



Cassia County Board of Commissioners

Commissioner Chambers

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Burley, ID 83318

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Monday, April 30, 2012

The Board of Cassia County Commissioners met in regular session on Monday, April 30, 2012, at 9:00 a.m. in the Commissioner Chambers of the Cassia County Courthouse.

THOSE PRESENT:	County Commissioners:	Dennis Crane, Chairman Paul Christensen Bob Kunau
	Clerk of the Board:	Joseph W. Larsen
	Prosecuting Attorney:	Al Barrus
	County Administrator:	Kerry D. McMurray
	Sheriff:	Randy Kidd, Sheriff
	Weed & Pest:	Gordon Edwards, Supervisor
	SCPHD	Rene LeBlanc Scott Arnell Bonnie Spencer Lisa Klamm Adria Masoner Marypat Fields
	Political Candidate:	Jay Heward
	BLM:	Mike Courtney Dennis Thompson L. Suzann Henrikson Hugo E. Sanchez
	Media:	Jay Lenkersdorfer, The Weekly Mailer

1) 9:00 AM AMENDMENT TO AGENDA

- a) An emergency situation with the control panel occurred at the jail after the posting of the agenda that needs to be addressed by the Board.

9:04 AM

MOTION: COMMISSIONER KUNAU MOVED TO ADD TO THE AGENDA DISCUSSION OF THE CONTROL PANEL FAILURE AT THE JAIL. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

CASSIA COUNTY COMMISSION

REGULAR SESSION

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- b) Concerns regarding to position of the Idaho State Policy (ISP) regarding the invasive species boat check station.

9:04 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO ADD DISCUSSION OF ISP'S POSITION REGARDING INVASIVE SPECIES BOAT INSPECTIONS TO THE AGENDA. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- c) 9:15 AM Sheriff Kidd read a letter from ISP regarding their position on what they will and will not do pertaining to watercraft inspection for invasive species. Their position presents a problem when a boat passes without stopping at the check station. There is currently no way to deal with that situation. ISP will pull them over until inspectors arrive to issue a ticket. Weed and Pest Supervisor, Gordon Edwards indicated that his personnel do not have authority to write tickets and he feels that his hands are tied. Edwards indicated that it would be preferable to have ISP send them back to the check station and he indicated that one ISP officer had already done that. The inspection personnel have no radio contact with ISP. They call Cassia dispatch who in turn contacts ISP. It was noted that this has an appearance that there is difficulty between the Department of Agriculture and ISP. Edwards stressed that it would cost millions of dollars if this invasive species gets in our waterways. He recommended that a resolution needs to come from the top down. Representative Fred Wood is aware of the problem but it may require the attention of Governor Otter's office. The Board noted that retiring Senator Denton Darrington has legislative oversight of ISP. The Board asked Barrus to draft a letter to be sent to Otter, Darrington, and Wood. Edwards further noted that roughly 10% of those who should stop, about two to five per day, pass by the inspection station without stopping. Edwards was instructed to coordinate a possible resolution to the problem with McMurray.
- 2) 9:00 AM CALL TO ORDER, PLEDGE OF ALLEGIANCE, REVIEW CALENDAR, MINUTES, CORRESPONDENCE, PERSONNEL, CSI RESIDENCIES, COUNTY EXPENDITURES, ELECTION UPDATE
- a) 9:10 AM CALENDAR
 - i) Juvenile Justice Meeting in Rupert at 8:00 a.m. Tuesday, April 1, 2012
 - ii) Meet the Candidate night at the Farm Bureau at 6:00 p.m. Tuesday, April 1, 2012
 - iii) Solid Waste Meeting at 7:45 a.m. Thursday, April 3, 2012, at Milner
 - iv) IAC Legislative Review Webinar on Thursday, May 3, 2012, from 9:00 a.m. to 12:00 p.m. for elected officials.
 - v) Sage Grouse meeting
 - vi) DARE graduation will be held at 7:00 p.m. Thursday, May 3, 2012, at White Pine Middle School
 - vii) Senior Project judging to be held Tuesday, May 8, 2012 at Malta and Declo High Schools
 - b) 9:00 AM CORRESPONDENCE
 - i) ITD letter detailing setting of monumentation pins along the Elba-Almo Road (SH-77 spur) with work beginning the first part of May continuing throughout the summer
 - ii) ITD Project Record Summary detailing local share of costs due from Cassia County
 - iii) Gold Rush expeditions sent letter regarding abandoned mines. Working in our county looking at old mines and buying them. Want to know county business and stay within the law.
 - iv) Thank you note from Almo Elementary for the County involvement with the Bookmobile
 - v) Oakley invitation for judging Senior Projects at Oakley High School
 - c) 9:12 AM CSI RESIDENCY APPLICATIONS
 - i) The Board reviewed 17 CSI Residency applications.

