



Cassia County Board of Commissioners

Commissioner Chambers

1459 Overland Ave.

Burley, ID 83318

www.cassiacounty.org

Board Chairman:

Dennis Crane

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Board Members:

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

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

Monday, May 21, 2012

The Board of Cassia County Commissioners met in regular session on Monday, May 21, 2012, at 9:00 a.m. in the Commissioner Chambers of the Cassia County Courthouse. Commissioner Christensen was excused as he was out of town.

THOSE PRESENT:	County Commissioners:	Dennis Crane, Chairman Bob Kunau
	Clerk of the Board:	Joseph W. Larsen
	Prosecuting Attorney:	Al Barrus
	County Administrator:	Kerry D. McMurray
	News Media:	Jay Lenkersdorfer, The News Journal Renee Wells, The Voice

- 1) 9:00 AM CALL TO ORDER, PLEDGE OF ALLEGIANCE, REVIEW CALENDAR, MINUTES, CORRESPONDENCE
 - a) CALENDAR
 - i) Public Defender Meeting at 7:30 a.m. Tuesday, May 22, 2012, in the Commissioner Chambers
 - ii) Jail Meeting at 8:00 a.m. Tuesday, May 22, 2012, in the Commissioner Chambers
 - iii) RC&D Meeting at 2:00 p.m. Tuesday, May 22, 2012, in Twin Falls for Commissioner Kunau
 - iv) South Central Public Health Department Budget Meeting on Wednesday, May 21, 2012, in Twin Falls
 - b) CORRESPONDENCE
 - i) Memorandum from NACo regarding voting credentials for the 2012 Annual Conference
- 2) 9:06 AM CSI RESIDENCIES
9:06 AM
MOTION: COMMISSIONER KUNAU MOVED TO APPROVE 12 CSI RESIDENCY APPLICATIONS. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.
- 3) 9:08 AM APPROVAL OF MINUTES
9:08 AM
MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM MAY 14, 2012. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.
- 4) 9:10 AM CHANGE OF STATUS
 - a) Heather Evans – Clerk’s Department new hire as Deputy Recorder

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9:10 AM

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

5) 9:11 AM CANVASS VOTES

- a) Larsen and Elections Deputy Theresa Forthun presented the canvass of the May 15, 2012, Primary Election to the Board. They reviewed with the Board the results of that election and Forthun indicated that the election went well. There were some unhappy voters at the public disclosure of party affiliation required and some confused poll workers. With explanation, the voters generally understood. There was nearly a 48% turnout of registered voters.

9:17 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE CANVASS OF THE VOTES OF THE PRIMARY ELECTION AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

6) 9:22 AM REVIEW AND SIGN CLARKS ACRES SUBDIVISION FINAL PLAT

- a) Paul Aston indicated that Shirley Clark from Albion desired to divide her property. Aston said that the plat had been signed by everyone necessary for plat restrictions and protective covenants. Deed restrictions are recorded on the plat as well and it was already signed by the Planning and Zoning Commission.

9:24 AM

MOTION: COMMISSIONER KUNAU MOVED TO ACCEPT AND SIGN THE CLARK ACRES SUBDIVISION FINAL PLAT. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- b) Upon further inspection, Barrus indicated there was no place on the plat for the County Prosecutor to sign. He indicated that it needed to be redone to include the signature of the Prosecuting Attorney and Planning and Zoning Administrator. A previous motion was nullified based on lack of signatures.

7) 9:25 AM AMBULANCE REPORT DATED APRIL 1, 2012

- a) McMurray presented the Cassia Regional Medical Center report dated April 1, 2012, detailing the activity of Life Run Ambulance as reported by Ambulance Coordinator Doug Adams.

8) 9:30 AM BURLEY HIGHWAY DISTRICT REPORT – HOWELL CANYON

- a) The Board reviewed the Burley Highway District Report for Howell Canyon detailing snow removal expenses and maintenance expenses along with U.S. Bank and State Treasurer's Howell Canyon Check Register.

