



BOARD OF COUNTY COMMISSIONER MINUTES

February 27, 2012

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 MINUTES

The Board of County Commissioner Minutes for February 21, 2012, 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.

CALENDAR

The Board reviewed the following calendar items:

1. Public Defender Meeting at 7:30 a.m. Tuesday, February 28, 2012, in Burley.
2. Joint Jail Meeting at 8:00 a.m. Tuesday February 28, 2012, in the Burley
3. Solid Waste Meeting at 10:00 a.m. Wednesday, February 29, 2012.
4. Republican Caucus at 7:00 p.m. Tuesday March 6, 2012, at the King Fine Arts Center.
5. Meeting for considerations for Gateway modifications at 2:00 p.m. Wednesday, March 21, 2012, at the Power County Courthouse.
6. Mini-Cassia Economic Development Commission Meeting at 7:00 a.m. Tuesday, February 28, 2012, at the Mini-Cassia Chamber office.
7. Mid-Snake Resource Conservation and Development Meeting at 2:00 p.m. Tuesday, February 28, 2012, at the Twin Falls Courthouse.
8. Quarterly Veterans Meeting at 7:00 a.m. Thursday, March 1, 2012, at the Veterans Office in Rupert.
9. Coordinating Class with Feds and State from 9:00 a.m. to 5:00 p.m. Thursday, March 8, 2012, at the Ramada Inn in Pocatello.

CORRESPONDENCE

The Board reviewed the following correspondence:

1. Invitation from the Burley FFA Chapter to a banquet to be held at 6:00 p.m. Tuesday, March 13, 2012, at the Burley High School cafeteria.
2. Letter from Keller Associates regarding off system bridge inspections contracted through ITD to be conducted in Cassia County during the month of March.
3. Wedding invitation from Kari Merrill, former correspondent for the The Weekly News Journal.

COUNTY EXPENDITURES

The Board reviewed the County's Payables Approval Report dated January 20, 2012. 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	\$357.78
INDIGENT FUND	105	\$18,020.10
DISTRICT COURT FUND	106	\$209.10
COUNTY ROAD AND BRIDGE FUND	107	\$74,654.79
911 COMMUNICATIONS FUND	115	\$364.31
COUNTY ELECTION FUND	116	\$207.38
JUSTICE FUND	130	\$115,324.23
D.A.R.E. TRUST	137	\$200.18
	TOTAL	\$209,337.87

CHANGE OF STATUS

The Board reviewed three (3) Request for Change of Status forms. The Sheriff's Office recommended that Kevin Lee Horak be promoted from Corporal to Lieutenant Investigator with an increase in rate of pay; the MCCJC recommended that Brynn A. Reusze be promoted to Senior Detention Deputy with an increase in rate of pay and that Jacob John Hirsch, III be promoted to Senior Detention Deputy with an increase in rate of pay. 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.

DEPARTMENT HEAD MEETING

Oakley resident, Douglas T. Pickett announced his candidacy for Idaho State Senate representing District 27. He presented a letter and biography to those in attendance.

Randy Kidd (Sheriff) – Kidd reported that he conducted a tour of the jail with City of Burley officials. He indicated that it was an eye-opener for the City and the media. He reported that weather created an issue with flooding in the east side of county. Loyal Egbert retired and they are in the process of filling that position. He reported that one officer is graduating from POST from his department.

Patty Justesen (Treasurer) – Justesen discussed her department's work with issues on properties. They had made good progress and are continuing work on getting delinquencies corrected. She is now scheduling vacation days for her deputies. She presented the Board with a Statement of Treasurer's Cash for January 2012.

Amber Prewitt (Adult Misdemeanor Probation) – (Prewitt was not present)

Dwight Davis (Assessor) – Davis said things are busy and going smoothly in his office. The Tax Reduction Program (formerly known as Circuit Breaker) annual signup for elderly people and those on limited income is currently being conducted and will conclude on April 15, 2012. Homeowner's (Homestead) Exemption signup for those with a change of location ends on April 15, 2012, as well. In addition, his office is currently receiving personal property and industrial declarations. An Inventory Exemption law for developers passed legislation recently that allows land to not be taxable until a subdivision sell. He discussed other pending legislation regarding real and personal property tax.

Darwin Johnson (Mini-Cassia Criminal Justice Center) – Johnson reported that there are several mental issues in the jail currently. He reported the following: 178 bed count. 49 state inmates, eight U.S. Marshall holds, two courtesy holds, and one ICE hold. State holds are staying pretty steady and revenue is currently where they have expected. They have posted for 4 open

positions that need to be filled. Johnson reported that an ICE medical inspection will take place tomorrow. They have one person at POST.