9:13 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE 17 CSI RESIDENCY APPLICATIONS. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 3) 9:15 AM IDAHO JUVENILE JUSTICE ASSOCIATION
 - a) The Board discussed membership of the County with the Idaho Juvenile Justice Association. It was indicated that we haven't been a member since 2005. Christensen inquired as to the costs which totaled \$25 per individual. The Board determined to refer the matter back to Sheriff Kidd.
- 4) 9:17 AM REVIEW PUC CASE NO. IPC-E-12-17
 - a) The Board reviewed PUC Case No. IPC-E-12-17, an application of Idaho Power Company for authority to implement power cost adjustment rates for electric service from June 1, 2012 to May 31, 2013.
- 5) 9:18 AM SIGNATURES FOR IDAHO DEPARTMENT OF PARKS AND RECREATION AND CASSIA COUNTY AGREEMENT
 - a) Each year the Department of Recreation provides a Boat Safety Grant to be used for recreation boating safety, classes, enforcement, and patrol.
 - b) The amount of the Boat Safety Grant is \$7118.00

9:19 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE SAID AGREEMENT BETWEEN CASSIA COUNTY AND THE IDAHO DEPARTMENT OF PARKS AND RECREATION FOR A BOAT SAFETY GRANT. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 6) 9:20 AM SIGNING OF OFFICIAL CASSIA COUNTY ZONING MAP
 - a) McMurray indicated that the rezoning for industrial commercial for Bowen Petroleum and annexations into the City of Burley of County land are reflected on the new proposed official County map. He presented maps showing said changes for the Board's review and approval. Maps are redone as changes take place on roughly an annual basis.

9:25 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE AND SIGN THE PRESENTED CASSIA COUNTY ZONING MAP. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 7) 9:28 AM BOARD OF EQUILIZATION
 - a) Assessor Davis indicated that Board of Equalization was not needed today.
 - b) Davis said there was one applicant for the new House Bill HO519 where site improvements of a land developer's business is exempt from property tax until building begins or title is conveyed.
- 8) 9:29 AM REVIEW AND DISCUSS HOMESTEAD EXEMPTIONS
 - a) Davis reported on a hearing request for a homestead exemption by George Kelley. Davis explained in a letter to Kelley the difference between his home property and other property owned in Burley. The Board recommended setting a hearing date as Kelley has not responded. McMurray set hearing for May 14, 2012.
- 9) 9:29 AM REQUEST FOR CREDIT ON RP13S22E309050
 - i) Davis contacted the State of Idaho regarding restriction of length of time to file for an erroneous assessment. He reported there was no restriction of time. The owner of the referred to parcel, Bud Bedke, indicated to Davis that a credit for future taxes was satisfactory to him. Justesen talked about the money that has been distributed to taxing

districts already. She suggested waiting until 2012 taxes are calculated and cancel the appropriate amount of money rather than deal with the complexity of a refund. Justesen requested a letter from the Board to cancel the appropriate taxes once they are calculated.

