



BOARD OF COUNTY COMMISSIONER MINUTES

January 23, 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 January 9, 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., January 24, 2012, in Burley.
2. Jail Meeting at 8:00 a.m., January 24, 2012, in Burley.
3. CRMC Board Meeting at 7:00 a.m. Wednesday, January 25, 2012, at the hospital.
4. Solid Waste Board Meeting at 10:00 a.m. Thursday, January 26, 2012.
5. Local Emergency Planning Committee Meeting at Rupert Fire Station
6. Southcentral Public Health District Meeting at 1:30 p.m. Wednesday, January 25, 2012.
7. Southcentral Community Action Meeting at 12:00 p.m. Thursday, January 26, 2012, at Twin Falls

CORRESPONDENCE

The Board reviewed the following correspondence:

1. Thank you note from Paul and Susan Young for flowers provided by the County for the funeral of Paul's mother.
2. Frontier Footnotes, Vol. 5, January 2012, from the Idaho Area Health Education Center.

CANCELLATION OF TAXES – TREASURER

Treasurer Patty Justesen presented to the Board the proposed cancellation of property taxes for 2006 and 2007 on the property of Michael Von Jones on Highway 81 totaling \$3848.71. Jones filed bankruptcy in 2007 on tax years 2003-2007. A letter from Jones' attorney indicated that the 2006-2007 taxes were paid in full. Jones contended that he had not received a homeowner's exemption when in actuality he did. Following the advice of Prosecuting Attorney Barrus, Justesen recommended that those taxes be exempted. Barrus explained that nothing had been done to collect that additional amount. A motion was made by Commissioner Christensen to cancel taxes for 2006 and 2007 in the amount of \$3848.71 at the advice of Barrus and the request of Justesen, seconded by Commissioner Kunau, followed by a unanimous yea vote.

Two odd lot properties were not sold at last year's auction and Justesen asked the desires of the Board on how to handle that property. Those narrow pieces of property had no adjoining property owners who had interest in purchasing at the cost of transferring. Four additional

properties were reviewed by Justesen that her office took a tax deed on that she reviewed with the Board. Justesen recommended that they set a date in July for sale of said property. Barrus recommended that property owners adjoining each odd lot property be notified ahead of the public sale.

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	\$14,104.12
INDIGENT FUND	105	\$18,004.43
DISTRICT COURT FUND	106	\$974.57
COUNTY ROADS & BRIDGES FUND	107	\$4,606.48
CASSIA FAIR FUND	111	\$46,250.00
REVALUATION FUND	114	\$1,286.45
911 COMMUNICATIONS FUND	115	\$6,833.70
ELECTION FUND	116	\$293.92
COUNTY BOAT & LICENSE FUND	117	\$1,000.00
COUNTY SNOWMOBILE FUND	118	\$284.14
ASSESSOR TRUST FUND	123	\$342.19
JAIL TRUST FUND	129	\$2,480.34
JUSTICE FUND	130	\$286,929.00
D.A.R.E. TRUST	137	\$430.84
PHYSICAL FACILITIES FUND	144	\$1,776.31
CASSIA COUNTY BENEFITS TRUST	148	\$218.89
ADULT MISDEMEANOR PROBATION	149	\$8,815.53
	TOTAL	\$394,630.91

CHANGE OF STATUS

The Board reviewed four (4) Request for Change of Status forms. The MCCJC requested approval on hiring Brandi Ka Bourn as a Detention Deputy, The CCSO requested approval on rate of pay decrease for Jay Heward for not taking P.T., and the Prosecutor’s Office requested approval on hiring Linnell Watson and Michelle Dozier, both as a part time secretaries. 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.

DEPARMTENT HEAD MEETING

On Tuesday, February 7, 2012, in the evening, there is open time at the IAC Meeting that Chairman Crane recommended that elected officials meet with legislators for dinner. Crane requested that Clerk Larsen set that up.