Joe Larsen (Clerk's Office) – Larsen reported on the Elections training that took place the past two weeks. A lot of additional work is necessitated with handling four elections per year. We have a taxing district election coming up on March 13, 2012, for school override levies. The Primary Election will be held on May 15, 2012. He reported on the Republican closed Primary which includes the Caucus to be held on Super Tuesday, March 6, 2012. The Elections Department will play no official roll in that as it is a Republican Party function. Larsen reported that he was going to work with Stephenson's to get the records digitized by the Utah Genealogical Department accessible to the Recorder's Department and the public. A report on the results of the County's outside independent audit will happen in a few weeks.

Al Barrus (Prosecuting Attorney) – Barrus reported that his office had been busy. One of his secretary's last day of work is today as she is having a baby. She will come back for a short time after that.

Kerry McMurray (Administrator) – McMurray reported that January was slow in the Building department but that things were picking up. He indicated that mapping was doing fine.

Joel Packham (Extension Office) – Packham reported everything was on schedule in his office for teaching classes. They are currently conducting several classes and others are scheduled for the future.

Gordon Edwards (Weed & Pest Control) – Edwards reported on the NPDS with road districts. He indicated that Senator Risch is working to get legislation to end that and get back down to a simpler process. That process has adversely affected more farmers than they had thought it would. Farmers are ready to get back into the fields. Organic farmers have been required to do more for weed eradication and his office is working with them to comply.

Bob Stephenson (Stephenson Consulting) – McMurray inquired as to the desire and general direction of departments and the County regarding credit card payments. TouchPay is being used in the Assessor's Department and with Adult Misdemeanor Probation. Stephenson explained that those payments have to flow through the Auditor's Office and Treasurer's Office. He indicated the need for audit controls that need to be in place. He stressed the need of the County to proceed in a consistent direction. There have been some issues experienced with TouchPay and they will be addressing those issues. Larsen commented that the Records Office desires to implement credit card pay. Kidd concurred for his department. Those who use the credit card are required to pay a usage fee. It is not an expense to the County. TouchPay is working on reports that will fit the County's needs. McMurray said we want to strive to have just one or two vendors and to keep it simple and standardized.

US FOREST SERVICE/BUREAU OF LAND MANAGEMENT

Scott Nannenga (Forest Service Ranger) – Nannenga advised the Board of the cutting and sale of Douglas Fir timber in the Pine Creek area near Howell Canyon. Public cutting of wood will be suspended in that area during that time. A Paintbrush Plan Control Measure in the Mt. Harrison area will end with a designation no longer as endangered species. Nannenga talked about the comment period and a forty-five (45) day appeal process for proposed changes presented by the USFS. The Interior Department appropriations recommendations have expressed a desire to change to an objection process to speed up approvals. It should be implemented by June of 2012. Commissioner Christensen discussed procedures regarding forest management in preparation of the Board making an opinion.

Mike Courtney (BLM Director) – Courtney discussed the termination of a right-a-way

grant with the Cottrell Mountain Wind Project citing their uncertainty about sage grouse and eagles. Courtney expressed concern regarding damage by four wheelers at Gem Sage Mountain. The BLM is working with JUB engineers for proposed upgrades for the Milner Recreation site. Courtney discussed the southern alternate power route. The desire of the County and the Gateway Task Force was to keep that corridor consideration.

MEETING WITH LCA ARCHITECTS

Lombard-Conrad Architects, P.A. (LCA) president Steve Simmons and Associate Principal Scott Wendell presented a rough draft layout of the proposed Justice Center remodel project. They discussed issues regarding windows, doors, and roofing. They walked through exterior and interior flow proposals using block diagrams of space utilization. They indicated that there were 16,000 square feet and they had difficulty getting the layout to work with security and cross traffic concerns. They will meet with the Board in two weeks from now with a more concrete layout. The overriding concerns include prioritization of space allocation and budgetary constraints. They had met earlier with the judges and presented a preferable layout from their standpoint. At issue remains whether to have four courtrooms in the layout or to have three courtrooms and include placement of the Prosecuting Attorney's office in the facility.

EXECUTIVE SESSION

At 11:05 a.m. it was proposed by Commissioner Christensen and seconded by Commissioner Kunau 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 Keck briefed the Board on the following in regards to a hearing to follow: Case #2010017 and #2010148.