9) 9:35 AM PLANNING AND ZONING REZONE RECOMMENDATION AND ORDINANCE AMENDMENT RECOMMENDATIONS

- a) The City of Burley has to designate three people to negotiate with the Board of Commissioners. The City of Burley indicated after talking to their Planning & Zoning a desire for a C3 instead of a C2. A time will be coordinated to meet with the City of Burley. There was also a desire to look rezoning for accessory dwelling units or mother-in-law apartment ordinance and conditional use permit standard requires that the project be in compliance with Comprehensive Plan and that is not appropriate. It just needs to be in compliance with the ordinance so that language has been eliminated. Zoning Charts needed clarification on minor subdivisions that that use is permitted only after the subdivision application is found to be in compliance. Another standard includes that a second residence is allowed on one acre with a primary residence but it has to have the same utilities as the primary residence and has to meet public health district requirements with

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regard to sewer. It cannot be split off as a separate residence. Some park mobile home units that are being sold are too wide to be on highways. Davis brought up that they are being sold and registered as recreational vehicles. People who are buying these units are purchasing a plate and feel that is all that is necessary. McMurray said the Board may want to put exclusionary language for the park mobile home units. Planning and Zoning has made a recommendation that these issues be adopted as code and now the obligation would be to hold a public hearing. Three weeks is needed to get proper notice out. The afternoon of June 18th was recommended for the hearing.

10) 9:40 AM BOARD OF EQUALIZATION

- a) No Board of Equalization today.
- b) Appeal deadline is the 4th Monday of June. BOE hearing deadlines is the 2nd Monday of July.
- c) The State has reduced the homeowner exemption by \$8000.00 this year that may spawn some homeowner concerns.

11) 9:45 AM DEPARTMENT HEAD MEETING

- a) RANDY KIDD – SHERIFF
 - i) Kidd indicated that a deceased body had been located at the Alpine Motel last week. An autopsy is being conducted today and the deceased has not been positively identified as of yet. The investigation is ongoing and a missing person that could be involved was last seen in Las Vegas, Nevada.
 - ii) Everything else is moving along pretty well.
- b) PATTY JUSTESEN – TREASURER
 - i) Justesen presented a Treasurer’s Cash Report for April 2012.
 - ii) Tax reminders were sent out by the Treasurer’s Office on May 17, 2012.
 - iii) Justesen reported on three of the wind parks that will generate 3% of gross earnings or \$56,000 in tax earnings to the County. This is the first year of taxation on the wind farms. They report to the State and then the Treasurer’s office is sent their assessment which is due July 1, 2012
- c) DWIGHT DAVIS – ASSESSOR
 - i) Davis indicated that assessment notices will be mailed out next week on approximately 17,000 parcels.
 - ii) Vehicle registrations and renewals for the Memorial Day holiday will keep their office busy.
- d) JOE LARSEN – CLERK
 - i) Larsen discussed the Primary Elections held last week. He was pleased with how smooth things went in light of the Republican closed Primary Election and training necessary for poll workers. The minor problems presented have been resolved.
 - ii) Departmental Budget requests are required statutorily to be into the Auditor’s Office on the third Monday of May, May 21, 2012. Some have not detailed reasoning for requested line item changes on their budgets that he will request. He asked that those who had not returned their budget requests for FY2013 to the Auditor’s Office do so as soon as possible.
 - iii) A new Deputy Recorder has been hired, Heather Yeaman Evans. She began work today and current Deputy Recorder Viki Osterhout is retiring.
- e) AL BARRUS – PROSECUTING ATTORNEY
 - i) There has been a lot of secretary changes in his office and all of them are up and functioning.
 - ii) There are several jury trials coming up beginning tomorrow.
- f) KERRY MCMURRAY – ADMINISTRATOR

