



Cassia County Board of Commissioners

Commissioner Chambers

1459 Overland Ave.

Burley, ID 83318

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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, April 8, 2013

The Board of Cassia County Commissioners met in regular session on Monday, April 8, 2013, at 9:00 a.m. in the Commissioner Chambers of the Cassia County Courthouse. Prosecutor Barrus and Commissioner Christensen were excused as they were out of town.

THOSE PRESENT:	County Commissioners:	Dennis Crane, Chairman Bob Kunau
	Clerk of the Board:	Joseph W. Larsen
	County Administrator:	Kerry D. McMurray
	Others:	Ruthe Hobbs
	News Media:	Jay Lenkersdorfer, The News Journal Laurie Welch, The Times News

- 1) 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. Tuesday, April 9, 2013, in Rupert.
 - ii) Joint Jail Meeting at 8:15 a.m. Tuesday, April 9, 2013, in Rupert.
 - iii) Sage Grouse Meeting with Box Elder County Commissioners at Old Historic Courthouse in Brigham City at 5:00 p.m. Chairman Crane will present Cassia County's position. Box Elder County is proposing to raise domestic Sage Grouse as a proactive stance to keep Sage Grouse from being listed as an endangered species.
 - iv) South Central Community Action meeting for Commissioner Kunau from 1:00 p.m. to 5:00 p.m. Tuesday, April 16, 2013 to be held in Twin Falls.
 - b) 9:05 AM CORRESPONDENCE
 - i) Email from the Idaho Department of Environmental Quality notifying the Board of several odor complaints received by DEQ regarding the Burley Wastewater Treatment Plant.
 - c) 9:09 AM PERSONNEL
 - i) CHANGE OF STATUS
 - (1) MINI-CASSIA CRIMINAL JUSTICE CENTER

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- (a) Hiring of Nicole Marie Zalewski as a Detention Deputy and completion of the physical fitness requirement for pay increase.
- (b) Hiring of Russell Ray Hollins, Jr. as a Detention Deputy and completion of the physical fitness requirement for pay increase.

ii) Payroll approvals from Road & Bridge and County Fair.

9:09 AM

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

iii) The Board reviewed a request from Laura Cyr in the Sheriff's Office to extend time for the use of her accrued vacation and PTO that was not timely used due to required training.

11:35 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE EXTENSION OF TIME FOR LAURA CYR FROM THE SHERIFF'S OFFICE AS REQUESTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

d) 9:41 AM APPROVAL OF MINUTES

9:41 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM APRIL 1, 2013. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

9:41 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE SPECIAL BOARD MEETING HELD ON APRIL 5, 2013. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

e) 9:08 AM CSI RESIDENCY APPLICATIONS

i) The Board reviewed 19 CSI Residency applications; one CSI for 2012-2013, 14 CSI for spring 2013, and four CSI for 2013-2014.

9:08 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE 19 CSI RESIDENCY APPLICATIONS. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

f) 11:19 AM COUNTY PAYABLES

ADULT MISDEMEANOR PROBATION	149	\$46.43
	TOTAL	\$46.43
CURRENT EXPENSES	104	\$88,703.94
DISTRICT COURT FUND	106	\$957.84
COUNTY ROADS & BRIDGES FUND	107	\$2,092.61
WEED & PEST FUND	108	\$9,762.59
REVALUATION FUND	114	\$977.96
911 COMMUNICATIONS FUND	115	\$7,370.24
COUNTY ELECTION FUND	116	\$237.12
JUSTICE FUND	130	\$60,389.18
NARCOTICS SEIZED ASSETS FUND	134	\$1,005.77
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$1,474.54

TOTAL**\$175,634.30****11:19 AM**

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE ADULT MISDEMEANOR PROBATION AND OTHER COUNTY PAYABLES DATED APRIL 5, 2013. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- g) 9:10 AM COUNTY ROAD AND BRIDGE
 - i) A visit planned later today to Elba has been postponed due to inclement weather.
 - ii) Road & Bridge constructed wings on cattle guard in Almo last week.
- h) 9:11 AM BUILDING AND GROUNDS MATTERS
 - i) The rain necessitates monitoring of the roof at the Sheriff's office for leaks.
 - ii) They are currently considering three bids for roof repair at the Sheriff's office.
 - iii) After discussion, it was determined that the Sheriff's office will need to reallocate their budget to cover expenses for repair.
- i) 9:17 AM GATEWAY MATTERS
 - i) Commissioner Kunau read a letter from Doug Balfour, on the County's behalf, to John Chatburn of the Governor's Office of Energy Resources.

2) 9:34 AM TRANSFER OF RETAIL ALCOHOLIC BEVERAGE LICENSE – ALBERTSONS, LLC

9:34 AM

MOTION: COMMISSIONER KUNAU MOVED TO GO ON THE RECORD FOR A HEARING TO CONSIDER THE TRANSFER OF AN ALCOHOLIC BEVERAGE PERMIT. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- a) Chairman Crane presided at this hearing.
- b) The Board reviewed an application from Albertson's, LLC to transfer their existing Retail Alcoholic Beverage License under the name of Albertson's, Inc. to Albertson's, LLC.
- c) All the appropriate paperwork is in place to make the presented change.

9:34 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE TRANSFER OF THE RETAIL ALCOHOLIC BEVERAGE LICENSE FROM ALBERTSON'S, INC. TO ALBERTSON'S, LLC. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

9:35 AM

MOTION: COMMISSIONER KUNAU MOVED TO GO OUT OF HEARING. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

3) 9:10 AM BOARD OF EQUALIZATION

- a) There is no Board of Equalization today.

