



# Cassia County Board of Commissioners

Commissioner Chambers

1459 Overland Ave.

Burley, ID 83318

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

**Board Chairman:**

Dennis Crane

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**Board Members:**

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Monday, April 1, 2013

The Board of Cassia County Commissioners met in regular session on Monday, April 1, 2013, 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
	Joint Board Participants:	Bob Moore, Minidoka Board Sheryl Koyle, Minidoka Board Lance Stevenson, Minidoka Prosecutor Patty Temple, Minidoka Clerk
	News Media:	Jay Lenkersdorfer, The Weekly Mailer Lisa Dayley, The Weekly Mailer
	Narrows Bridge Participants:	Joyce Ward Bill Jones Rod Jones Dallin Ward Clark Ward Doug Ward Sam Adams, Road & Bridge Supervisor

- 1) 9:13 AM AMENDMENT TO AGENDA
  - a) Correspondence from MBA Administrators was received too late to be placed on the agenda regarding some insurance coverage questions.

**9:13 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO ADD TO THE AGENDA DISCUSSION OF A LETTER FROM MBA THAT CAME IN LATE REGARDING INSURANCE COVERAGE. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

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- b) A letter from MBA inquired as to whether or not the County desired to include contact lenses in addition to eyeglasses in the optical coverage portion of the County health insurance plan. The Board determined that both were related to optical and should be included.

**9:14 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO INCLUDE BOTH EYEGLASSES AND CONTACT LENSES IN OPTICAL COVERAGE OF THE COUNTY HEALTH INSURANCE PLAN.**

**COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 2) 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

- a) 9:05 AM CALENDAR

- i) Juvenile Probation Meeting at 7:30 a.m. on Tuesday, April 9, 2013, in Rupert.
- ii) Joint Jail Meeting at 8:15 a.m. on Tuesday, April 9, 2013, in Rupert.
- iii) Commissioner Christensen will be out of town until April 15, 2013.

- b) 9:05 AM CORRESPONDENCE

- i) Letter from MBA requesting information regarding County optical benefits.
- ii) Phone call from Richard Austin requesting to meet with the Board at 11:00 a.m. Friday, April 5, 2013, regarding AMG National Trust Bank's involvement in geothermal power production explorations in Cassia County.
- iii) Email from Winston Inouye from the Mini-Cassia Commerce Authority requesting a time to meet with Cassia and Minidoka County Boards.
- iv) Email from CSI regarding the Chamber of Commerce ribbon cutting and open house for the CSI Truck Driving School at 10:00 a.m. Thursday, April 4, 2013.

- c) 10:21 AM PERSONNEL

- i) CHANGE OF STATUS

- (1) SHERIFF'S OFFICE

- (a) Promotion of Deputy Patrolman Duane Clay Anderson to Corporal Patrolman with an increase in rate of pay following meeting requirements of the Board.

**10:22 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE SAID CHANGE OF STATUS REQUESTS. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- d) 10:58 AM APPROVAL OF MINUTES

**10:58 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE MINUTES OF THE BOARD FROM MARCH 25, 2013. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- e) 9:17 AM CSI RESIDENCY APPLICATIONS

- i) The Board reviewed 14 CSI Residency applications; 13 CSI for spring 2013 and one CSI for 2013-2014.

**9:17 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE 14 CSI RESIDENCY APPLICATIONS AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- f) 9:49 AM COUNTY PAYABLES

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CURRENT EXPENSES	104	\$1,694.88
INDIGENT FUND	105	\$1,863.00
DISTRICT COURT FUND	106	\$739.65
COUNTY ELECTION FUND	116	\$2,767.23
JUSTICE FUND	130	\$1,527.00
PHYSICAL FACILITIES FUND	144	\$529.23
ADULT MISDEMEANOR PROBATION	149	\$294.24
	<b>TOTAL</b>	<b>\$9,415.23</b>

**9:49 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED MARCH 29, 2013. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- g) 9:18 AM COUNTY ROAD AND BRIDGE
  - i) Items of discussion will be handled this afternoon in Almo.
- h) 9:18 AM BUILDING AND GROUNDS MATTERS
  - i) The Building Department is getting ready for spring work.
- i) 9:20 AM GATEWAY MATTERS
  - i) An email was received from Doug Balfour regarding Sage Grouse issues.
- 3) 9:10 AM BOARD OF EQUALIZATION
  - a) No Board of Equalization today.
- 4) 9:21 AM DISCUSS AND SET DATE FOR FY2014 BUDGET HEARINGS
  - a) Larsen discussed with the Board the setting of a date for FY2014 budget hearings as required by statute. The Board determined to set the date and time of August 19, 2013, at 10:00 a.m. for the Cassia County Road & Bridge and 10:15 a.m. for Cassia County.

