



# Cassia County Board of Commissioners

*Commissioner Chambers*

*1459 Overland Ave.*

*Burley, ID 83318*

[www.cassiacounty.org](http://www.cassiacounty.org)

**Board Chairman:**

*Dennis Crane*

**Phone:** (208) 878-7302

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**Board Members:**

*Paul Christensen (District #1) ~ [pchristensen@cassiacounty.org](mailto:pchristensen@cassiacounty.org)*

*Bob Kunau (District #2) ~ [bob.kunau@cassiacounty.org](mailto:bob.kunau@cassiacounty.org)*

*Dennis Crane (District #3) ~ [dcrane@cassiacounty.org](mailto:dcrane@cassiacounty.org)*

Monday, December 10, 2012

The Board of Cassia County Commissioners met in regular session on Monday, December 10, 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 Darwin Johnson, Director MCCJC Brandon Salveson, MCCJC Barney Greener, Assessor's Office Patty Justesen, Treasurer Joe Herring, Region IV Econ Developmnt Jay Lenkersdorfer, The Weekly Mailer
	Cassia County Fair Board Members	Bruce Bowen, Vice Chairman Cory Parish Blair Davis Ryan Samples Sam Yoshida Don Allen Knopp Jeff Chatburn Paul Marchant

- 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, GATEWAY MATTERS, VISIT COUNTY DEPARTMENTS
  - a) 9:05 AM CALENDAR
    - i) Joint Jail Meeting at 8:00 a.m. Tuesday, December 11, 2012, in Rupert
    - ii) Mid Snake Resource Conservation and Development Annual Meeting at 12:00 p.m. on December 11, 2012, in Twin Falls

**CASSIA COUNTY COMMISSION**

**REGULAR SESSION**

**Monday, December 10, 2012**

- iii) Elected Officials Christmas Party at 7:00 p.m. on Wednesday, December 12, 2012, at the Heritage Station in Oakley
- iv) South Central Community Action Meeting at 11:30 a.m. on Thursday, December 13, 2012, in Twin Falls
- v) Open House for Chobani Yogurt in Twin Falls at 2:00 p.m. on Monday, December 17, 2012
- vi) IAC Board Meeting and Adult Misdemeanor Probation Meeting for Commissioner Christensen on Thursday, December 20, 2012
- vii) The Board will not meet on the regularly scheduled day of Monday, December 24, 2012
- viii) The Board will meet on the regularly scheduled day of Monday, December 31, 2012
- b) 9:05 AM           CORRESPONDENCE
  - i) Letter from Gary Farwell regarding Burley Highway District
- c) 9:15 AM           CHANGE OF STATUS
  - i) There were no Change of Status requests today
- d) 11:14 AM         APPROVAL OF MINUTES

**11:14 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM DECEMBER 7, 2012. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- e) 9:21 AM           CSI RESIDENCY APPLICATIONS
  - i) The Board reviewed 16 CSI Residency applications; three high school dual credit residencies, six 2012-2013 residencies, and seven spring 2013 residencies.
  - ii) Larsen was asked to put together statistics regarding dual credit

**9:21 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE 16 CSI RESIDENCY APPLICATIONS. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- f) 1:37 PM           COUNTY PAYABLES

CURRENT EXPENSES	104	\$19,932.98
INDIGENT FUND	105	\$12,813.16
DISTRICT COURT FUND	106	\$7,645.62
COUNTY ROADS & BRIDGES FUND	107	\$4,848.10
WEED & PEST FUND	108	\$2,929.30
REVALUATION FUND	114	\$596.48
911 COMMUNICATIONS FUND	115	\$7,432.54
JAIL TRUST FUND	129	\$7.50
JUSTICE FUND	130	\$57,702.21
D.A.R.E TRUST	137	\$210.20
PHYSICAL FACILITIES FUND	144	\$424.19
ADULT MISDEMEANOR PROBATION	149	\$4,380.29
	<b>TOTAL</b>	<b>\$118,922.57</b>

