



# 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:**

*Paul Christensen (District #1) ~ [pchristensen@cassiacounty.org](mailto:pchristensen@cassiacounty.org)*

*Bob Kunau (District #2) ~ [bob.kunau@cassiacounty.org](mailto:bob.kunau@cassiacounty.org)*

*Dennis Crane (District #3) ~ [dcrane@cassiacounty.org](mailto:dcrane@cassiacounty.org)*

Monday, December 9, 2013

The Board of Cassia County Commissioners met in regular session on Monday, December 9, 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
	Others:	Aleta Stringham Lonnie Stringham Ruthe Hobbs Dwight Davis, Assessor Scott Kunau Sam Kunau Jay Lenkersdorfer, News Journal Laurie Welch, The Times News/Voice Patty Justesen, Treasurer

- 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) Elected Officials Christmas Party 6:30 p.m. Tuesday, December 17, 2013, at the Heritage Station in Oakley.
    - ii) Joint Juvenile Probation meeting in Rupert at 7:30 a.m. Tuesday, December 10, 2013
    - iii) Joint Justice meeting in Rupert at 8:00 a.m. Tuesday, December 10, 2013
    - iv) Region IV Development Association meeting was cancelled and will be rescheduled sometime in January.

**CASSIA COUNTY COMMISSION**

**REGULAR SESSION**

**Monday, December 9, 2013**

- v) City of Burley emergency meeting will be held today at 12:00 p.m. regarding the McCain expansion project
- vi) Scott Kunau's son Sam reported on receiving his Eagle Scout. He fulfilled requirements of the Citizen in the Community Merit Badge with the Board last year.
- vii) The Associated Taxpayers of Idaho annual meeting will be held at 8:00 a.m. Wednesday, December 11, 2013
- viii) CAT Board meeting for Commissioner Christensen will be held at 7:00 a.m. Thursday, December 12, 2013, in Boise
- ix) Transportation Meeting will be held Wednesday, December 11, 2013, for Chairman Crane
- b) 9:05 AM           CORRESPONDENCE
  - i) A letter from Janice and Kent Durfee regarding a proposed DUP monument in Almo near the City of Rocks
  - ii) Letter from United Electric Coop regarding accidents from vehicles hitting power poles.
  - iii) Bonneville Power Administration Journal for December 2013
- c) 9:24 AM           PERSONNEL
  - i) CHANGE OF STATUS
    - (1) MINI-CASSIA CRIMINAL JUSTICE CENTER
      - (a) Hiring of Stephanie Lee Olson as a Detention Deputy who has met physical fitness requirements
    - (2) CLERK'S OFFICE
      - (a) Hiring of Miranda Heward as Court Assistance Officer/Deputy Clerk

**9:27 AM**

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

- ii) Time Sheet for Corey Parish was reviewed by the Board

- d) 9:26 AM           APPROVAL OF MINUTES

**9:26 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM DECEMBER 2, 2013. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- e) 9:21 AM           CSI RESIDENCY APPLICATIONS
  - i) The Board reviewed 18 CSI Residency applications; 13 for 2013-2014 and five high school dual credit applications.

**9:21 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE 18 CSI RESIDENCY APPLICATIONS AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- f) 11:37 AM         COUNTY PAYABLES

CURRENT EXPENSE FUND	104	\$114,428.97
SOCIAL SERVICES	105	\$15,044.84
DISTRICT COURT FUND	106	\$2,744.84
COUNTY ROAD & BRIDGE FUND	107	\$2,753.58

WEED & PEST FUND	108	\$3,703.01
HISTORICAL SOCIETY FUND	112	\$6,000.00
REVALUATION FUND	114	\$292.85
911 COMMUNICATIONS FUND	115	\$4,198.11
COUNTY ELECTION FUND	116	\$1,662.13
ASSESSOR TRUST FUND	123	\$27.70
JUSTICE FUND	130	\$72,569.12
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$345.28
D.A.R.E TRUST	137	\$154.04
PHYSICAL FACILITIES FUND	144	\$7,208.52
ADULT MISDEMEANOR PROBATION	149	\$2,193.96
	<b>TOTAL</b>	<b>\$233,326.95</b>