**9:25 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO SET THE FY2014 BUDGET HEARING AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 5) 9:15 AM NOTICE OF INTENT TO AMEND THE CITY OF BURLEY COMPREHENSIVE PLAN
  - a) Information regarding this proposed hearing for April 10, 2013, should be received by McMurray this week. The Board will hold this item over to next Board meeting.
- 6) 9:23 AM DISCUSS SETTING REVIEW HEARING FOR EMERGENCY SERVICES FEE
  - a) The 911 Advisory Committee met last week to propose setting a hearing date as required by statute for the emergency communications fee annual review. They prefer to have that hearing prior to budgeting for FY2014.
  - b) It was recommended to keep the fee at \$1.00 per phone line.
  - c) A date and time for the hearing was set for Monday, April 22, 2013, at 9:15 a.m. in conjunction with regular Board meeting.
  - d) That Notice of Hearing will be posted today and published April 4, 2013.

**9:24 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE A PUBLIC HEARING DATE OF MONDAY, APRIL 22, 2013, FOR SETTING EMERGENCY SERVICES FEES. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 7) 9:25 AM PST REQUEST FOR EXTENSION – MCCJC

- a) Professional Systems Technology, Inc. (PST) requested an extension of time to complete a security system upgrade project at the MCCJC as follows:
  - i) Camera portion of the project extended to May 12, 2013
  - ii) Programmable Logic Controller Detention Monitoring & Control System portion of the project extended to August 15, 2013
- b) The fire alarm portion of the project has been completed.

**9:29 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE EXTENTION OF TIME TO COMPLETE THE SECURITY SYSTEM AS REQUESTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

8) 9:30 AM CASSIA COUNTY JUDICIAL CENTER MATTERS

- a) The Global Surveillance bid for access control costs that was approved last Board Meeting needs to be split out between materials and labor.

**9:31 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO AMEND LAST WEEK'S MOTION OF THE BOARD APPROVING GLOBAL SURVEILLANCE'S BID TO BE SPLIT BETWEEN MATERIALS AND LABOR. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- b) Commissioner Kunau reported on a meeting last Tuesday with LCA Architects. They reviewed several items and reported on good progress.
  - c) Concrete cutting for the jury boxes should not have to be done. That will provide a monetary savings and the electronics can be put in place in the future when the Supreme Court's IT Department is prepared to implement video capabilities for jurors.
  - d) Work is still going forward to find the most economical way to replace or repair damaged trusses.
  - e) No mill work needs to be done for the court reporter station. Placement of that work station will be proximal to electrical and data that will be located near the base of the judge's bench.
- 9) 9:55 AM DISCUSS ATTENDANCE AT RIGHT OF WAY MEETING AND IDAHO DIG LAW ON APRIL 2, 2013 AT 10:00 AM IN POCATELLO
- a) Chairman Crane, Commissioner Kunau, and McMurray will attend that informational meeting.
- 10) 10:00 AM DISCUSS STREVELL TOWNSITE AND POSSIBLY VACATING
- a) Barrus addressed the statute regarding vacating county roads. A hearing with the date properly published along with notification of property owners is required.
  - b) Right of ways cannot be eliminated by vacating roads.
  - c) Assessor's Office Mapper, Park Sorenson indicated that what was proposed was for the convenience of their office.
  - d) Sorenson asked if they could forgo the cost for recording quitclaim deeds. Larsen indicated that the statute would need to be looked at but he felt that cost may not be able to be waived.
  - e) Some vacation other than alleyways could possibly land lock lots that would present a problem for future property sales which would necessitate establishment of easements.
  - f) There was discussion of vacating two other locations of town sites near Idahome and south of Pella as well. The Assessor's office was given authority to look further into the vacation.
- 11) 9:55 AM DISCUSS DUI SPECIALTY COURT ISSUE
- a) Barrus reported on some differences between Minidoka and Cassia County regarding the establishment of a DUI Court. Barrus indicated that he is hesitant to establish the DUI Court.