- i) McMurray presented the County Building report for April 2012.
 - (1) Building totaled \$2,427,289.44 in valuations with fees totaling \$19,263.55.
 - (2) They have been keeping busy with building permits and inspections.
 - (3) There will be a Planning and Zoning hearing on June 18, 2012, regarding mother-in-law apartments currently not allowed to propose permitting them in certain circumstances.
 - (4) There will be negotiations with the City of Burley regarding rezoning on both sides of Highway 27 south of Burley.
- g) AMBER PREWITT – ADULT MISDEMEANOR PROBATION
 - i) Prewitt is working on her FY2013 budget.
 - ii) Probation officer, Michael Jeppson, has resigned effective July 20, 2012. Their office is currently accepting applications.
 - iii) Several staff members are taking vacation time the next two months.
- h) RUSS RASMUSSEN – MINI-CASSIA CRIMINAL JUSTICE CENTER
 - i) Rasmussen indicated that two MCCJC deputies are currently at POST training.
 - ii) The jail is short three deputies and one jail tech.
 - iii) They are currently working on their FY2013 budget.
 - iv) Rasmussen indicated that they are in better shape revenue-wise but expenses are up.
 - v) Their maintenance person, Brandon Severson is going to general locksmith training.
- i) GORDON EDWARDS – WEED AND PEST CONTROL
 - i) A weed tour in Goose Creek will take place on June 14, 2012, where they will be talking about the noxious weed program.
 - ii) Most highway districts are currently spraying for noxious weeds.
 - iii) A noxious weed problem in the Raft River and Milner areas are currently being addressed.
 - iv) There have been 126 who have not stopped at the weigh station who should have at the invasive species checkpoint since they have started. An invasive species meeting will be held on May 29, 2012, regarding what is being addressed by the State of Idaho regarding those check points. Edwards has talked to Celia Gould and she said they are working on it but that there is no resolution as yet with the Idaho State Police. Wind has been an issue with doors, tables and chairs at that check point.
 - v) Edwards desired to set up a meeting with the Board to regarding the Invasive Species budget. He indicated that the budget needs to go to the Department of Agriculture first for their approval.
- j) JOEL PACKHAM
 - i) Packham is conducting a multi-county economic study that he desires the Board to review before printing a brochure and taking it to the public. The study will highlight the agriculture sector and how it affects the economy.
 - ii) He will meet with Planning and Zoning to discuss the agricultural community on June 21, 2012, and will get a copy of the study and report to McMurray.
 - iii) They have just finished the White Pine After-School Grant program and that grant is now concluded.
 - iv) They are hosting along with the McGregor Company a cereal variety as well as a seed and bean treatment tour which will be conducted on June 26, 2012.
 - v) 4-H involvement includes weigh-in for turkeys this week. Dairy weigh-ins were held last week. The FFA is repairing water lines on the north end of the Fair Grounds for wash racks.

- vi) Packham reported on a vole problem. Broadcast of zinc phosphide bait is used to eradicate voles. It has become a problem for local farmers.

12) 10:11 AM PAYPORT AGREEMENTS

- a) First Amendment to Addendum A
 - i) County Assessor Office – 3% assessment to users for online sales

10:11 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SIGN THE FIRST AMENDMENT TO ADDENDUM A OF AN AGREEMENT WITH PAYPORT. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- b) County Administration
 - i) One USB scanner for Building Permit Fees, Conditional Use Permits, and CAFO's
 - ii) 3% assessment to users as average transaction is over \$50.00

10:13 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SIGN THE COUNTY ADMINISTRATION AGREEMENT WITH PAYPORT. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- c) Sheriff's Office
 - i) Four USB scanners for the Sheriff's Department
 - ii) \$1.00 plus 3% assessment to users as average transaction is less than \$50.00

10:14 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SIGN THE SHERIFF'S DEPARTMENT AGREEMENT WITH PAYPORT. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- d) Misdemeanor Probation
 - i) One USB scanner for Adult Misdemeanor Probation
 - ii) \$1.00 plus 3% assessment to users as average transaction would be less than \$50.00
 - iii) The Board approved the possible elimination of the \$1.00 fee per transaction inasmuch as most of the transaction costs could likely exceed \$50.00.