A request was made regarding Case #2010017 for relief of some tax refunds assigned to the County to meet other medical liabilities and for vehicle repairs. The Board agreed based on a positive payment record and an increased monthly payment obligation agreed upon. A motion was made by Commissioner Christensen for the individual to keep half of the assigned tax refunds, seconded by Commissioner Kunau, followed by a unanimous yea vote.

A request was made regarding Case #2010148 for relief of some tax refunds assigned to the County to meet personal financial liability for vehicle repairs. Following discussion, the Board agreed based on a positive payment record and further review next year. A motion was made by Commissioner Christensen for the individual to keep half of the assigned tax refunds, seconded by Commissioner Kunau, followed by a unanimous yea vote. The Board returned to regular session at 11:35 a.m.

EXECUTIVE SESSION

At 2:35 p.m. it was proposed by Commissioner Christensen and seconded by Commissioner Kunau that the Board re-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 continue discussion of medical indigent matters. Welfare Director Susan Keck presented the following to the Board: Case #2010017 and #2010148. Keck further presented to the Board the following: A letter was prepared for denial based on non-appearance at the hearing on the following: Case #2011118 and #2011115. The Board determined to not consider the business operation of one

applicant in the review process and recommended denial on Case # 2011104. Keck received a Notice of Bankruptcy on Case #206059. The Board advised Keck to make the CAT Board aware of that bankruptcy. The Board reviewed and approved the following: Notice of Lien and Application for Medically Indigent Benefits on Case #2012018 and #2012019; Release of Medically Indigent Lien on Case #2009030, #2009089, #2009129, #2011135, #2011136, #2011137, #2011142, and #2011130; Assignment on Case #2011067; Certificate of Denial on Case #2012002, # 20120016, #2012007, #2012008, and #2012019; Certificate of Approval on Case #2012003, #2012004, #2012016, #2012017, and #2012020; Order of Reimbursement on Case #2012003, #2012004, #2012016, and #2012017; and a Request for Medical Records/Utilization Management Review on Case # 2012010. The Board returned to regular session at 3:15 p.m.

OTHER BUSINESS ITEMS

1. The Board reviewed one (1) CSI Residency applications. A motion was made and seconded to approve said applications and the roll call vote was unanimous with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.
2. The Board reviewed County expenditures as presented.
3. No Board of Equalization was needed today.
4. The Board reviewed a Dietician Independent Service Contract as previously discussed by the Board and presented by Prosecuting Attorney Al Barrus. Said contract is for one year at an hourly rate of \$25.00 per hour. Commissioner Christensen made a motion to accept and sign the said agreement, seconded by Commissioner Kunau, followed by a unanimous yea vote. Barrus indicated that this contract was intended to address preparation of foods in compliance with nutritional requirements. The contract also needs the approval of the Minidoka County Board.
5. Clerk Larsen updated the Board on items discussed at the Secretary of State's election training. He went over the Sunshine Law compliance required for candidates of office. Candidates remain candidates even though elected until the next candidacy declaration deadline. Annual reports need to be completed each January.
6. The Board discussed an MOU between the County and the ISDA. Weed and Pest Control Supervisor, Gordon Edwards met with Administrator McMurray and Prosecuting Attorney Barrus to go over said MOU revision requests. Barrus indicated that ISDA incorporated some of the suggested changes but indicated that there were still changes that needed to be made. The Board discussed the complications and concerns of hiring and training employees that would be needed as well as potential turnover issues. McMurray indicated that unemployment would be an issue in subsequent years when employees are laid off. There would also be other potential issues with PERSI. The Cedar Creek checkpoint has caught four boats already since February. Cost to the County would be the only concern from the Auditor's standpoint according to Clerk Larsen. Commissioner Christensen made a motion for Edwards to proceed with appropriate consultation with Prosecutor Barrus to achieve a mutually beneficially agreement, seconded by Commissioner Kunau, followed by a unanimous yea vote.
7. The Board received a draft contract with St. Luke's Canyon View Mental Health Services that was prepared by Twin Falls County. The Board determined to review the draft and discuss it further at a future Board Meeting.