**1:37 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED DECEMBER 7, 2012. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- g) 9:22 AM COUNTY ROAD AND BRIDGE
  - i) Road and Bridge acquired two trucks from the State of Idaho.
  - ii) The crew is sanding roads this morning following the snow.
  - iii) Cattle guards are currently being installed on the Ottley Road in Almo.
- h) 9:23 AM BUILDING AND GROUNDS MATTERS
  - i) AAI, Inc. has been hired for interior abatement at the CCJC.
  - ii) EPA requires a 10 day notice before work can begin.
  - iii) McMurray and Barrus are working on contract terms of the general contractor that will hopefully be completed by next week.
  - iv) Starr Construction desires to begin outside work right away at the CCJC.
- i) 11:14 AM GATEWAY MATTERS
  - i) McMurray has information for the Board from Gateway Task Force attorney, Doug Balfour.
- j) 11:15 AM VISIT COUNTY DEPARTMENTS
  - i) The Board visited each County department and shared holiday greetings.
- 2) 9:10 AM DISCUSS FUNDING FOR SECURITY UPDATE AT MCCJC
  - a) MCCJC Maintenance Supervisor, Brandon Salveson reported to the Board that the bid for the security system went over their FY2013 budget by approximately \$10,000.
  - b) The contractor assisted eliminating items in the bid at a cost savings of roughly \$5,000, all without harming the integrity of project. The additional \$5,000.00 was proposed to be taken from other expense line items they committed not to use.
  - c) Commissioner Christensen asked about other unexpected repair expenses that have occurred in the past year and warned of funding decreases with PILT.
  - d) Larsen talked about cash flow issues with the need to cover employee benefits and the new judicial building expenditures. He also reminded the Board about looking closely at all expenditures for FY2013, as there is financial ground that needs to be made up during FY2013.
  - e) The Board discussed future revenues with State holds and Salveson indicated the State is asking for more long term space.

**9:19 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE EXPENDITURES AS PRESENTED BY SALVESON FROM THE MCCJC FOR SECURITY UPGRADE COSTS. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 3) 9:25 AM DISCUSS ACCESS IDAHO AGREEMENT WITH ASSESSOR'S OFFICE
  - a) Barney Greener from the Assessor's Office presented to the Board the 1<sup>st</sup> Amendment to Addendum B to the Service Level Agreement for Electronic Transactions and Access for Electronic Payments at Point of Sale to Cassia County Assessor increasing patron user fees of \$1.00 per transaction plus 3% due at transaction time effective January 1, 2013, with Access Idaho.
  - b) Due to a problem with the original contract, it needs to be resigned.

**9:26 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO ACCEPT AND SIGN THE CHANGED AGREEMENT TO INCREASE FEES TO PATRONS \$1.00 PLUS 3% PER TRANSACTION AND INVALIDATE THE**

**PREVIOUSLY SIGNED AGREEMENT. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 4) 9:27 AM DISCUSS PARCEL NUMBER PP08038 WITH ASSESSOR DWIGHT DAVIS
- Greener reported on a manual entry omission in the parcel master at the Assessor's Office on parcel number PP08038 owned by Family Dollar Store and an updated assessment notice having not been sent to the owners.
  - Following correction of the double assessment, the value of \$82,988 was adjusted to \$48,988. The original tax assessment of \$1,156.52 needs to be reduced by \$473.84 upon approval of the Board.

**9:28 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO CANCEL THE FY2012 TAX ASSESSMENT ON PARCEL NUMBER PP08038 IN THE AMOUNT OF \$473.84. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 5) 9:30 AM REGION IV JOE HERRING REPORT TO BOARD
- Joe Herring presented a report from the Region IV Economic Development Committee.
  - Their purpose is to get funding for infrastructure improvement in the region.
  - In 1996, they asked for contributions from each County with a base rate and a per capita charge.
  - Operating revenue comes from money earned rather than contributions from counties.
  - Herring presented a spreadsheet indicating that Cassia County had paid dues with infrastructure and investment benefits to the area totaling \$153,526,774. He indicated that represented a 2551.02% return on investment.
  - They are currently working with the City of Burley regarding loans for the new Denny's Restaurant.
  - Commissioner Kunau stated that we need requests during budget time for proposed funding. Herring does not anticipate any significant changes in funding requests during this next year.
- 6) 9:45 AM APPROVE FUNDING FOR SECURITY AROUND GENERATOR AT LAW ENFORCEMENT BUILDING
- Concrete, posts, and a fence installation needs to take place around the newly installed generator at the Law Enforcement building.
  - Ralph Thornton Construction's bid for placement of steel bollards and concrete was \$3,929.00 and Fence Solutions bid for placement of the fence was \$2626.16.
  - Homeland Security funds will pay for most of the costs and the Sheriff's Department or 911 will pay the balance.
  - Commissioner Christensen asked about the possibilities of getting other competitive bids. McMurray indicated that it was under the \$25,000 requirement.

