



Cassia County Board of Commissioners

Commissioner Chambers

1459 Overland Ave.

Burley, ID 83318

www.cassiacounty.org

Board Chairman:

Dennis Crane

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

Monday, March 26, 2012

The Board of Cassia County Commissioners met in regular session on Monday, March 26, 2012, at 9:00 a.m. in the Commissioner Chambers of the Cassia County Courthouse. Commissioner Kunau was excused from today's meeting as he was out of town.

THOSE PRESENT:	County Commissioners:	Dennis Crane, Chairman Paul Christensen
	Clerk of the Board:	Joseph W. Larsen
	Prosecuting Attorney:	Al Barrus
	County Administrator:	Kerry D. McMurray
	News Media:	Jay Lenkersdorfer (Weekly News Journal) Laurie Welch (The Times News)
	Department Heads:	(Participants Reporting)

1) 9:05 AM AMENDMENT TO AGENDA

a) Change of Status

- i) Change of Status was inadvertently omitted from new agenda format.

9:06 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO AD CHANGE OF STATUS TO AGENDA.

COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

ii) Cassia County Sheriff's Office

- (1) Corporal Patrolman Noah Shiner – increase in pay for Certification

iii) Mini-Cassia Criminal Justice Center

- (1) Matthew Black Arthur – Temporary Part Time Hire as Detention Deputy

iv) Weed and Pest Control (Invasive Species Inspections)

- (1) Andrew Davis – Temporary Hire as Boat Inspection Technician
(2) Richard Blaine Packer – Temporary Part Time Hire as Boat Inspection Technician
(3) Anita Null – Temporary Part Time Hire as Boat Inspection Technician
(4) Michael Ottley – Temporary Part Time Hire as Boat Inspection Technician
(5) Brandy Hennefer – Temporary Part Time Hire as a Boat Inspection Technician
(6) Kamron Zollinger – Temporary Part Time Hire as a Boat Inspection Technician

9:13 AM

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MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE CHANGE OF STATUS FORMS AS PRESENTED. COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 2) 9:09 AM CALL TO ORDER, PLEDGE OF ALLEGIANCE, REVIEW CALENDAR, MINUTES, CORRESPONDENCE
- a) CALENDAR
 - i) Public Defender Meeting at 7:30 a.m. Tuesday, March 27, 2012
 - ii) Juvenile Justice Meeting at 8:00 a.m. Tuesday, March 27, 2012
 - iii) Hospital Board Meeting on 7:00 a.m. Wednesday, March 28, 2012
 - iv) Solid Waste District Meeting at 10:00 a.m. Wednesday, March 28, 2012
 - v) Republican Meet the Candidates Night at 7:00 p.m. April 26, 2012
 - vi) Email from Brent Stoker from the Gateway West Task Force with information for the Board's consideration regarding reimbursements for use of private land.
 - b) CORRESPONDENCE
 - i) Meet the Candidates Night for Tea Party at 7:00 p.m. Thursday, April 12, 2012, at the King Fire Arts Center Little Theater
 - c) APPROVAL OF MINUTES

9:14 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE MINUTES OF THE BOARD FROM MARCH 19, 2012. COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 3) 9:13 AM MONTHLY AMBULANCE REPORT – FEBRUARY 2012
- a) A summary report of ambulance service activity for February 2012 performed by IHC in the County was read by Commissioner Crane
- 4) 9:15 AM MOA AGREEMENT WITH THE CITY OF ROCKS
- a) Agreement sets the parameters for the Idaho Department of Parks and Recreation's involvement in assisting the Road and Bridge Department's maintenance in the City of Rocks.

9:17 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO ACCEPT AND SIGN SAID MOA AGREEMENT WITH THE CITY OF ROCKS. COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 5) 9:18 AM FLOWER POTS – LYNNE ANN ARNELL
- a) Arnell represents the Burley Area Action Team (BAAT). They have placed 250 flower pots throughout the city, 20 of which are in front of County run or owned properties. Their desire is to double the number of flower pots. Their committee purchases the flower pots from donations received and the City of Burley pays for the flowers, planting, and watering. The pots cost \$100.00 and were originally put in front of businesses who donated. County properties where the flower pots are located include the fairgrounds, the museum, and the courthouse. Arnell asked for consideration for a donation from the County for next fiscal year. Auditor Larsen was asked to keep a record of Arnell's request to be discussed while considering next year's budget.
- 6) 9:27 AM BOARD OF EQUALIZATION
- a) No BOE was needed today.
- 7) 9:28 AM ELECTRONIC TRANSACTION MATTERS
- a) Assessor Davis reported on a committee meeting that was held last week with Access Idaho. They use a different agreement for each department and will provide card readers at no cost to the