**11:37 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED DECEMBER 9, 2013. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- g) 9:11 AM COUNTY ROAD AND BRIDGE
  - i) Chairman Crane reported on plowing of roads on Saturday and sanding of roads on Sunday.
  - ii) McWork will assist again next week with installation of snow fences.
- h) 9:14 AM BUILDING AND GROUNDS MATTERS
  - i) McMurray reported on work in the parking area of the Public Defender's office.
  - ii) A window had been broken in the covered back public entry area of the courthouse.
- i) 9:15 AM GATEWAY MATTERS
  - i) Chairman Crane was still working on getting information from Rep. Scott Bedke.
- 2) 9:16 AM DELIBERATE ON RESOLUTION NO. 2013-027 ADOPTING A FLOATING HOLIDAY POLICY
  - a) McMurray read the proposed resolution.
  - b) The floating holiday proposal is in lieu of a traditional gift or gift certificate to employees.
  - c) There was discussion regarding this gift as being an expression of appreciation to employees for the work they do. It was also discussed the level of appreciation employees may have for the gift.
  - d) The Board determined to revise the resolution and adopt the floating holiday for 2013 only and see how it goes.
  - e) Commissioner Kunau read the revised resolution effective for 2013 only.

**9:41 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO ACCEPT AND SIGN RESOLUTION NO. 2013-027 ESTABLISHING A FLOATING HOLIDAY FOR EMPLOYEES FOR 2013. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- l) Information regarding this will be sent from the Administration office to all department heads.
- 3) 9:29 AM ELECTION MATTERS – RECOGNITION OF SERVICE
  - a) Aleta Stringham has served as the Oakley Precinct 2 Election Poll Judge for over 40 years and recently announced her retirement.
  - b) Elections Supervisor Susan Keck and Chief Elections Officer Larsen joined the Board in expressing appreciation for Stringham's service.
  - c) The Board presented her with a certificate and a gift.

- 4) 9:35 AM DISCUSS ERRONEOUS ASSESSMENT ON PARCEL NO. RP00008001026BA FOR NEAL LARSON
- a) The Assessor's office inadvertently made a mistake that resulted in an erroneous assessment on the referred to parcel.
  - b) Using two independent appraisals, they concurred that the property was overvalued.
  - c) Assessor's office employee notes indicated that the value was to be lowered but that inadvertently did not occur.
  - d) The end result was that Larson paid \$179.56 more in taxes in the first half payment of 2013 than what it should have been once property valuations were corrected. Larson requested that he receive a credit on 2013's second half tax payment in the amount of \$179.56.
  - e) Davis acknowledged that the property had not been appraised in five years and was due this past year for revaluation. Barrus asked Davis to prepare a letter to that effect.

**9:38 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE CREDITING THE SECOND HALF OF 2013 TAXES ON THE SAID PARCEL IN THE AMOUNT OF \$179.56. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- f) Treasurer Justesen joined the Board meeting and upon learning of the motion recommended the cancellation of taxes rather than crediting the amount to the second half of 2013 taxes due.

**9:55 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO AMEND THE PREVIOUS MOTION AND CANCEL \$179.56 IN TAXES FOR THE PROPERTY IN QUESTION. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 5) 9:58 AM REVIEW SURVEYOR CONTRACT CHANGE

- a) It was determined that a change to the County's current surveyor contract may be needed.
- b) It was pointed out that there were no problems with the work that has been done by Desert West Land Survey. It has worked well but corner perpetuations completed are according to their work needs and projects and sometimes not that of the County.
- c) The Board determined that a contract revision needed to be considered that was project driven to meet the County's specific needs of Planning and Zoning and of the Assessor's Office.
- d) It was also pointed out that projects could be bid on to be more cost effective to the County.
- e) The concern of only a single control point in Albion and the need for concentrating in Oakley and Malta to improve the accuracy of parcel layers was discussed.
- f) Commissioner Christensen asked about the impact of cost implications involved with this change. McMurray indicated that they would stay in line with the original amounts. However, some projects that could be needed may include additional expense.
- g) GIS/Mapping Specialist Todd Quast indicated that it is important to improve accuracy with new technology that is now available.
- h) Some additional corners need to be identified to complete some unfinished areas critical to County needs.

