



Cassia County Board of Commissioners

Commissioner Chambers

1459 Overland Ave.

Burley, ID 83318

www.cassiacyounty.org

Board Chairman:

Dennis Crane

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Board Members:

Paul Christensen (District #1) ~ pchristensen@cassiacyounty.org

Bob Kunau (District #2) ~ bob.kunau@cassiacyounty.org

Dennis Crane (District #3) ~ dcrane@cassiacyounty.org

Monday, December 3, 2012

The Board of Cassia County Commissioners met in regular session on Monday, December 3, 2012, at 9:00 a.m. in the Commissioner Chambers of the Cassia County Courthouse.

| | | |
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| 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 Jay Lenkersdorfer, Weekly Mailer Renee Wells, The Voice |

1) 9:00 AM CALL TO ORDER, PLEDGE OF ALLEGIANCE, REVIEW CALENDAR, MINUTES, CORRESPONDENCE, PERSONNEL, CSI RESIDENCIES, COUNTY PAYABLES, COUNTY ROAD AND BRIDGE, BUILDING AND GROUNDS MATTERS, COUNTY INSURANCE MATTERS

a) 9:00 AM EXECUTIVE SESSION – COMMUNICATE WITH RISK MANAGER REGARDING PREVENTION OF CLAIMS

9:00 AM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING RISK MANAGEMENT UNDER IDAHO CODE SECTION 67-2345(1)(I), SECONDED BY COMMISSIONER CHRISTENSEN. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE, COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE. THE BOARD RETURNED TO REGULAR SESSION AT 9:15 AM.

b) 9:15 AM CALENDAR

i) ATI 66th Annual Taxpayer Conference on December 5, 2012, from 8:30 a.m. to 3:15 p.m.

ii) Mid Snake Resource Conservation and Development Annual Meeting on December 11, 2012, in Twin Falls

iii) Open House for Chobani Yogurt in Twin Falls at 2:00 p.m. Monday, December 17, 2012

iv) Juvenile Meeting at 8:00 a.m. Tuesday, December 4, 2012

v) Region IV Development Committee at 12:00 p.m. December 6, 2012, in Twin Falls

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- vi) Elected Officials Christmas Party on Wednesday, December 12, 2012, Heritage Station in Oakley
- c) 9:05 AM CORRESPONDENCE
 - i) American Lands Council request for sponsorship.
 - ii) Letter from Treasurer Patty Justesen regarding cancellation of 2012 taxes on parcel RP000270020010A in the amount of \$486.18.
- d) 9:00 AM CHANGE OF STATUS
 - i) There were no Change of Status requests
- e) 9:43 AM APPROVAL OF MINUTES

9:43 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM DECEMBER 30, 2012. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- f) 9:25 AM CSI RESIDENCY APPLICATIONS
 - i) The Board reviewed 17 CSI Residency applications; one for spring 2012, five for spring 2013, and 11 for 2012-2013.

9:25 AM

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

- g) 10:53 AM COUNTY EXPENDITURES

| | | |
|-----------------------------|--------------|--------------------|
| CURRENT EXPENSES | 104 | \$18,156.70 |
| INDIGENT FUND | 105 | \$2,986.41 |
| DISTRICT COURT FUND | 106 | \$547.73 |
| COUNTY ROADS & BRIDGES FUND | 107 | \$972.58 |
| 911 COMMUNICATIONS FUND | 115 | \$3,268.23 |
| JUSTICE FUND | 130 | \$19,065.70 |
| D.A.R.E TRUST | 137 | \$210.20 |
| PHYSICAL FACILITIES FUND | 144 | \$97.70 |
| ADULT MISDEMEANOR PROBATION | 149 | \$2,211.31 |
| | TOTAL | \$47,516.56 |

10:53 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY EXPENDITURES DATED NOVEMBER 30, 2012. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

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| CASSIA COUNTY BENEFITS TRUST | 148 | \$211,000.00 |
| | TOTAL | \$211,000.00 |

11:28 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY EXPENDITURES DATED DECEMBER 3, 2012. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- h) 9:26 AM COUNTY ROAD AND BRIDGE
 - i) Road and Bridge Supervisor reported on the work completed in Almo on Bruesch Lane and with Ward's cattle guard projects.
 - ii) An engine failed on a County Road and Bridge water truck. A bid was received from Carl Byrd for labor in replacing the engine assembly at the County Road and Bridge shop in the amount of \$1,500.00 plus miscellaneous parts including filters and fluids. Another bid from Schow's Truck Center was in the amount of \$2453.00.