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County. Sales that are less than \$50.00 will include a charge to the card user of 3% plus \$1.00, except the Motor Vehicle division of the Assessor's Office, where the card user would incur a flat 3% charge. The Treasurer's Office card users would be charged 2.75%. Treasurer Justesen indicated that Lemhi County was not happy with Access Idaho but nine (9) other Counties were in approval of their service. Justesen recommended looking at Point and Pay, which some counties are currently using. Davis indicated that the County has concluded doing business with TouchPay. Davis and Justesen will contact Point and Pay to arrange for a webinar to present their program for consideration.

9:36 AM **EXECUTIVE SESSION**

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(A). COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 9:40 AM.

9:41 AM **EXECUTIVE SESSION**

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PENDING LITIGATION UNDER IDAHO CODE SECTION 67-2345(1)(F). COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 9:44 AM.

8) 9:45 AM DEPARTMENT HEAD MEETING

a) RANDY KIDD – SHERIFF

- i) Kidd reported on POST graduation a couple of weeks ago and another one this past week.
- ii) Their department hired a new employee to replace the retiring Loyal Egbert.
- iii) The Jail is down in staff but they are in the process of hiring a few individuals.
- iv) The Adult Misdemeanor Probation office is working hard.

b) PATTY JUSTESEN – TREASURER

- i) They are wrapping up with Warrants of Distrainment.
- ii) Justesen reported on two (2) pending issues which may require a Deed of Trust Sale.

c) DWIGHT DAVIS – ASSESSOR

- i) Davis thanked the Administrator's Office for changing the agenda to a working agenda with time assignments to allow department heads and elected officials to better plan their schedules to be involved with Board discussions pertaining to their department.
- ii) House Bill 519 passed – Developer's Exemption Law which was generally opposed by Assessors. Davis will be attending a meeting in Boise to discuss the effects to counties.
- iii) Homeowner's Exemption and Property Tax Reduction (Circuit Breaker) letters were sent out and the Assessor's Office has been addressing questions regarding that mailing.
- iv) Five (5) year plan was accepted by the State and they are currently compliant.
- v) They are busy with Personal Property issues.

d) JOE LARSEN – CLERK

- i) Elections – Upcoming Primary Elections were discussed along with the five required party affiliation designations (Republican, Democratic, Constitution, Libertarian, and Unaffiliated). Said affiliations cannot be changed from this point until the day after the Primary Election
- ii) Recorder – Effort is continuing to digitize and index records from microfilm through U.S. Imaging.

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- iii) Auditor – Preparations are beginning with the FY2013 budget. Encouragement was given to department heads by Commissioner Crane to be vigilant with the budget to assist with the additional costs that will be incurred for the implementation of the new Justice Center.
- iv) Welfare – County indigent obligations continue to spiral upward.
- v) Courts – The courts have one employee who will be absent from work for the next four to six (4 to 6) weeks and are filling in with current employees and contracted temporary help.
- e) AL BARRUS – PROSECUTING ATTORNEY
 - i) The Prosecutor’s office is busy with one secretary down and they are using temporary help.
 - ii) There have been a number of jury trials.
- f) KERRY MCMURRAY – ADMINISTRATOR
 - i) February Building Department report was presented which reflected that building was down during February.
 - ii) Mapping Department – Todd Quast is working on accurately mapping parcels
 - iii) Compliance Officer – Melissa Price is working on junkyard issues, reviewing building permits, and checking addressing issues for accuracy.
 - iv) Planning Zoning – Granted a conditional use permit for a new subdivision in Albion and they are currently updating zoning ordinances over the next few months.
- g) AMBER PREWITT – ADULT MISDEMEANOR PROBATION
 - i) (not present)
- h) DARWIN JOHNSON – MINI-CASSIA CRIMINAL JUSTICE CENTER
 - i) (not present)
- i) GORDON EDWARDS – WEED AND PEST CONTROL
 - i) Six (6) new people have been hired for the Invasive Species Boat check. Many boats are already coming through the check station. A house boat has been identified as infected. There has been more administrative time due to new employees to keep in order and for proper billing.
 - ii) They have received a BLM grant for \$80,000 to do work on BLM ground that needs to be spent this year. Work will be done in the Goose Creek and Jackson area as well as the Malta-Naf road.
 - iii) Farmers are currently working with grain and beet planting preparations and there are reports of Burr Buttercup. It can be sprayed with 2-4D to eradicate it prior to when it blooms.
 - iv) They are sterilizing concrete and asphalt cracks where weeds could grow near the courthouse. They have been working at the fairgrounds and will also work at the museum.
 - v) The Board went over the boat dock temporary employees. They will be using Twin Falls employees as an emergency backup for their employees for the Boat Regatta. It was pointed out to get copies of driver’s licenses and to do background checks on these individuals.