- b) Commissioner Christensen expressed concern with funding issues for administration, misdemeanor probation personnel, and clerk coverage and backup. If there was alternate funding of the DUI Court by the State he would support it.
  - c) The Board's desire was to hold on the establishment of the DUI Court for now.
- 12) 9:50 AM DISCUSS SENDING DELEGATIONS TO BOX ELDER COUNTY REGARDING SAGE GROUSE PILOT PROGRAM
- a) Box Elder County sent an invitation to attend a meeting in Box Elder County regarding keeping Sage Grouse from being listed as an endangered species.
  - b) There will be a meeting at 5:00 p.m. Tuesday, April 9, 2013, at the Box Elder County Courthouse.
- 13) 10:23 AM DISCUSS FEDERAL BUDGET SEQUESTRATION AND SRS FUNDS
- a) McMurray informed the Board that because of Federal Sequestration some funds may need to be returned to the Federal Government.
  - b) After discussion, the Board determined to provide a suggestion of using the Title II reimbursement formula.
- 14) 10:30 AM INDIGENT MATTERS
- 10:31 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 KUNAU SECONDED THE MOTION. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE, COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE.**
- a) Prosecutor Barrus briefed the Board on a letter from the heirs of a deceased indigent recipient, Case #204068 regarding reimbursement to the County from the estate. The Board determined to reduce the estate obligation to the County to 50% of the amount owed based on the circumstances presented.
  - b) Welfare Director Susan Keck presented the following:
    - i) Certificate of Denial on Case #2013004 and #2012134
    - ii) Certificate of Approval on Case #2012135 and #2013021
    - iii) Notice of Lien and Application for Medically Indigent Benefits on Case #2013019 and #2012131
    - iv) Release of Medically Indigent Lien on Case #2012131 and #208046
- 10:49 AM**
- MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 10:49 AM.**
- 15) 11:30 AM HEARING FOR PROPOSED MISDEMEANOR PROBATION FEE INCREASES – MINIDOKA COUNTY COMMISSIONER CHAMBERS
- a) A Notice of Hearing for a joint public hearing was posted as required detailing the following for consideration in adopting Joint Resolution No. 2013-04-01:
    - i) Monthly Cost of Supervision Fee: \$60.00 (proposed) \$75.00 (current)
    - ii) Urinalysis Testing (per test): \$12.00 (proposed) \$0.00 (current)
    - iii) Confirmation Tests (per test): \$15.00 (proposed) \$0.00 (current)
  - b) Discussion of the Joint Boards included the following:

- i) Commissioner Kunau inquired of Probation Supervisor, Amber Prewitt as to what occurred when probationer's confirmation tests were positive. Prewitt talked of graduated sanctions that included community service, incarceration, and going before the judge.
- ii) A discussion regarding counties which have self-funded Adult Misdemeanor Probation programs. Prewitt indicated that there are four in Idaho.
- iii) McMurray explained that statutorily all charges must only include what it reasonably costs to provide the service. These proposed changes are in line with what other counties charge.
- iv) Discussion included what Prewitt was requiring of Probation Officers (PO's) to improve collections of fees. She indicated that PO's are following each probationer closely and that currently only six of 180 probationers have not paid.
- v) Prewitt said that the number of Level I probationers who require monthly supervision and cost has decreased and Level II probationers who only pay a onetime fee has increased accounting for some shortfall in revenues.
- vi) Larsen suggested that Prewitt estimate the number of paying probationers for the remainder of the fiscal year under the new fee structure to determine if budgeted shortfalls can be made up and loans repaid.
- vii) Prewitt reported on collection procedures. Their office uses Action Collection Services, Inc. in Twin Falls. So far, they have only collected about \$700 of \$10,000 in fees turned over for collection, which include only four or five probationers.

**11:56 AM**

**MOTION: CHAIRMAN CRANE MOVED TO APPROVE THE PROPOSED FEE CHANGES AND INCREASES FOR ADULT MISDEMEANOR PROBATION AS PRESENTED AND ADOPT JOINT RESOLUTION NO. 2013-04-01. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- viii) The Minidoka County Commissioner approved the same by motion.
- ix) Minidoka County Chairman of the Board, Bob Moore said that the Mini-Cassia Economic Development desires additional funding and they intend to scrutinize the Mini-Cassia Commerce Authority's performance in deciding on allocation of limited funding. It was determined that the Joint Boards would meet for a working lunch on April 22, 2013, at 12:00 p.m. to discuss the matter.

16) 12:00 PM WORKING LUNCH AT HENRY'S DRIFT INN IN RUPERT

17) 2:00 AM MEETING AT NARROWS BRIDGE

- a) The Board met with Almo area citizens at the Narrows Bridge regarding the watering of cattle that come off the BLM ground to water at the Raft River.
- b) The Board determined that this matter is a private issue between Bill Jones, the adjoining landowner around the bridge, and other local area ranchers.
- c) The County agreed to add some gravel on the west side of the road by the gate at the cattle guard to allow for better positioning of the fence that goes around the water lane. They also agreed to add wings to the cattle guard.

18) 3:00 PM COUNTY ROAD AND BRIDGE REVIEW IN ALMO

- a) The Board discussed Road and Bridge Department projects with Supervisor Sam Adams including the placement of braces along the Bruesch Lane and also the removal of fence posts that had been placed on the Mike Mitton property for the installation of snow fence.
- b) The process for requesting a potential pay increase for a part time employee was also discussed.

- c) The Board visited the recently opened Naf Mercantile Store and the owners, Brent and Terry Hobson. It was determined that it may be a good location to meet with Box Elder County Commissioners in the future for a Yost Road review. They are opened on Mondays and Fridays and their phone number is (208) 824-5780.

19) 4:15 PM ADJOURNMENT

APPROVED:

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

Dennis Crane, Chairman of the Board

ATTEST:

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

Joseph W. Larsen, Clerk of the Board