55 p.m. it was proposed by Commissioner Christensen and seconded by Commissioner Kunau that the Board convenes 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, with Welfare Director Susan Keck. The board reviewed and approved the following: Notice of Lien on Case # 2011-117, # 2011-116, and #2011-118; Findings of Fact, Conclusion of Law, and Decision on Case # 2011-036; Release of Medical Lien on Case # 2011076; and Certificate of Denial on Case # 2011-119, 2011-106, and 2011-079. Following the

discussion, the Board returned to regular session at 2:10 P. M.

**OTHER BUSINESS ITEMS**

1. The Board reviewed thirteen (13) CSI Residencies. Following discussion, 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.
2. The Board reviewed the County’s Payables Approval Report dated October 21, 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.

<b>FY 2011</b>		
CURRENT EXPENSE	104	\$490.92
REVALUATION FUND	114	\$265.47
COUNTY SNOWMOBILE FUND	118	\$522.90
JUSTICE FUND	130	\$8,169.40
		<b>TOTAL \$9,448.69</b>

<b>FY 2012</b>		
CURRENT EXPENSE	104	\$1,554.59
INDIGENT FUND	105	\$2,821.75
DISTRICT COURT FUND	106	\$15,048.25
COUNTY ROAD & BRIDGE	107	\$2,604.40
WEED & PEST FUND	108	\$4.52
911 COMMUNICATION FUND	115	\$258.96
ELECTION FUND	116	\$191.71
COUNTY BOAT LICENSE FUND	117	\$629.87
ASSESSOR TRUST FUND	123	\$152.03
JUSTICE FUND	130	\$2,848.63
PHYSICAL FACILITES FUND	144	\$218.48
ADULT MISDEMEANOR PROBATION	149	\$1,841.39
		<b>TOTAL \$28,174.58</b>

3. The Board reviewed the statement of Treasurer’s cash for September 2011.
4. Sheriff Randy Kidd presented to the Board a 2011 Emergency Management Performance Grant. Upon review, a motion was made and seconded to accept the grant, with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.
5. The Board discussed County Road and Bridge Matters. They are waiting on permits to begin scheduled projects.
6. The Board discussed County Building Matters. There was discussion on the selection of an architect for the new County Justice Center. The board reviewed the architectural firm ranking sheet, and instructed Administrator McMurray to invite the top firm to a meeting, to discuss fee structure procedures.
7. The Board discussed Gateway West Distribution Line Task Force matters. A letter and corresponding maps was reviewed in detail that will be sent to Walt George at BLM inviting him to attend a meeting to discuss County-favored alternative routes. A motion was made and seconded to sign and send the letter, with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.
8. The Board reviewed and discussed a written decision regarding a previously discussed penalty fees for those not securing a building permit in a timely fashion. A motion was

- made and seconded to sign the letter upholding the assessed penalty fees, with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.
9. The Board reviewed a purchase agreement for a John Deere Motor grader. Al Barrus is still reviewing the purchase agreement. The Board will continue to take this matter under advisement.
  10. The Board discussed City of Rocks Road Maintenance agreement issues. Several teleconference calls were placed throughout the day to Devin Rigby of the Idaho Transportation Department (ITD), regarding wording of the agreement that relates to terms and mutual consent for termination. The Board will continue to deliberate on this matter in an attempt to achieve a mutual agreement of terms with ITD.
  11. The Board reviewed a request from County EMS for distribution of funds and County budgeted financial support. A motion was made and seconded to approve the request, with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.
  12. The Board reviewed the Conflict Public Defender Report dated October 17, 2011 from attorney Clayne Zollinger, Jr.
  13. The Board discussed the reconsideration of Waterways Advisory Board by-laws and discussed potential board members. Three (3) names were suggested, with additional input to be sought from the Oakley Canal Company for a recommendation. The board will then contact those recommended to confirm.
  14. The Board followed up on Adult Misdemeanor Probation issues.
  15. The Board followed up on Solid Waste usage numbers. Administrator McMurray will continue to work with the Treasurer's office to review inconsistencies identified in the fee schedule.
  16. The Board followed up on recommendations for members of FLAG. The Board determined to keep this item on the agenda for next Board meeting to allow more time for consideration of potential board members.
  17. The Board reviewed a letter to the BLM regarding the Cassia RMP Amendment pertaining to rock climbing issues. A motion was made and seconded to sign the letter, with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.

**RECESS**

Meeting was recessed until 9:00 a.m., Monday, October 31, 2011

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

Kari Merrill, Weekly News Journal; and Laurie Welch, The Times News

**ATTEST:**

**APPROVED:**

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Joseph W. Larsen, Clerk of the Board

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Dennis Crane, Chairman of the Board