10:20 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE REQUEST FOR EMERGENCY EMPLOYEE BACKUP AS PRESENTED. COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- j) Paul Christensen
 - i) Christensen reminded department heads of the seven (7) IAC scholarships which are available in the amount of \$1000.
- k) Dennis Crane

- i) Discussed conducting some portions of Commissioner Meetings out into the County. McMurray and Crane were on KMVT television to discuss the issue. Crane asked the department heads if they felt it was a good idea and most were in agreement. It was proposed to conduct business in the morning at the Commissioner Chambers and meet in other County locations in the afternoon. The 2nd Monday of each month requires that the Board be at the Commissioner Chambers to conduct County business. Crane indicated that they should go to locations where there is need or where things are going on and he preferred to set that up on a regular schedule. That will happen once a month to start out with and maybe move to once a quarter.
 - ii) They are currently working with the architects for the Cassia County Judicial Complex. McMurray indicated that LCA Architects will likely have drawings to present this week.
 - iii) Crane talked about a discussion he had recently with a person from the public that felt they were not treated correctly on the phone. Phone etiquette was asked to be addressed in each department.
- l) CRAIG RINEHART – CORONER
- i) Rinehart has been involved with twenty-four (24) deaths this year so far and had only nine (9) last year for the same time period. There have also been eight (8) traumatic deaths this year and three (3) during the same period last year.
 - ii) Rinehart commented on the cooperation of sheriff’s deputies when working with his investigations.
- m) GRACE WHITMAN– EXTENSION OFFICE (reporting on behalf of Department Head Joel Packham)
- i) The Extension Office has been busy conducting classes, working with the schools, working with food safety, working with the library, and working with the 4H
 - ii) Packham has been actively involved in workshops
 - iii) Packham in on annual leave currently
- 9) 10:30 AM PERMISSION TO CANCEL COSTS ON PARCEL RPOK02013005D
- a) Treasurer Justesen requested permission to cancel \$239.02 of the \$309.02 tax costs incurred on said parcel. It was offered as an “odd lot” for sale to Kent Gardner in the amount of \$70.00 towards that incurred amount.

10:32 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CANCEL COSTS ON SAID PARCEL. COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

10) 10:38 AM AMENDMENT TO EMPLOYEE MEDICAL BENEFIT PLAN

- a) McMurray received an email from MBA regarding a change pertaining to the exclusion of therapy for congenital speech problems unless a child was born to a mother covered under the plan. Said language could possibly be discriminatory.
- b) Current policy verbiage was read by McMurray.
- c) Amendment to that verbiage was read by McMurray which was changed to eliminate potential discriminatory language.

10:42 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO AMEND VERBIAGE TO CONCUR WITH MBA’S REQUEST. COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

10:45 AM **EXECUTIVE SESSION**

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(A). COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 10:47 AM.

11) 10:48 AM REQUEST WAIVE OF JABG FUNDS TO MINIDOKA COUNTY

- a) Juvenile Probation Director Dixie Tate requested that Cassia County JABG funds be waived to Minidoka County in the amount of \$4500.00 as has been done for the past twelve (12) years.
- b) Said money is used to fund various Juvenile Probation projects.

10:50 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO SIGN THE IDAHO JABG REQUEST FOR WAIVER. COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

12) 10:56 AM IPUC CASE NO. IPC-E-12-14, IPC-E-12-12, IPC-E-12-13, IPC-3-12-06, IPC-E-12-07

- a) Case No. IPC-E-12-14 – application to increase Idaho Power’s rates to recover its investment in the Langley Gulch Power Plant
- b) Case No. IPC-E-12-12 – application from Idaho Power for authorization to implement fixed cost adjustment rates from June 1, 2012 through May 31, 2013
- c) Case No. IPC-E-12-13 – application from Idaho Power for authority to share revenues with customers
- d) Case No. IPC-E-12-06 – application from Idaho Power for authority to increase its rates to recover certain transmission costs
- e) Case No. IPC-3-12-07 – application from Idaho Power for approval to decrease base rates due to accelerated depreciation on metering equipment

13) 11:05 AM CSI RESIDENCY APPLICATIONS

- a) No applications to consider today

14) 11:06 AM INDIGENT MATTERS

11:07 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 CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- a) Welfare Director Susan Keck presented the following for the Board’s consideration: Case #2012018 and #208035; Order of Dismissal on Case #2011066, #2011139, and #2011126; Release of Medically Indigent Lien on Case #2011066, #2011139, #2011126, and #2012030; Certificate of Approval on Case #2012018; and Order of Reimbursement on Case #2012018.