4) 9:12 AM ELECTION UPDATE

- a) Larsen reported that the write-in candidacy filing deadline was Friday, April 5, 2013, for Board Trustees of the Cassia Joint School District No. 151 for the May 21, 2013, taxing district election. Candidates as presented by the clerk of the school taxing district include the following:
 - i) Linda Petersen (incumbent) Zone 3
 - ii) Con D. Haycock (write-in contestant) Zone 3
 - iii) Kathryn Millar (incumbent) Zone 4
 - iv) Jeffrey R. Hawker (contestant) Zone 4
 - v) David Edgar (write-in contestant) Zone 4
 - vi) Heber Loughmiller (contestant) Zone 5

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- vii) Janet Hartwell (contestant) Zone 5
 - b) Larsen presented different scenarios for the Board's consideration for some voting precinct balancing to facilitate combining of polling places to reduce costs for future elections. Changes have not been made for years and population shifts both present and future necessitate consideration for some minor urban and rural modifications.
 - c) The Secretary of State's Office just completed certification of Election System & Software (ES&S) software and equipment on March 27, 2013. ES&S is currently the only Secretary of State certified vendors of election equipment.
 - d) Balancing of just a few precincts and combinations of some polling locations can facilitate the potential purchase of polling place tabulators with current FY2013 and future FY2014 money to facilitate replacement of an aging central tabulator.
- 5) 9:25 AM PUC CASE NO. IPC-E-13.06 NOTICE OF APPLICATION
- a) The Board reviewed Idaho PUC Case No. IPC-E-13.06 which was a Notice of Application from Idaho Power Company for authorization to implement fixed cost adjustment rates for service effective June 1, 2013 through May 31, 2014.
- 6) 9:30 AM WORK ON SAGE GROUSE POSITION STATEMENT
- a) The Board worked with McMurray to prepare a statement in regards to Sage Grouse to present to the upcoming Box Elder County Sage Grouse meeting.
- 7) 9:43 AM REVIEW CITY OF BURLEY COMPREHENSIVE PLAN
- a) McMurray reviewed the Burley Comprehensive Plan with the Board. The Board commented on and made recommendations to be returned to the City of Burley as follows:
 - i) The Plan stated that educational opportunities included that the City of Burley is a part of the junior college district and actually none of Cassia County is a part of that district.
 - ii) Governmental employers should be included in the Plan.
 - iii) Land is primarily residential in the City of Burley not agricultural.
 - iv) The City of Burley Wastewater Treatment Plant as well as a business for cleaning dairy towels located in the old King's building should be included as contributors to odor problems.
 - v) Future needs analysis should possibly consider well head protection ordinances.
 - vi) 911 services are provided by Cassia County.
 - vii) Commissioner Crane suggested that when trains delay traffic on City of Burley roadways in excess of 15 minutes they should be required to unblock passageway. Commissioner Kunau indicated that the impact of trains blocking traffic during the busy lunch hour from 12:00 p.m. to 1:00 p.m. creates a problem at a peak traffic time of the day. Businesses and workers are affected by the delays which should be minimized during the lunch hour.
 - viii) The City of Burley will hold a hearing on the proposed City of Burley Comprehensive Plan at 7:00 p.m. Wednesday, April 10, 2013. The Board will submit these recommendations in advance of that meeting. Commissioner Kunau will attend the hearing.
- 8) 10:33 AM INDIGENT MATTERS
- 10:33 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. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE.**
- Welfare Director Susan Keck presented the following:
- a) Certificate of Denial on Case #2013005, #2013017, #2013003, #2013006, and #2013002

- b) Certificate of Approval on Case #2013001 and #2012111
- c) Notice of Lien and Application for Medically Indigent Benefits on Case #2013020
- d) Order of Dismissal on Case #2012083 and #2012121
- e) Notice of Continuance of Hearing on Case #2012084, #2012089, #2012109, #2012112, #2012113, #2012118, and #2012111
- f) Order of Reimbursement on Case #2013001 and #2012111
- g) Release of Medically Indigent Lien on Case #204068, #2012083, #2012083, and #2012121

10:53 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 10:54 AM.

10:58 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. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE. THE BOARD RETURNED TO REGULAR SESSION AT 11:07 AM.

11:06 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE PAYROLL CORRECTIONS AND FOR THE AUDITOR'S OFFICE TO PROVIDE A LETTER REGARDING THOSE CHANGES AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

9) 11:00 AM COUNTY BUILDING MATTERS

- a) The Board discussed jury box electrical changes at the Cassia County Judicial Center (CCJC). There appears to be a misunderstanding with the contractors as to the change request of the Board. Clarification on that matter may come in later today.
- b) Truss repair will cost more than originally contemplated. Request for Proposal #18 supersedes previous Board requests regarding truss repair and fixes the total cost at \$15,513.56 for materials and labor. It will require 510 linear feet of micro-lam beam which was approved by structural engineers and is likely the most economical repair for the truss issues. The roof deck replacement over the east non-dome portion of the roof will be paid with contingency funds.

11:25 AM

MOTION: COMMISSIONER KUNAU MOVED TO ACCEPT PROPOSAL #18 FOR TRUSS REPAIR AS PRESENTED IN THE AMOUNT OF \$15,513.56. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

10) 12:00 PM LUNCH

11) 1:30 PM POSSIBLE ELBA VISIT TO ADDRESS ROAD/DITCH ISSUES

- a) The Board determined to postpone the Elba visit due to inclement weather.

12) 12:50 PM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board