- ii) Davis also requested that a letter be drafted to send to Bedke. The Board requested that Justesen follow up with Barrus and provide the appropriate information for him to write the requested letters.

9:34 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO ALLOW THE PROPERTY OWNER'S OVERPAYMENT TO BE APPLIED TOWARDS NEXT YEARS TAXES BY WAY OF A TAX BILL CANCELLATION OF THE SAME AMOUNT AS THE OVERPAYMENT. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

10) 9:35 AM SOUTH CENTRAL PUBLIC HEALTH ANNUAL BUDGET PRESENTATION

- a) South Central Public Health District Director, Rene LeBlanc presented and information folder regarding their FY2013 budget proposal along with information regarding services they provide to Cassia County. Their budget hearing is at 11:30 a.m. Wednesday, May 23, 2012.
- b) FY2013 Budget Proposal was presented.
 - i) Personnel cost reflect an increase of 2% for salaries and benefits.
 - ii) Operating expenses have decreased.
 - iii) They plan on replacing some vehicles.
 - iv) They are considering a consolidated building for Minidoka County and Cassia County. Christensen asked about efficiencies by consolidating the two counties. They will have more space. They have been looking along Alfresco Road in Heyburn where costs are \$100,000 per acre. They are also looking at Kensington Place behind the CRMC and plan to map the distances required for travel from Minidoka County. They are looking to have between 6000 and 10,000 square feet for office space.
 - v) They are looking for an increase from last year of \$3,951 for Cassia County totaling \$105,091. They indicated that Cassia County vote by proxy or attend the budget hearing.
 - vi) A breakout of services provided to Cassia County was presented which includes Environmental Health, Family and Children's Health, Public Health Promotion and Preparedness, Environmental Health, Family and Children's Health, and Public Health Promotion and Preparedness.
 - vii) South Central Public Health District Personnel presented what they are currently doing on behalf of Cassia County. Scott Arnell, Adria Masoner, and Lisa Klamm made presentations to the Board.

11) 10:20 AM BALLOT TESTING ON M650 IN ELECTION OFFICE

- a) Chief Election Deputy Theresa Forthun and Larsen presented a State required Logistic and Accuracy Test of the 2012 Primary Election voting tabulator. The results were verified as accurate by the Board.

12) 10:30 AM BLM REVIEW MILNER DESIGN

- a) Mike Courtney presented a JUB Engineer presentation regarding proposed significant upgrades with the Milner Conceptual Design and Guidelines. Courtney said that for security purposes the updates will be more defined. Christensen desired to make sure there is full public comment on the BLM proposal. Courtney indicated that there would be a full public process to develop the project.

- b) Perch Point goes from a camping to a day use area. It will make it easier to manage with less camping areas to manage. A well and fresh potable water will be put in place. A paved trail will be included along the Oregon Trail.
- c) Bicentennial Site includes a new boat ramp, parking, new interpretative signage, well for irrigation, and trail segments.
- d) East Oregon Trail Pedestrian Trail will include a 10 foot wide paved trail and parking.
- e) Site Center included interpretive panels, group shelters, electricity, culinary water, elimination of access fee, additional parking, landscaping, and a trail improvement.
- f) Cedar Site and Cedar Circle proposes RV campsites, upgrade tent campsites, power, water, landscaping, and a host RV campsite.
- g) Trout Point includes better defined campsites for this popular fishing area.
- h) Bass Bay and Bass Point will include updated camping and development of group campsites.
- i) Muskrat Bend will include some updating but little changes. Camping will remain in that area.

10:40 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONFIRM VERIFICATION AND APPROVAL OF THE BALLOT TESTING FOR THE MAY 15, 2012, PRIMARY ELECTION. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

13) 11:09 AM HB 628 – DISCUSS R.O.W. PROPOSED LEGISLATION

- a) The Board reviewed proposed legislation allows for prescription of right-of-way for a historical use rather than limiting it to 50 feet. Christensen indicated that there is a legitimate reason to oppose this legislative which waned at end of the legislative session but would likely find its way back in the next legislative session. The recommendation should be to maintain the 50 foot road width.