**10:07 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO DRAFT A NEW CONTRACT AND PROVIDE A 30 DAY NOTICE TO DESERT WEST LAND SURVEY DETAILING PROPOSED CHANGES AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- i) McMurray will prepare a letter to send to Desert West Land Survey regarding said changes.

- 6) 9:44 AM DISCUSS STAMP MACHINE/MAIL REPORT
- a) Commissioner Crane and McMurray talked to the Postmaster. He indicated that sorting of all mail has been moved from Twin Falls to Boise. Mail that is received at the post office after 4:30 p.m. goes out the next day even though it is postmarked the day of receipt if prior to 5:30 p.m.
  - b) The mail delivery person will pick up posted mail when they deliver mail each day. We can coordinate and work things out with that mail person.
  - c) There is no break in cost to purchase another postage machine for the Cassia County Judicial Center (CCJC). That in effect would double the costs.
  - d) Larsen felt that e-stamps from Stamps.com still may be viable solution to supplement what we currently are doing. They have a Pro Shipper rate and a Governmental rate that could be looked into further.
- 7) 10:13 AM DAUGHTERS OF THE UTAH PIONEERS (DUP) MONUMENT REQUEST IN CITY OF ROCKS
- a) Kent and Janice Durfee sent a letter to the Board regarding their feelings with the placement of a monument requested by the DUP. McMurray recommended that the Board not review the letter as they will possibly need to make the decision of whether or not to allow the placement of a proposed monument if application is made through the Planning and Zoning Commission.
  - b) It was pointed out that a monument could be considered a structure.
  - c) The Board determined to send a letter to Vicky Knight to point out the need for a development permit from Planning and Zoning for placement of the proposed monument.

**10:17 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SEND SAID DRAFTED LETTER TO VICKY KNIGHT TO ADVISE HER OF THE NEED TO APPLY FOR A DEVELOPMENT PERMIT FOR PLACEMENT OF A PROPOSED MONUMENT NEAR THE JUNCTION OF THE CALIFORNIA TRAIL AND THE SALT LAKE ALTERNATE TRAIL. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 8) 10:10 AM OPEN ENROLLMENT/PAYROLL DISCUSSION
- a) Heather Evans reported 10 employees that were on a Flex Plan and did not send in their completed forms this year as required. An email went out to the 10 employees who need to go to the Auditor's office and sign those forms.
  - b) Christensen confirmed the notion that open enrollment deadlines should be complied with as it was adequately announced and reiterated in open enrollment meetings.
- 9) 10:20 AM DELIBERATE ON MBA ADMINISTRATIVE SERVICE AGREEMENT
- a) An Administrative Services Agreement between the County as plan sponsor and MBA Benefit Administrators, Inc. as contract administrators for an Employee Medical Benefit Plan was reviewed by Barrus and McMurray.
  - b) MBA was accommodative to changes presented with the proposed agreement.

**10:20 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO ACCEPT, SIGN, AND DATE EACH PAGE OF THE ADMINISTRATIVE SERVICE AGREEMENT AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 10) 10:31 AM UPDATE ON RELEASE OF RETAINAGE AT THE CASSIA COUNTY JUDICIAL CENTER (CCJC)
- a) A corrected final amount of \$97,276.00 93 will be released and paid to Starr Corporation for construction at the CCJC.
  - b) The total cost of construction for the facility was \$1,875,566.00. That is below the budgeted amount for the project.

