



Cassia County Board of Commissioners

Commissioner Chambers

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Burley, ID 83318

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Board Chairman:

Dennis Crane

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

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

Monday, August 5, 2013

The Board of Cassia County Commissioners met in regular session on Monday, August 5, 2013, at 9:00 a.m. in the Commissioner Chambers of the Cassia County Courthouse. Administrator McMurray 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
	Prosecuting Attorney:	Al Barrus
	Others:	Ruthe Hobbs Jeri Bosley, The News Journal

- 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, BEER AND LIQUOR LICENSES, FY2014 BUDGET MATTERS
 - a) 9:05 AM CALENDAR
 - i) Cassia Fair and Rodeo will be next week, August 12-17, 2013
 - ii) The queen's breakfast for the Board will be on Tuesday, August 13, 2013, at Morey's.
 - iii) The Fair and Rodeo Parade will be on Wednesday, August 14, 2013.
 - iv) The FY2014 budget will be published in the newspaper of record for Cassia County, The News Journal, on Thursday, August 15, 2013.
 - v) The FY2014 budget hearing will be held at the regular Board meeting on August 26, 2013.
 - b) 9:09 AM PERSONNEL
 - i) CHANGE OF STATUS
 - (1) SHERIFF'S OFFICE
 - (a) Eric Nebeker – Request for reduction in rate of pay for failing to complete PT testing.
 - ii) FAIR EMPLOYEE TIMESHEET

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(1) Cory Parish – wage and overtime time card report

9:09 AM

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

- c) 9:06 AM CSI RESIDENCY APPLICATIONS
 - i) The Board reviewed nine CSI Residency applications for 2013-2014

9:06 AM

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

- d) 11:28 AM COUNTY PAYABLES

CURRENT EXPENSES	104	\$7,828.52
INDIGENT FUND	105	\$14,521.37
DISTRICT COURT FUND	106	\$1,540.98
COUNTY ROADS & BRIDGES FUND	107	\$875.73
CASSIA FAIR FUND	111	\$47,750.00
911 COMMUNICATIONS FUND	115	\$1,007.24
COUNTY ELECTION FUND	116	\$2,440.19
COUNTY BOAT LICENSE FUND	117	\$1,360.00
ASSESSOR TRUST FUND	123	\$42.00
JUSTICE FUND	130	\$5,171.01
PHYSICAL FACILITIES FUND	144	\$110.63
ADULT MISDEMEANOR PROBATION	149	\$1,544.43
	TOTAL	\$84,192.10

11:28 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED AUGUST 2, 2013, AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- e) 9:06 AM COUNTY ROAD AND BRIDGE
 - i) Chairman Crane reported on the Road and Bridge Department’s application of magnesium chloride on roads at the City of Rocks.
- f) 9:07 AM BUILDING AND GROUNDS MATTERS
 - i) Chairman Crane presented a Change Order for approval from LCA Architects that incorporated costs of six Request for Proposals that were previously approved regarding the construction of the Cassia County Judicial Center (CCJC)

9:57 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE CUMULATIVE CHANGE ORDER TOTALING \$20,925.31 ON THE CONSTRUCTION OF THE CCJC AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

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- ii) A discussion took place regarding the necessity of a written plan of removal and certificate of insurance naming Cassia County as additional insured that must be approved by the County prior to the removal by a third party of the Swenson sign as detailed in Resolution 2013-011.

9:23 AM

MOTION: COMMISSIONER KUNAU MOVED TO REQUIRE INSURANCE AS DETAILED IN RESOLUTION 2013-011 PRIOR TO THE REMOVAL OF THE SWENSON SIGN BY ANY THIRD PARTY. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

g) 9:08 AM GATEWAY MATTERS

- i) Commissioner Kunau indicated that Governor Otter issued unofficial comments regarding the placement of the Gateway West power line on public land. As yet, there has been no official comment on the matter.

h) 9:10 AM BEER AND LIQUOR LICENSES

9:10 AM

MOTION: COMMISSIONER KUNAU MOVED TO GO ON THE RECORD TO CONSIDER BEER AND LIQUOR LICENSE APPLICATIONS. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- i) Smith's Café – beer off premise and draft beer on premise
- ii) Tracy General Store – beer off premise
- iii) Almo Creek Outpost – beer on premise, beer off premise, and wine by drink
- iv) Duck Ugly's – bottled wine, wine by drink, and draft beer on premise