11:25 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED. COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 11:26 AM.

15) 11:30 AM BLM/USFS

- a) SCOTT NANNENGA – FOREST SERVICE RANGER
 - i) Nannenga indicated that timelines for projects have changed to include lengthier time delays for comment periods on projects due to federal legislative changes. Comment periods and appeal times have been upheld.
 - ii) Presentation in the last Board Meeting from former Mt. Harrison lookout workers was not entirely accurate according to Nannenga. An IRS audit with the US Forest Service indicated that they needed different accountability for travel of local resident workers to the lookout.

Nannenga indicated that satellite technology is not being used as had been inferred and that most fire reports come from local citizens and not from observation from the lookout.

Nannenga suggested that the lookout be managed as an interpretive center rather than as a fire lookout. They are looking at someone out of the area rather than local residents that they can appropriately compensate under the IRS findings from their audit.

iii) Nannenga reported on a conservation agreement to get the Indian Paint Brush delisted as a candidate for endangered species. That will possibly come off the candidate list this year.

Grazing will not be allowed back up in that area under the conservation agreement.

iv) A Travel Plan lawsuit decision included that there was additional work that needs to be done.

b) MIKE COURTNEY – BLM DIRECTOR

i) The BLM and the US Forest Service are working on appropriate priority habitat areas. A map was provided that showed the County’s alternative route passing through a large area that they have determined will pose a priority habitat concern for Sage Grouse. Courtney recommended getting the Gateway Task Force together to discuss the future of the proposed alternative power route.

ii) There are 160 grazing permits that are currently being challenged that will need to be addressed in the near future.

16) 11:55 AM LUNCH RECESS

17) 1:15 PM RECONVENE

18) 1:15 PM COUNTY EXPENDITURES

CURRENT EXPENSES	104	\$91,114.21
INDIGENT FUND	105	\$9,619.98
DISTRICT COURT FUND	106	\$42,841.41
COUNTY ROADS & BRIDGES FUND	107	\$488.02
COUNTY ELECTION FUND	116	\$9,872.14
JUSTICE FUND	130	\$10,861.79
D.A.R.E TRUST	137	\$216.05
ADULT MISDEMEANOR PROBATION	149	\$1,504.23
	TOTAL	\$166,517.83

1:22 PM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE COUNTY EXPENDITURES.

COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

19) 1:24 PM ELECTION UPDATE

a) Larsen went over the proofs of the ballots for the Primary Election to be held on Tuesday, May, 15, 2012. Ballots will include Republican, Democratic, and Non-Partisan.

b) Larsen went over creating an Election calendar set up in Google to provide to the Board and those interested of upcoming deadlines and schedules.

20) 1:32 PM RESOLUTION NO. 2012-004 – BOOKMOBILE CONTRACT AND RESOLUTION

a) The Board reviewed the Bookmobile Service Contract between Box Elder County, Utah, County Library and Cassia County

b) Said contract calls for two payments totaling \$9999.00 annually for 99 annual service hours.

c) Private donations and not county tax revenues ensure payment. Nearly all of the total costs can currently be met with cash on hand.

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1:34 PM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO SIGN THE BOOKMOBILE SERVICES CONTRACT AND APPROVE RESOLUTION NO. 2012-004 FOR BOOKMOBILE SERVICES. COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

21) 1:38 PM RESOLUTION NO. 2012-003 – DESTRUCTION OF SEMI-PERMANANT RECORDS IN THE AUDITOR’S OFFICE

1:40 PM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO SIGN THE RESOLUTION FOR AUDITOR’S OFFICE SEMI-PERMANENT RECORDS DESTRUCTION. COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

22) 1:46 PM ESRI MAINTENANCE QUOTE

- a) The Annual Maintenance Agreement for the ESRI mapping program for four (4) seats for varied access rights was discussed. The contract covers from September 27, 2011, through September 26, 2012.

1:48 PM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO SIGN THE AGREEMENT FOR MAINTENANCE FOR ESRI GIS SOFTWARE FOR THE ASSESSORS AND ADMINISTRATIVE OFFICE AND DESERT WEST SURVEY. COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

23) 1:50 PM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board