8. The Board discussed a Coordination Class with the Feds and the State to be held on March 8, 2012, in Pocatello. The cost is \$75 per person.
9. The Board discussed County Road & Bridge matters. The Narrows Bridge project has been approved. That approval will be void in 60 days if there isn't placement of rip rap and viscuene as well as a minimum of placement of two sections of culvert. Plans are in place to accomplish those requirements. It was reported that the EY Road project is 2/3 completed and should be completed by next week. Road and Bridge Supervisor Sam Adams indicated that the viscuene needed will have to be purchased. Commissioner Christensen recommended getting prices from different vendors. Adams will be getting with the City of Rocks to address issues. Box Elder County's supervisor talked with Adams today. He indicated that quarry trucks leaving the Yost area in late afternoon was tearing up the roads. It was pointed out that they should be encouraged to leave earlier in the day to not adversely affect the roads. Chairman Crane went over a maintenance agreement between Cassia County and Box Elder County and suggested a meeting needs to be set up in Almo for both counties to discuss matters. The Board reviewed an invoice in the amount of \$1103.00 from MetroCount for traffic counting equipment that was used for traffic evaluations. Adams indicated that half of that would be reimbursed by The City of Rocks. Commissioner Christensen made a motion to accept and pay said invoice, seconded by Commissioner Kunau, followed by a unanimous yea vote.
10. The Board discussed County building matters indicating that LCA Architects is scheduled this afternoon for space assessment of the Justice Center Building.
11. The Board reviewed the monthly Ambulance report for January 2012 as read by Commissioner Kunau. Said report detailed a breakdown of total calls, purchases, and continuing education.
12. The Board reviewed IPUC Case No. IPC-E-12-05, a Notice of Application and Notice of Modified Procedure Order No. 32466 for Idaho Power Company to implement a Time Variant Pricing plan. The Board also reviewed IPUC Case No IPC-E-12-02, a Notice of Petition and Notice of Proposed Settlement and Order No. 32465, a petition from Hoku Materials, Inc. requesting an amended special contract with Idaho Power Company.
13. The Board discussed law enforcement matters with the City of Burley during lunch.
14. The Board discussed with elected officials the possibility of conducting community meetings. Assessor Davis had presented the idea to Chairman Crane of meeting periodically in outlying communities. It was pointed out that official Board Meetings have to be held in the Commissioner Chambers on each second Monday of the month and all official business needs transpire at that meeting. It was suggested that going once a quarter to outlying areas for a community type meeting would be more convenient for those citizens. The Board could recess and go to another site and have elected officials there to represent their areas of responsibility. All elected officials agreed to pursue that concept. The possibility of even having an evening meeting at various times was discussed. It was pointed out that overtime for some County employees could be an issue. Chairman Crane presented the concept to Heber Carpenter at Raft River Electric to see if it was possible to use their Board Room and they indicated they would be happy to do so.
15. The Board discussed conducting political activities while on duty in County Service. Prosecutor Barrus referred to the Personnel Policy Handbook under 13(f), p. 26 which addresses requirements regarding this issue. Clerk Larsen also indicated that the Sunshine law precludes electioneering near a public polling place and the Courthouse is a poll

place during elections for absentee voting. Barrus just indicated that employees should be careful with what takes place during the election process.

16. The Board discussed the improper use of government resources for the benefit of private interests. Sheriff requested a procedure policy regarding use of resources and accompanying conditions that could be followed in each instance. It was suggested that Kidd get together with Barrus and McMurray and come up with something to present to the Board.

LUNCH AND MEETING OF CITY OF BURLEY

Crane introduced County elected officials present: Chairman Dennis Crane, Commissioner Bob Kunau, Commissioner Paul Christensen, Assessor Dwight Davis, Treasurer Patty Justesen, Prosecuting Attorney Al Barrus, Clerk Joe Larsen, and Sheriff Randy Kidd. Crane acknowledged City officials present: Administrator Mark Mitton, Councilman Gordy Hansen, Councilman Casey Anderson, Councilman Randy Hawkins, Councilman Russ Mallory, and Mayor Terry Greenman. Councilman John Craner was out of town today. Lunch was provided to those present.

Sheriff Randy Kidd shared a Power Point presentation regarding goals accomplished during his term of service. He also enumerated plans for the future as well. He discussed the various responsibilities of his department and grants they have received over the past few years.

Kidd fielded a number of questions of the group. City Administrator Mark Mitton complimented Undersheriff George Warrell in his effort to coordinate activities of the City.

RECESS

Meeting was recessed until 9:00 a.m., Monday, Mar 5, 2012.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Jay Lenkersdorfer, Weekly News Journal; Renee Wells, The Voice; Sam Adams, Road & Bridge Supervisor; Undersheriff George Warrell; Detective Dan Renz; Detective Kevin Horak; John Walsh, citizen; Sara Jane Ward, citizen; Mark Peterson, citizen.

ATTEST:

APPROVED:

/s/ _____

/s/ _____

Joseph W. Larsen
Clerk of the Board

Dennis Crane
Chairman of the Board