9:11 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE BEER AND LIQUOR LICENSES AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

i) 10:15 AM UPDATE FY2014 BUDGET MATTERS

- i) Larsen presented proposed changes to budgeted line items in FY2014 joint powers budgets for Adult Misdemeanor Probation, Public Defender, and the Mini-Cassia Criminal Justice Center (CCJC) to parallel expenses with Minidoka County's budgets for Juvenile Probation and the Juvenile Detention Center. This will also facilitate the move of the Public Defender's office to County property with attendant costs absent of rent.
- ii) Proposals for increases in rate of pay were presented to the Board for their consideration last Board Meeting ranging from 0% to 3% in half percent increments. The Board's decision in that regard is required today to facilitate meeting the statutory deadline for publication. It was determined to budget for the potential of a cost of living raise of approximately \$0.50 per hour for County employees should the Board determine to approve that.
- iii) The budget will be published on Friday, August 16, 2013, and a Public Hearing for the budget is scheduled for August 26, 2013.
- iv) A joint powers meeting is scheduled this afternoon for both Boards to make final budget adjustments.

2) 9:14 AM PUBLIC HEARING ON JAIL UA FEE AND REVIEW & EXECUTE JOINT RESOLUTION NO. 2013-08-01

9:14 AM

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MOTION: COMMISSIONER KUNAU MOVED TO GO ON THE RECORD FOR A PUBLIC HEARING ON INCREASING FEES FOR URINALYSIS (UA) TESTING AT THE JAIL. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- a) Clerk Larsen swore in jail supervisor Darwin Johnson.
- b) Johnson proposed an increase in UA testing fees when conducted by jail personnel from the current rate of \$12.00 to the proposed rate of \$18.00.
- c) Johnson reported that probationers have the option to report to Adult Misdemeanor Probation for their UA but if their work schedule presents a time conflict, the probationer can opt to go to the jail and have the UA done there. Over the last two months there has been an increase of tests conducted at the jail.
- d) The proposed increase reflects direct costs associated with personnel doing tests at the jail.
- e) There was some concern expressed that some probationers might be going to the jail to test after attempting to flush their system during the day and then testing at night. They are in hopes that many of the probationers will return to the regular schedule by testing during the day at the Adult Misdemeanor Probation Office.
- f) Barrus read Resolution No. 2013-08-01 to the Board. As the jail is part of a joint power with Cassia and Minidoka Counties, both Counties will need to pass this resolution.

9:22 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE INCREASING FEES FOR UA TESTING AT THE JAIL FROM \$12.00 TO \$18.00 AND APPROVE RESOLUTION NO. 2013-08-01. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 3) 9:26 AM CONSIDER REQUEST TO CHANGE BANKING AT MCCJC – DARWIN JOHNSON
 - a) Jail supervisor Darwin Johnson said they will be going online with Trinity Commissary and Banking on August 20, 2013. Wells Fargo is the current bank for the inmate trust fund and due to some of the difficulties that have been present there, Johnson asked for the Board's approval to switch their banking to Zions Bank.
 - b) The new system will eliminate a lot of check writing.
 - c) The new account will include Administrator Kerry McMurray and Auditor Joe Larsen on the signature cards for that account.
 - d) Telmate and Trinity will tie to this account.

9:30 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE TRANSFERRING THE JAIL TRUST BANK ACCOUNT FROM WELLS FARGO BANK TO ZIONS BANK. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 4) 9:31 AM REVIEW AND EXECUTE CHANGE ORDER #2 FOR THE CASSIA COUNTY JUDICIAL CENTER
 - a) The proposed resolution included wood covers to protect conduits in the CCJC IT room.

9:33 AM

MOTION: COMMISSIONER KUNAU MOVED TO SIGN CHANGE ORDER #2 AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

9:35 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,

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COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE. THE BOARD RETURNED TO REGULAR SESSION AT 9:37 AM.

- 5) 9:39 AM Assessor Dwight Davis reported to the Board that GIS mapper Park Sorenson has submitted his resignation and Davis will begin advertising for the open position.
- 6) 9:41 AM REVIEW AND EXECUTE RESOLUTION NO. 2013-017 FOR DESTRUCTION OF TEMPORARY RECORDS FROM THE RECORDER'S OFFICE

9:43 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE RESOLUTION NO. 2013-017 FOR THE DESTRUCTION OF TEMPORARY RECORDS FROM THE RECORDER'S OFFICE AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 7) 9:41 AM REVIEW AND EXECUTE RESOLUTION NO. 2013-018 FOR DESTRUCTION OF SEMI-PERMANENT RECORDS FROM THE RECORDER'S OFFICE