9:30 AM

MOTION: COMMISSIONER KUNAU MOVED TO ACCEPT THE BID FROM CARL BYRD IN THE AMOUNT OF \$1,500.00 PLUS MISCELLANEOUS PARTS AS ENUMERATED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- i) 9:51 AM BUILDING AND GROUNDS MATTERS
 - i) McMurray proposed an increase in rental rates at the County-owned residential properties effective February 2013 to cover increased costs of utilities.
 - ii) He also proposed requesting tenants to be more conservative with their utility use.

9:57 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE INCREASES IN RENT AS PROPOSED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- j) 10:00 AM COUNTY INSURANCE MATTERS
 - i) McMurray discussed with the Board a meeting he had with Treasurer Patty Justesen and Auditor Joe Larsen regarding a proposal for advancing a premium payment to MBA Administrators to cover medical insurance claims.
- 2) 9:15 AM MCCJC SECURITY UPDATE BID DELIBERATION AND DECISION
 - a) MCCJC Maintenance Supervisor Brandon Salveson reported that both bidders for the security system upgrade met the necessary criteria.
 - b) \$100,000.00 was budgeted for those upgrades for FY2013. Salveson indicated that they would like to use other line item budget amounts to cover any additional costs.
 - c) The lowest bid was from Professional Systems Technology, Inc. (PST) at \$110,535.31.

9:19 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO AWARD THE BID TO PROFESSIONAL SYSTEMS TECHNOLOGY, INC. (PST) FOR THE AMOUNT OF \$110,535.31 FOR SECURITY SYSTEM UPGRADES FOR THE MCCJC. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 3) 9:41 AM APPROVAL OF BEER AND LIQUOR LICENSE FOR DUCK UGLY'S
 - a) A hearing went on the record at 9:41 a.m. to consider a beer and liquor license for Duck Ugly's, LLC, in Burley.
 - b) Chairman Crane conducted the hearing and described to the Board the application.

9:41 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE TO GRANT THE REQUESTED LICENSE TO DUCK UGLY'S, LLC. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 4) 9:30 AM HOMEOWNER'S EXEMPTION HEARING ON PARCEL NUMBER RP000270020010
 - a) The hearing went on the record at 9:32 a.m. and people were introduced by Chairman Crane. Ruth Ann Elison represented her father-in-law and mother-in-law, C. Glen Elison and Charlotte

Elison. Mr. Elison passed away earlier this year and Mrs. Elison is in a care facility in Twin Falls. Mrs. Elison indicated that the home is currently not occupied. Difficulties with Mr. Elison's health and the care required caused the Elison family to overlook correspondence to them from the Assessor's Office.

- b) Assessor Dwight Davis reported an address change that normally changes homeowner status. Notice was sent to that effect with no response or return mail. A statutory deadline passed with no action. Tax notices were mailed out without granting a homeowner's exemption.
- c) Treasurer Patty Justesen indicated that 2012's tax liability had increased in the amount of \$486.18 due to the elimination of a homeowner's exemption.
- d) Where Mrs. Elison is living in a rest home and where the home is currently unoccupied satisfies qualifications for a homeowner's exemption.
- e) The Board requested that Mrs. Elison provide her address and phone number and the Board would take the request under advisement.
- f) The Board went off the record at 9:45 a.m.
- g) Following discussion, the Board determined that the amount of \$486.18 could be applied for through the Widow's Benefit Fund by Elison's to satisfy the amount owed by the loss of the homeowner's exemption.

9:50 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO ALLOW SATISFACTION OF THE ELISON'S OUTSTANDING 2012 TAXES DUE IN THE AMOUNT OF \$486.18 BY WAY OF THEIR APPLICATION TO THE WIDOW'S BENEFIT TRUST FUND. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

5) 10:01 AM UPDATE ON TRANSPORTATION ADVISORY COMMITTEE

- a) A previously approved letter from the Chairman of the Cassia County Transportation Advisory Committee (CTAC), Dennis Crane, was presented for signing.
- b) A priority list for construction funding applications for 2013 was attached to the letter.

6) 9:58 AM CONSIDER AMENDMENT FOR JOINT POWER AGREEMENT FOR MINI-CASSIA PUBLIC DEFENDER OFFICE

- a) McMurray indicated that the joint Public Defender Board reviewed the current agreement and a change was recommended by that Board allowing rather than requiring employee performance evaluation interviews annually.
- b) The Board of Commissioners in Minidoka County is addressing this proposed change today in their meeting and will sign that upon approval. Both Counties will have original copies of the agreement.

10:03 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE PROPOSED CHANGE AS ENUMERATED AND ACCEPT THE JOINT AGREEMENT FOR THE PUBLIC DEFENDER'S OFFICE. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

7) 10:07 AM REVIEW PROPOSED CASSIA COUNTY WORKER COMPENSATION POLICY

- a) McMurray presented an estimate in the amount of \$105,684.00 through the State Insurance Fund for the County's Workers Compensation Policy.
- b) That estimate a little less than in the past and renews in January of 2013.