**9:48 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE BIDS WITH RALPH THORNTON CONSTRUCTION FOR \$3,929.00 AND WITH FENCE SOLUTIONS FOR \$2626.16. COMMISSIONER CHRISTENSEN SECONDED THE MOTION TO APPROVE. THE MOTION PASSED UNANIMOUSLY.**

- 7) 9:50 AM DISCUSS WHEN TO HOLD DEPARTMENT HEAD TRAINING
- Department Head Meeting will be held at 11:30 a.m. Monday, December 17, 2012.
- 8) 9:54 AM DISCUSS ALLOWING AFLAC TO HOLD MEETING AT COUNTY TO INFORM CURRENT AND PROSEPTIVE INSUREDS

- a) AFLAC District Coordinator would like to do a half hour presentation and to meet with employees who are members of AFLAC and notify them of changes and deal with enrollment.
  - b) The Board expressed concerns about taking employees away from their work and suggested doing that after regular work hours.
- 9) 10:01 AM EDGAR FEE PERMIT APPEAL
- a) Chairman Crane opened the record at 10:01 a.m. and introduced those present. Chairman Crane declared a close personal relationship with Dean Edgar as he does custom farming for Crane. McMurray indicated that it could be a potential conflict. Crane declared that he would not participate with deliberations and decisions and turned the hearing over to Commissioner Kunau. McMurray met with Edgar and resolved one issue regarding an Accessory Dwelling Unit. The issue remaining is a permitting issue requiring an additional 100% to the permit fee.
  - b) A letter from Edgar was read by McMurray detailing concerns and reasoning for the penalty fee.
  - c) A letter from Compliance Officer Melissa Price was read by McMurray detailing violations.
  - d) Kunau said Edgar demonstrated good faith in trying to do what he thought he should do. It was pointed out that the Board had the latitude to adjust fees.
  - e) Commissioner Christensen suggested they deduct 50% of the double fee penalty and Commissioner Kunau agreed.

**10:16 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO ADJUST PENALTY TO 50% OF THE AMOUNT ASSESSED FOR THE PLACEMENT OF AN ACCESSORY DWELLING UNIT ON PROPERTY BELONGING TO DEAN EDGAR. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- a) Closed the hearing at 10:17 a.m.
  - b) McMurray pointed out that the Administration cannot make adjustments to the fees imposed by the County Code but that the Board could.
- 2) 10:18 AM DISCUSS SHERIFF'S OFFICE ROOF
- a) Sheriff Kidd indicated that he had brought proposals to the Board two years ago to do a roof repair or roof buildup and no work was authorized at the time.
  - b) The roof is still leaking near the hallway leading to dispatch and poses a potential problem for electronics as well as for 911 equipment.
  - c) McMurray indicated that there is a roof pitch problem because of reroofing that has been done several times. Options for repair or replacement were presented by two roofing contractors.
  - d) Sheriff Kidd indicated that to do it appropriately a new buildup would be the best. The less costly option would be to repair it.
  - e) The Board determined to get new bids in the spring and do temporary patching in the meantime.
  - f) Commissioner Christensen recommended that Larsen make a note for budgeting next fiscal year for major repair possibilities and that the roof just be temporarily patched for now.
- 3) 10:38 AM REVIEW AND DECIDE APPLICATION FOR WIDOW'S BENEFIT TRUST FOR ELISON FAMILY TRUST
- a) The Board signed the application which had already been approved by the Board.
- 4) 10:20 AM REVIEW CONFLICT PUBLIC DEFENDER REPORT FOR NOVEMBER 2012
- a) The Board reviewed the Public Defender report for November 2012.
- 5) 10:39 AM REVIEW RESOLUTION NO. 2012-24 PROPOSING TO INCREASE MILEAGE REIMBURSEMENT RATE, EFFECTIVE JANUARY 1, 2013

- a) The IRS published Standard Mileage Rates for 2013 was proposed to be adopted by resolution reflecting an increase from \$0.555 to \$0.565 per mile for approved travel reimbursement.

**10:40 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO INCREASE THE STANDARD MILEAGE RATE FOR 2013 TO \$0.565 FOR APPROVED MILEAGE REIMBURSEMENT. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

6) 10:30 AM REVIEW RESOLUTION NO. 2012-25 PROPOSING BYLAWS FOR EMPLOYEE BENEFITS COMMITTEE

- a) Larsen expressed his feelings that a deputy auditor should be a permanent member of that Employee Benefits Committee as financial information regarding employee benefits are always familiar to employees of the Auditor's Office.