Randy Kidd (Sheriff) – Kidd reported on his department using GPS trackers on copper wire. This past weekend a GPS tracker that was attached to stolen wire was tracked to the perpetrator who was subsequently arrested.. Kidd discussed the purchase with grant money funds

of a four-wheeler for off road patrol. Commissioner Christensen made a motion to approve said purchase with grant money, seconded by Commissioner Kunau, followed by a unanimous ye a vote.

Patty Justesen (Treasurer) – Justesen presented a five year quarterly and monthly Treasurer’s Cash Report. Her office is working on mobile homes and personal properties and things are running smoothly. She indicated that she would plan for four properties that were discussed earlier by the Board for tax deed sale in July.

Amber Prewitt (Adult Misdemeanor Probation) - Prewitt indicated that they have started work in their new lab. She talked of hiring a part time UA specialist. A motion was made by Commissioner Christensen to approve the process of hiring a part time specialist, seconded by Commissioner Kunau, followed by a unanimous ye a vote. There are two (2) probation officers who currently are at POST training and there are two (2) officers left to get certified.

Dwight Davis (Assessor) – Davis indicated that the tax reduction program has kept them busy as well as homestead exemptions. The deadline for filing is April 16, 2012. Industrial questionnaires have been sent out regarding transient personal properties. Davis requested that they hold a BOE for appeals next Monday. He indicated that agricultural equipment is exempt. Personal property notices are sent out and Davis is currently working on his five year plan. He discussed the auction sale of the Assessor’s Office’s 1997 Ford Ranger pickup at the Sheriff’s auction in June or July.

Darwin Johnson (Mini-Cassia Criminal Justice Center) – Johnson and Assistant Director Russ Rasmussen reported on four people who have given their notices of termination in their department. Two are living in Twin Falls and are going to work there. They have increased State holds during the past six (6) months to around forty (40) as the State is trying to keep inmates in Idaho.

Joe Larsen (Clerk’s Office) – Larsen reported on the ongoing digitization of public records. He reported on the upcoming Republican Caucus and the necessity of voter’s who wish to vote during the primary election and the party-run caucus of declaring their party affiliation with the elections office. He has requested additional information from the Secretary of State’s office on how to proceed. The Auditor’s office is currently working with Jeff Paulsen, our independent outside auditor in looking closely at various departments’ financial accountability.

Al Barrus (Prosecuting Attorney) – Barrus talked about the hiring of two part time secretaries to fill vacated positions from the resignation of a full time secretary. He discussed the architect meeting with judges and clerks tomorrow.

Kerry McMurray (Administrator) – McMurray reported that Kent Durfee from Almo was appointed to assume the balance of Joyce Ward’s position following her resignation from the P&Z Board. Robert Brice and Nolan Peterson were both appointed to new terms on the P&Z Board. Two CAFO extensions were approved. They are currently reviewing the comprehensive plan for agriculture. The County’s annual report of building permits was provided and discussed. The Building Inspector and mappers are currently attending training meetings. Meetings with the architect and potential users of the new Justice Center will be conducted this week to discuss working plans in that facility. The County should get results from the environmental study sometime this week.

Joel Packham (Extension Office) – Packham reported on schools they are conducting including farm management, marketing workshop, managing production costs, and Quickbooks. Grace Wittman is also conducting classes for mothers. A Healthy Living course for challenged youth grant was awarded that Rosie Davids is conducting. This is their busy time of the year.

Gordon Edwards (Weed & Pest Control) – Edwards reported on working on National Pollutant Discharge Elimination System (NPDES) reports with Fish and Wildlife regarding the introduction of chemical pollutants into water. Edwards will be attending a Weed Meeting in Boise next week. They are visiting farmers where there are weed issues to get things under control early on. He recommended that we not be a part of the group for mosquito abatement where we have no program. Barrus discussed the MOU between the Department of Agriculture and Cassia County for the invasive species and the concern with some verbiage in that contract.