10:16 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SIGN THE ADULT MISDEMEANOR PROBATION AGREEMENT WITH PAYPORT. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- e) Treasurer's Office
 - i) One USB scanner for the Treasurer's Office
 - ii) 2.75% rate assessment to users as most transactions would be large.

10:16 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SIGN THE TREASURER'S OFFICE AGREEMENT WITH PAYPORT. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- f) Clerk's Office
 - i) Two USB scanners for the Clerk's Office for use in the Recorder's Office as well as the Welfare Office.
 - ii) \$1.00 plus 3% assessment to users as average transaction would be less than \$50.00.

10:17 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SIGN THE CLERK'S OFFICE AGREEMENT WITH PAYPORT. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

10:20 AM EXECUTIVE SESSION

MOTION: COMMISSIONER KUNAU MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(A). CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 10:32 AM.

13) 10:30 AM SERVER BACKUP PROPOSALS – BEN STEPHENSON

- a) Stephenson presented to the Board a quote for a new Barracuda Backup Server 890 plus one year updates and 800 GB cloud storage for the County server totaling \$20,624.85.
- b) He indicated the difficulties with working with a tape backup system and the possibilities for backups not occurring as they should with the need to change tapes daily.
- c) Advantages of the proposed redundancy backups system is that it takes care of itself and that it is web-based.

10:55 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE BID FOR THE BACKUP SYSTEM AS PROPOSED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

14) 10:40 AM BUDGET PROCESS DISCUSSION

- a) Larsen discussed with the Board preparing a budget proposal as required by statute and presenting that to the Board in department discussions with department heads and elected officials to consider recommendations for their final budget approval.

15) 10:55 AM INDIGENT MATTERS

11:01 AM EXECUTIVE SESSION

MOTION: COMMISSIONER KUNAU MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING MEDICAL INDIGENT MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(D). CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

Welfare Director Susan Keck presented the following:

- a) Case #2012042 #2012051, #2012043, #2012037, #2012041
- b) Findings of Fact, Conclusions of Law, and Decision on Case #2012013
- c) Notice of Lien and Application for Medically Indigent Benefits on Case #2012051, #2012052, and #2012053
- d) Release of Medically Indigent Lien on Case #2012011
- e) Medical Records/Utilization Management Review: CAT Case #4C-2012-00036, CAT Case #4C-2012-00035, CAT Case #4C-2012-00033, and CAT Case 4C-2012-00034
- f) Determination of Decision Held in Suspension on Case #2012031
- g) Certificate of Approval on Case #2012044 and #2012039
- h) Order of Reimbursement on Case #2012044 and #2012039
- i) Certificate of Denial on Case #2012035 and #2012036
- j) Release of Medically Indigent Lien on Case #2012042

11:38 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 11:38 AM.