14) 11:14 AM INDIGENT MATTERS

11:14 AM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING MEDICAL INDIGENT MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(D). COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- a) Welfare Director Susan Keck presented Case #2012028 to the Board. She also recommended the following:
 - b) Medical Records/Utilization Management Review Request on Case #2012031
 - c) Release of Medically Indigent Lien on Case #2011104, #2011123, and #206074
 - d) Notice of Continuance of Hearing on Case #2012002
 - e) Determination of Decision Held in Suspension on Case #2012029
 - f) Certificate of Approval on Case #2012040, #2012026, and #2011124
 - g) Order of Reimbursement on Case #2012040, #2012026, and #2011124
 - h) Denial on Case #2012022

11:38 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 11:39 AM.

15) 11:39 AM GATEWAY - SAGE GROUSE DISCUSSION; REVIEW LETTER SEEKING COOPERATING AGENCY STATUS AND ASSERTING COORDINATION RIGHTS (INCLUDING MAY 3, 2012, IAC CONFERENCE CALL)

- a) The Board determined to be involved with a conference call with IAC Policy Analyst Seth Grigg for Monday afternoon on May 7, 2012. The Board asked McMurray to email Grigg to let him know that the Board desires to be involved with that conference call.
- b) The Board reviewed and signed an acceptance letter to participate with the BLM as a cooperating agency regarding sage grouse habitat. Said letter detailed the need for assurance that Cassia County's interests and economy are protected by involvement with coordination and assertion of rights as recognized under FLPMA, NEPA, and other federal legislation.

16) 11:58 AM COUNTY EXPENDITURES

- i) The Board reviewed Accounts Payable dated April 27, 2012

CURRENT EXPENSES	104	\$6,481.04
DISTRICT COURT FUND	106	\$2,722.17
COUNTY ROADS & BRIDGES FUND	107	\$376.48
911 COMMUNICATIONS FUND	115	\$310.00
COUNTY ELECTION FUND	116	\$455.83
JUSTICE FUND	130	\$46,146.30
D.A.R.E TRUST	137	\$204.54
PHYSICAL FACILITIES FUND	144	\$539.79
	TOTAL	\$57,236.15

11:58 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE COUNTY EXPENDITURES AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

17) 12:00 PM APPROVAL OF MINUTES

12:00 PM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE MINUTES OF THE BOARD FROM APRIL 23, 2012. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

18) 12:03 PM CHANGE OF STATUS

- i) Alex Muir, Deputy Public Defender – promotion and merit increase for completion of trial period with exceptional performance
- ii) Jordan Douglas Williams, Deputy Patrolman with CCSO – increase in rate of pay for receipt of basic certification

12:03 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE SAID CHANGE OF STATUS REQUESTS. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

b) 12:12 PM ELECTION UPDATE

- i) Larsen indicated that a tab on the County website has been added for candidates of elections with appropriate links for Sunshine Law Financial reporting. The first financial report reminder has been sent by Elections Deputy Theresa Forthun to all candidates of an upcoming financial disclosure deadline that includes a \$50 fine for each day it is late.
- ii) Mail in ballots will be sent out today and tomorrow for the Primary Election.

19) 12:30 PM LUNCH RECESS

20) 1:30 PM VISIT MAG CHLORIDE CLASS AT OAKLEY FIRE STATION

- a) The Board traveled to Oakley to participate with a training class attended by County Road & Bridge personnel conducted at the Oakley Fire Station.
- b) The Board reviewed roads of concern between Oakley and Murtaugh on the return trip to Burley.

2:45 PM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(A). COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD TOOK MATTERS UNDER ADVISEMENT. THE BOARD RETURNED TO REGULAR SESSION AT 2:55 PM.

21) 3:20 PM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board