US FOREST SERVICE/BUREAU OF LAND MANAGEMENT

Scott Nannenga (Forest Service Ranger) – Nannenga reported on allotments for cattle in the Almo-Elba area. He discussed restrictive situations for aerial fire retardant application spawned by an environmentalist group's concerns. Unless there is a threat to life or property, fire retardant is not permitted in certain areas. Nannenga provided a map detailing those areas where they cannot apply aerial fire retardant. They have entered into an MOU with the BLM to keep the Sage Grouse habitat in place. He discussed the Gateway West proposed alternative route and the layout of the line near the Cassia and Oneida County border area. Commissioner Christensen discussed the Ski Association's concerns for relinquishment of water rights. Nannenga indicated that it was similar to grazing rights where the USFS retains water rights.

Mike Courtney (BLM Director) – Courtney was not in attendance at today's Board Meeting.

EXECUTIVE SESSION

At 10:40 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 presented the following to the Board: Case #2012005 and #2011139.

The Board reviewed and approved the following: Notice of Lien and Application for Medically Indigent Benefits on Case #2012001, #2012004, #2012005, #2012006, #2012007, #2012008, #2012009, #2012010, and #2012011; Release of Medically Indigent Lien on Case #202071 and #2011107; Assignment on Case #2011040; Certificate of Denial on Case #2011136, #2011138, #2011137, #2011142, and #2011135; Certificate of Approval for Additional Treatment on Case #2011088 and #2011122; Certificate of Approval on Case #2012001, #2011071, and #2011112; Order of Reimbursement on Case #2012001, #2011071, and #2011112; Request for Medical Records/Utilization Management Review on Case #2011085 and #2011096.

Following the discussion, the Board returned to regular session at 11:12 a.m.

EXECUTIVE SESSION

At 11:50 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)(b) with Commissioner Crane voting yea, Commissioner Christensen voting yea, and Commissioner Kunau voting yea. The purpose and general tenor of the meeting was to discuss

an employee matter relating to a request to carry over vacation and PTO time. Following the discussion, the Board returned to regular session at 11:53 a.m. the Board then approved said request.

OTHER BUSINESS ITEMS

1. The Board reviewed twenty-four (24) 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.
3. The Board reviewed the Statement of Treasurer's Cash as provided by Treasurer Patty Justesen.
4. The Board reviewed a Retail Alcoholic Beverage License request for Farmer's Corner-Lonnie and Gay Downs. Following review, a motion was made and seconded to approve said application and the roll call vote was unanimous with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.
5. The Board reviewed the Army Corp of Engineers documents regarding the Narrows Bridge replacement. They authorized the project conditional on a Water Quality Certification from the Idaho DEQ. Following discussion, a motion was made and seconded to approve and execute a request for preliminary jurisdictional determination. The roll call vote was unanimous with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.
6. The Board reviewed the USFS proposed action for Point Springs Cattle and Horse; Eight Mile Cattle and Horse; Kelsaw Cattle and Horse; Moberg Cattle and Horse; Black Pine Cattle and Horse; and Mineral Gulch Cattle and Horse allotments NEPA analysis. If an appeal is desired, comment must be made within thirty (30) days of the publication. There were no changes proposed and the Board determined to provide no comment.
7. The Board reviewed IPUC Case No. IPC-E-12-03 – Idaho Power Company's request to update charges and credits, service attachments, and distribution line installations or alterations; and Case No. PAC-11-12 – Rocky Mountain Power seeking approval to increase its rates.
8. The Board reported on the January 13, 2012, meeting with the Federal Rapid Response Team for transmission and Gateway West. Commissioner Kunau expressed disappointment that the meeting had nothing to do with expediting the Gateway project.
9. The Board reviewed the 2011 Annual Building Department Report as presented by Administrator McMurray.
10. The Board reviewed information from Woody Anderson regarding the National Ski Areas Association's lawsuit against the USFS challenging a new water rights clause. The lawsuit recommended that the water rights clause be excluded as unconstitutional.
11. The Board deliberated on an ATC Communications Application to Use Right of Way to upgrade fiber optic service along the EY Road. McMurray recommend that it be approved pending approval of traffic control by the County Road and Bridge department. Commissioner Christensen made a motion to approve said application, seconded by Commissioner Kunau, followed by a unanimous yea vote.
12. The Board reviewed an Independent Service Contract with Vanessa Foster, registered and licensed dietician for \$25 per hour to evaluate, discuss, and report on the dietician's

findings at the MCCJC. Foster will meet with the Director of the MCCJC on a quarterly basis to evaluate the jail's inmate nutrition program.