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- 16) 11:30 AM BLM/USFS
- a) SCOTT NANNENGA – FOREST SERVICE RANGER
 - i) (not in attendance)
 - b) MIKE COURTNEY – BLM DIRECTOR
 - i) (not in attendance)
- 17) 11:40 AM REVIEW BUILDING APPRAISALS AND ICRMP INSURANCE – LORI BERGSMA
- a) Bergsma presented to the Board the proposed membership renewal premium of \$155,012. That is up from \$141,033 last year. The Board inquired about that increase and Bergsma said that underwriting had indicated a five year loss history.
 - b) ICRMP offers a 5% discount for Risk Management training.
 - c) A lot of counties did see increases this year due to losses in the jails.
 - d) Bergsma indicated that ICRMP is good to work with and they keep us out of trouble.
 - e) ICRMP provides appraisal services on County properties that exceed \$400,000 in value.
 - f) Bergsma went over property valuations for loss replacement with the Board. A comparison was presented with values as set in 2006, 2009 County Building Inspector valuations, and the April 2012 appraisal values. The courthouse appraisal included a significant increase while there were also some changes in other valuations.
 - g) Bergsma will go to the fair grounds and look at structures in questions with Building Inspector Dave Zanone.
 - h) Bergsma discussed Notary Bonds with the Board suggesting a recommendation for the IAC to look at legislative changes to not require individual bonds.
- 18) 12:25 PM LUNCH RECESS
- 19) 1:32 PM COUNTY BUILDING MATTERS
- a) The Board reviewed updated drawings from LCA Architects for the new Judicial Complex.
- 20) 1:50 PM REQUEST FOR VEHICLE – SHERIFF’S OFFICE
- a) Undersheriff George Warrell reported that Deputy Sheriff Gale Garrett’s vehicle has significant issues and has more than 168,000 miles.
 - b) The Sheriff’s office desires to purchase a 2012 Dodge Charger at \$22,502.81 through the State contract which was less expensive than purchasing one off a dealership lot.
 - c) There are budgeted funds in the Investigation budget to cover expenses.

1:52 PM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE SHERIFF’S OFFICE PURCHASE OF A 2012 DODGE CHARGER AT \$22,502.81. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

1:52 PM EXECUTIVE SESSION

MOTION: COMMISSIONER KUNAU MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(A). CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 1:54 PM.

21) 1:30 PM COUNTY EXPENDITURES

CURRENT EXPENSES	104	\$34,450.86
DISTRICT COURT FUND	106	\$477.73
COUNTY ROADS & BRIDGES FUND	107	\$690.01

COMMUNITY COLLEGE FUND	113	\$350.00
ASSESSOR TRUST FUND	123	\$55.33
JUSTICE FUND	130	\$53,176.66
PHYSICAL FACILITIES FUND	144	\$258.49
	TOTAL	\$89,459.08

1:35 PM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY EXPENDITURES DATED MAY 18, 2012. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

22) 2:22 PM ANEMOMETER – COTTRELL REST AREA

- a) An anemometer at the Cottrell Rest Area needs to be removed as the 20 meter pole is an impediment to well drillers that are working with changes at that rest stop.
- b) Chairman Crane talked with Carl Boden and he will look at the situation and get back with the Board about the possibility of removing the anemometer pole.

THE BOARD CONVENED IN THE DISTRICT COURTROOM FOR TAX DEED SALE

23) 2:00 PM TAX DEED SALE OF REAL PROPERTY

- a) Conducted by Prosecuting Attorney Al Barrus who stressed that properties were sold as is, where is. It is the responsibility of bidding party to do their own due diligence. Once a bid is accepted the bidding party is obligated for purchase. Chairman Crane conducted the bidding process.

- i) Parcel #RPSS0100010040

- (1) Nothing is on this property
- (2) Starting bid was \$1031.18
- (3) Jason Musick was the highest bidder
- (4) Selling price was \$4000.00
- (5) Sold at 1:03 p.m.

- ii) Parcel #RPBB001045009A

- (1) Starting bid was \$2224.32
- (2) There were no bidders

- iii) Parcel #RP13S22E067200

- (1) Neighbors use this property as pasture
- (2) They will have 30 days to remove posts, fence and corral
- (3) Starting bid was \$531.93
- (4) Robert Whiteley was the highest bidder
- (5) Selling price was \$1500
- (6) Sold at 1:08 p.m.

- iv) Parcel #RP13S25E328175A

- (1) Starting bid was \$311.31
- (2) Brian Kosa was the highest bidder
- (3) Selling price was \$900.00
- (4) Sold at 1:12 p.m.

- b) 3:27 PM QUTICLAIM DEED SIGNING

2:27 PM

MOTION: COMMISSIONER KUNAU MOVED TO AUTHORIZE THE BOARD AND CLERK TO SIGN QUITCLAIM DEEDS ON SOLD PROPERTIES. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

24) 2:30 PM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board