9:43 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE RESOLUTION NO. 2013-018 FOR THE DESTRUCTION OF SEMI-PERMANENT RECORDS FROM THE RECORDER'S OFFICE AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 8) 9:44 AM REVIEW AND EXECUTE RESOLUTION NO. 2013-019 FOR DESTRUCTION OF SEMI-PERMANENT RECORDS FROM THE PUBLIC DEFENDER'S OFFICE

9:44 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE RESOLUTION NO. 2013-019 FOR THE DESTRUCTION OF SEMI-PERMANENT RECORDS FROM THE PUBLIC DEFENDER'S OFFICE AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- a) All resolutions were reviewed by Prosecutor Barrus and he subsequently prepared the resolutions for the records destruction presented, discussed, and approved by the Board.
 - b) Some Recorder's Office records were removed from the original request after review by Barrus.
- 9) 9:58 AM COUNTY BUILDING MATTERS – CRAIG MUNOZ
 - a) Building Maintenance Supervisor Craig Munoz presented to the Board bids for remodeling of County-owned Linda Vista apartments. Three units will be converted to office space for the Public Defender's Office.
 - b) A ramp and entryway will be installed in the back of the apartments where there is already available parking.
 - c) Bids recommended for approval included the following:
 - i) B B's Electrical Contracting for work per blueprints totaling \$5,727.91 and for paint, material, and labor totaling \$640.00
 - ii) GreenPump Heating and Air for labor, material, and equipment to install one three zone ductless heat pump with three 12,000 BTU indoor wall mount air handlers totaling \$8000.00
 - iii) Foam Insulation for blowing in insulation to upgrade the attic to R49 as well as the area of the remodeling for the Public Defender's Office totaling \$800.00.

10:05 AM

MOTION: COMMISSIONER KUNAU MOVED TO ACCEPT THREE BIDS AS RECOMMENDED FROM B B'S ELECTRICAL CONTRACTING FOR \$5,727.91 FOR ELECTRICAL PLUS \$640.00 FOR PAINTING,

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GREENPUMP HEATING AND AIR FOR \$8000.00, AND FOAM INSULATION FOR \$800.00 ALL AS PRESENTED FOR REMODELING OF LINDA VISTA APARTMENTS THAT WILL BE USED FOR THE PUBLIC DEFENDER'S OFFICE. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 10) 10:25 AM COMMISSIONER COMMENT LETTER FOR LIMEKILN AND SHAW MOUNTAIN SHEEP & GOAT AND KELLY MOUNTAIN/GREENHORN CATTLE & HORSE ALLOTMENTS ANALYSIS
- a) The Board desired to provide input during the 30-day comment period following A Notice of Proposed Action from the US Forest Service to eliminate livestock grazing on the Kelly Mountain-Greenhorn Cattle and Horse Allotment.
 - b) A letter to the Ketchum Ranger District was prepared from the Board in opposition to the loss of historic grazing lands from Idaho's agriculture base. The Board asked for reconsideration of the Proposed Action to pursue current management of productive rangeland to benefit local, regional, and state economies.

10:25 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE LETTER FROM THE BOARD TO THE US FOREST SERVICE IN OPPOSITION TO THEIR PROPOSED ACTION AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

11) 10:30 AM INDIGENT MATTERS

10:30 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 #2013044, #2013046, #2013047, #2013048, and #2013050
- b) Release of Medically Indigent Lien on Case #2012118, #2013020, #2013032, and #2013033
- c) Notice of Continuance of Hearing on Case #2012014, #2013024, and #2013031
- d) Order of Dismissal on Case #2012118, #2013020, #2013032, and #2013033

10:45 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 10:45 AM.

12) 12:00 PM A DISCUSSION OF BUDGET DETAIL FINALIZATION AND A WORKING LUNCH WAS CONVENED AT THE WAYSIDE CAFÉ.

13) 1:30 PM MEET WITH MINIDOKA COUNTY ON JOINT POWERS BUDGETS AT MINDOKA COMMISSIONERS' CHAMBERS

- a) The Board discussed with Minidoka's Board the following:
 - i) Rate of pay increases for employees of the Juvenile Probation Office. The Board determined that they were willing to support a cost of living increase of \$0.50 per employee. If Minidoka County desires to increase beyond that, it should be borne by Minidoka County.
 - ii) The Juvenile Detention split will remain as originally discussed in the previous joint power budget workshop.

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iii) The Public Defender and Adult Misdemeanor Probation budgets will exclude rent and include maintenance and repair budgeted items mirroring the Juvenile Probation and Juvenile Detention budgets of Minidoka County.

iv) The jail split will be adjusted to include a \$0.50 increase in rate of pay for employees.

14) 2:12 PM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board