13. The Board discussed County Road and Bridge matters. Chairman Crane reported on a flood that occurred in the Elba area last week that he and Administrator McMurray had gone and reviewed. The Board recommended waiving a permit fee to Richard Ward to install a culvert in an area where there was a washout with the flood due to the emergency nature of the situation and because Ward purchased the culvert material. The Board reviewed a letter from County resident, Ryan Hawker and others regarding winter "road not maintained" signage placed near his residency at 1125 East by the County Road crew. Following review of Hawker's concerns, the Board recommended that McMurray draft a letter in response to the request to remove said signage. It was the Board's determination to remove the sign and not install any other, leaving the situation in the hands of the local landowners.
14. The Board discussed County Buildings and Grounds matters, including the architect programming meetings with various court and judicial personnel regarding utilization of the judicial complex space, which is scheduled for Tuesday, January 24, 2012.
15. The Board reviewed a USFS proposal to approve a Plan of Operations amendment submitted by Western Pacific Resources Corporation for additional mineral exploration at the former Black Pine Mine. Scott Nannenga reported that they were going to drill 32 holes and desired to expand beyond that to the south and west.
16. The Board reviewed the Federal Energy Regulatory Commission's order on behalf of Idaho Power Company amending License Article 410 for the Milner project on the Snake River as well as an order modifying and approving a temperature monitoring plan and an elimination of bypass flow requirements.
17. The Board reviewed the Conflict Public Defender report from attorney Clayne Zollinger for December of 2011.
18. The Board considered the ballot for appointment to the Commission for Middle Snake Regional Water Resource Commission. Gail Klienkopf from Twin Falls County and Jack Nelson from Jerome County were recommended for re-appointment for new terms of office for four years. A motion was made by Commissioner Kunau to approved said appointments, seconded by Commissioner Christensen, followed by a unanimous yea vote.
19. The Board discussed redistricting issues that will effect upcoming elections. Clerk Larsen referred to an email from the Clerk of Twin Falls County, Kristina Glascock requesting support on a proposed map. It included the exclusion of Power County and the addition of Jerome County to what is currently districted. The Board will take that under advisement.
20. Sheriff Kidd discussed with the Board the purchase of an ATV for off road patrol. Funding comes from registration of ATV's. He indicated that they had been awarded grant money to fund that purchase. This would provide the Sheriff's Office with two (2) ATV's for the off road patrol. Kidd presented a bid on a new 2011 Can-Am Model 5ABA Viper Red ATV from Let's Ride in the amount of \$5950.00. Commissioner Christensen made a motion to approve said purchase, seconded by Commissioner Kunau, followed by a unanimous yea vote.
21. The Board reviewed a letter from the Mini-Cassia Commerce Authority's Executive Director, Winston Inouye who submitted Cassia County resident, Brent Stoker as a

nomination for the vacated board position of Inouye as an Authority Commissioner. Commissioner Christensen made a motion to approve said nomination on behalf of Cassia County Commissioners, seconded by Commissioner Kunau, followed by a unanimous yea vote.

RECESS

Meeting was recessed until 9:00 a.m., Monday, January 30, 2012.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Jay Lenkersdorfer, Weekly News Journal; Jared Larsen, Citizen; and Kent Searle, 911 Coordinator.

ATTEST:

APPROVED:

Joseph W. Larsen, Clerk of the Board

Dennis Crane, Chairman of the Board