**10:54 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO TABLE FOR FURTHER CONSIDERATION. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

7) 10:55 AM REVIEW RESOLUTION NO. 2012-26 PROPOSING DESIGNATION OF IAC AS COUNTY REPRESENTATIVE IN COLLECTING ECC FEES

- a) McMurray indicated that counties have an interest in joining the Emergency Communications Commission (ECC) in a counter-claim in seeking collections of 911 fees from TracFone and other telecommunications companies. TracFone is involved with the sales of prepaid cell phones.
- b) IAC anticipated that costs related to that would be paid by them and that they would not come back to counties for payment.

**10:58 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO DESIGNATE IAC TO REPRESENT THE COUNTY IN NEGOTIATIONS AND/OR LITIGATION REGARDING COLLECTION OF 911 FEES FROM TELECOMMUNICATIONS COMPANIES. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

8) 11:01 AM INDIGENT MATTERS

**11:01 AM EXECUTIVE SESSION**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING MEDICAL INDIGENT MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(D). 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) Case #2012110
- b) Certificate of Denial on Case #2012100 and #2012101
- c) Certificate of Approval on for Additional Treatment on Case #2012044
- d) Notice of Lien and Application for Medically Indigent Benefits on Case #2012111, #2012112, #2012113, #2012114, #2012115, #2012116, and #2012117
- e) Order of Dismissal on Case #2012042
- f) Release of Medically Indigent Lien on Case #2012042
- g) Notice of Continuance of Hearing on Case #2012084, #2012087, and #2012086

**11:13 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 11:13 AM.**

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- 9) 11:13 AM FAIR BOARD ANNUAL REPORT
- a) Fair Board members present were introduced.
  - b) Fair Board Vice Chairman, Bruce Bowen reported on Fair activities and work at the fairgrounds this past year. Some work was planned and some was unexpected.
  - c) There remains one more payment to the County on the building of \$11,700.
  - d) The races, rodeo, and 4H were all successful while the concert lost money.
  - e) Proposed improvements include that the office and horse barn roofs need replaced, some paving needs repairs, and they need to continue the replacement of wood fences for liability and maintenance reasons. The Lions Club has been approached to assist with the Fair Board financially. A lawsuit resulting from a horse race has been resolved according to McMurray.
  - f) Christensen inquired as to the estimated costs for repairs. Bowen indicated that it would be under \$12,000 for roofs. The paved area is \$45,000 which includes the front entrance, grandstands, and to complete a sidewalk to carnival area. It also needs to be re-excavated.
  - g) Sam Yoshida discussed food vendors and how they are recommended and chosen.
  - h) Don Knopp provided the Board with a letter requesting consideration for reappointment as a member of the Cassia County Fair Board.

**11:49 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO RE-APPOINT DON KNOPP AS A MEMBER OF THE CASSIA COUNTY FAIR BOARD. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- i) Blair Davis provided the Board with a letter requesting consideration for appointment as a member of the Cassia County Fair Board to replace outgoing member Bruce Bowen.

**11:50 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPOINT BLAIR DAVIS AS A MEMBER OF THE CASSIA COUNTY FAIR BOARD. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- j) Brice Beck requested to be relieved from his Board responsibilities and Ryan Samples provided the Board with a letter requesting consideration for appointment as a member of the Cassia County Fair Board to replace outgoing Board Chairman, Brice Beck.

**11:50 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO RELIEVE BRICE BECK AS A BOARD MEMBER AND CHAIRMAN AND TO APPOINT RYAN SAMPLES AS A MEMBER OF THE CASSIA COUNTY FAIR BOARD. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- k) Cassia County Fair Board member, Sam Yoshida was appointed chairman and Don Knopp was appointed vice chairman. A certificate of appreciation was presented to Bowen and since Beck was not present, he will be presented with a certificate of appreciation at a later date.

10) 12:00 PM LUNCH WITH FAIR BOARD AT PERKINS

11) 1:35 PM RECONVENE

**1:42 PM EXECUTIVE SESSION**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING RISK MANAGEMENT UNDER IDAHO CODE SECTION 67-2345(1)(J), SECONDED BY COMMISSIONER KUNAU. 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 2:16 PM.**

*CASSIA COUNTY COMMISSION*

*REGULAR SESSION*

*Monday, December 10, 2012*

12) 1:45 PM ADJOURNMENT

APPROVED:

/s/\_\_\_\_\_

Bob Kunau, Vice Chairman of the Board

ATTEST:

/s/\_\_\_\_\_

Joseph W. Larsen, Clerk of the Board