- 11) 10:35 AM REVIEW AND EXECUTE DOCUMENTS FOR 2013 EMPG GRANT AWARD
- a) A 2013 Emergency Management Program Grant (EMPG) in the amount of \$19,730.94 with a match requirement of 50% from local funds or in-kind contributions was reviewed by the Board.
  - b) An Awards Document, an Assurance Form, and a Certification/Lobbying form is required to be approved, signed, and sent back to the Bureau of Homeland Security.

**10:34 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO SIGN THE AFOREMENTIONED GRANT FORMS AND RETURN IT TO THE BUREAU OF HOMELAND SECURITY AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 12) 10:34 AM REVIEW NOVEMBER 2013 VETERANS' SERVICE OFFICER (VSO) REPORT
- a) The Board reviewed the November 2013 report detailing activities of the VSO which was received from Georgia Greenwell.
- 13) 10:34 AM REVIEW NOVEMBER 2013 AMBULANCE REPORT
- a) The Board reviewed the November 2013 Ambulance Report from Life Run Ambulance Coordinator Doug Adams.
- 14) 10:53 AM WORKERS COMPENSATION RENEWAL WITH IDAHO STATE INSURANCE FUND
- a) Premium estimates total \$84,605.00 for renewal of County Workers Compensation with the Idaho State Insurance Fund.

**10:57 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE RENEWAL OF THE WORKERS COMPENSATION POLICY WITH THE IDAHO STATE INSURANCE FUND AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 15) 11:00 AM INDIGENT MATTERS

**10:39 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.**

Welfare Director Susan Keck presented the following cases for review and approval of the Board:

- a) Order of Dismissal: 2013061, 2013065, 2013070, 2013073, and 2013069
- b) Notice of Lien and Application for Medically Indigent Benefits: 202155, 2013061, 2013065, 2013070, 2013073, and 201369
- c) Notice of Continuance of Hearing: 2012104, 2013067, and 2013064
- d) Settlement Request: 2011083
  - i) The Board was briefed by on Case 2011083 by Keck.
  - ii) Barrus requested the subject in question to appear before the Board to explain the request.
  - iii) The request was taken under advisement

**10:47 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 10:50 AM.**

- 16) 10:57 AM REVIEW PUC FILINGS ON CASE NO. IPC-E-13-20 AND IPC-E-13-21
- a) The Board reviewed Case No. IPC-E-20
  - b) The Board reviewed Case No. IPC-E-13-21

17) 11:15 AM DISCUSS NOTICE OF DEFAULT – DEFECTIVE NOTICE ON BOARD OF COUNTY COMMISSIONERS

- a) A Notice of Default, Notice of Sale, Schedule B of a TSG and Schedule C of a TSG, sent certified mail to Cassia County's address but incorrectly identifying Minidoka County as the party served was sent from attorney Randy Stone. The return receipt was signed by a County employee but there is no record of the documents in the County.
- b) Stone requested that the County acknowledge service of the notice on October 25, 2013, to avoid the need to serve amended notices and re-scheduling of the sale.
- c) The Board desired to take action to accept the notice as requested by Stone.

**11:02 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO ACKNOWLEDGE SERVICE OF A NOTICE OF SALE OF PROPERTY ON AN INDIGENT CLAIM AS PRESENTED BY ATTORNEY RANDY STONE. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

**11:04 AM EXECUTIVE SESSION**

**MOTION: COMMISSIONER KUNAU MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(A). COMMISSIONER CHRISTENSEN SECONDED THE MOTION. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE, COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE. THE BOARD DISCUSSED AN ISSUE RELATING TO EMPLOYEE TRAINING AND TIME EFFICIENCY. THE BOARD RETURNED TO REGULAR SESSION AT 11:32 AM.**

**11:32 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. THE BOARD DISCUSSED A PROPERTY ISSUE WITH AN INDIGENT SITUATION. THE BOARD WENT OUT OF EXECUTIVE SESSION AT 11:40 AM.**

18) 11:41 PM ADJOURNMENT

APPROVED:

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

Dennis Crane, Chairman of the Board

ATTEST:

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

Joseph W. Larsen, Clerk of the Board