8) 10:10 AM EMPLOYEE BENEFITS COMMITTEE BYLAWS

- a) McMurray presented to the Board proposed formalized bylaws of the Cassia County Employee Benefits Advisory Committee.

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- b) Larsen recommended the Auditor's Office always have a voting member of the Committee. The Board requested to place it on next week's Board agenda for consideration of that request.
- 9) 10:20 AM LETTER OF ENGAGEMENT FOR OUTSIDE AUDITOR
- a) The Board discussed a letter of engagement for FY2013 for outside auditing with Evans and Poulsen, CPA's.

9:59 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE A LETTER OF ENGAGEMENT WITH EVANS AND POULSEN, CPA'S AS OUTSIDE AUDITORS FOR FY2013 IN THE AMOUNT OF \$19,900. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

10) 10:28 AM DISCUSS POTENTIAL CANDIDATES FOR ANIMAL DAMAGE CONTROL BOARD

- a) The name of Ted Higley was suggested as a candidate for the Animal Damage Control Board where he is a local rancher.
- b) Chairman Crane will talk to Higley to see if he is willing to be considered. If he is not Commissioner Christensen recommended Eugene Matthews would be appropriate for another consideration.

11) 10:35 AM INDIGENT MATTERS

10:35 AM EXECUTIVE SESSION

MOTION: COMMISSIONER KUNAU MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING MEDICAL INDIGENT MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(D), SECONDED BY COMMISSIONER CHRISTENSEN. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE, COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE.

Welfare Director Susan Keck presented the following:

- a) Notice of Continuance of Hearing on Case #2012042, #2012083, and #2012047
- b) Certificate of Denial on Case #2012102
- c) Certificate of Approval on Case #2012099
- d) Notice of Lien and Application for Medically Indigent Benefits on Case #2012110
- e) Release of Medically Indigent Lien on Case #2012092, #2012091, #2012092, and #2012021
- f) Order of Dismissal on Case #2012092
- g) Order of Reimbursement on Case #2012099

10:43 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 10:44 AM.

10:58 AM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(A). A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE, COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE. THE BOARD RETURNED TO REGULAR SESSION AT 11:12 AM.

11:13 AM EXECUTIVE SESSION

MOTION: COMMISSIONER KUNAU MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PENDING LITIGATION UNDER IDAHO CODE SECTION 67-2345(1)(F), SECONDED BY COMMISSIONER CHRISTENSEN. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN

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CRANE, COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE. THE BOARD RETURNED TO REGULAR SESSION AT 11:32 AM.

12) 12:00 PM JOINT MEETING WITH MINIDOKA COUNTY AT PERKINS TO HEAR REPORT FROM MINI-CASSIA COMMERCE AUTHORITY

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| 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 |
| | Minidoka County Commissioners: | Bob Moore, Chairman Kent McClellan Cheryl Koyle |
| | Minidoka Clerk of the Board: | Patty Temple Lisa Dayley, The News Journal |
| | Mini-Cassia Commerce Authority: | Todd Phillips Brent Stoker Jeff Harper Bill Parsons |

13) 12:30 PM Report of MCCA

- a) Jeff Harper, president
 - i) Harper recommended continued funding for their executive, Winston Inouye
 - ii) Significant accomplishments have been made with Inouye
 - iii) Inouye assisted with the Mulholland Project
- b) Bill Parsons
 - i) There are three representatives from each County
 - ii) The directors all work without pay
 - iii) Outside professional work is provided by attorney Parsons and accountant Todd Phillips
- c) Todd Phillips
 - i) MCCA assist collectively to achieve funds that otherwise would be difficult to get
 - ii) Explained the value of commercial development with Double L Manufacturing
- d) Chairman Bob Moore
 - i) Chairman expressed disappointment with the lack of information coming from Inouye
 - ii) He expressed that more effort on Inouye's behalf is needed
 - iii) A report to the Boards of each County was desired

14) Other discussion

- a) It was expressed that Inouye had the right contacts, education, and work experience
- b) It would be difficult for MCCA to do anything without someone like Inouye
- c) A report and budget request needs to take place on the 2nd Monday of May 2013 at a joint 12:00 p.m. luncheon
- d) A bi-monthly report to both Boards was desired
- e) Kelly Anderson and Steve Young needs to be replaced on the MCCA Board.

15) 1:15 PM ADJOURNMENT

APPROVED:

/s/_____

Dennis Crane, Chairman of the Board

ATTEST:

/s/_____

Joseph W. Larsen, Clerk of the Board