



# Cassia County Board of Commissioners

*Commissioner Chambers*

*1459 Overland Ave.*

*Burley, ID 83318*

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

**Board Chairman:**

*Dennis Crane*

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**Board Members:**

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

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

Monday, December 16, 2013

The Board of Cassia County Commissioners met in regular session on Monday, December 16, 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
	Cassia County Fair Board:	Don Knopp, Sam Yoshida, Jeff Chatburn, Todd Powers, Cory Parish, Ryan Samples, Dan Gammon, Don A. Knopp, Paul Marchant, and Blair Davis
	Others:	Jay Lenkersdorfer, News Journal Dwight Davis, Assessor Doug Manning, City of Burley Mark Mitton, City of Burley

- 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, BUDGET 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) Planning and Zoning annual luncheon will be held on Thursday, December 19, 2013.
    - iii) Commissioner Christensen asked to be excused from the regular Board meeting on January 13, 2014
    - iv) There will be no regular Board meeting on December 23, 2013.
    - v) A Joint quarterly visit of the Mini-Cassia Criminal Justice Center (MCCJC) on December 30, 2013, at 11:30 a.m. to be there for lunch.
    - vi) Governance Committee Meeting at 11:00 a.m. in Twin Falls for Kunau

**CASSIA COUNTY COMMISSION**

**REGULAR SESSION**

**Monday, December 16, 2013**

- vii) Department Head meeting to be held on December 30, 2013 where regular meeting is cancelled for December 23, 2013.
- b) 9:05 AM           CORRESPONDENCE
  - i) Thank you note from Susan Keck for County Floating Holiday Christmas gift.
- c) 9:08 AM           PERSONNEL
  - i) CHANGE OF STATUS
    - (1) MISDEMEANOR PROBATION
      - (a) Hiring of Domink Pedraza as a Urinalysis Technician.

**9:10 AM**

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

- d) 9:15 AM           APPROVAL OF MINUTES

**9:16 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE MINUTES OF THE BOARD FROM DECEMBER 9, 2013. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- e) 9:08 AM           CSI RESIDENCY APPLICATIONS
  - i) The Board reviewed 10 CSI Residency applications; nine for 2013-2014 and one dual high school credit.

**9:08 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE 10 CSI RESIDENCY APPLICATIONS. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- f) 10:58 AM          COUNTY PAYABLES

CURRENT EXPENSES	104	\$10,005.95
DISTRICT COURT FUND	106	\$18,318.25
COUNTY ROADS & BRIDGES FUND	107	\$3,555.31
WEED & PEST FUND	108	\$690.55
REVALUATION FUND	114	\$914.76
COUNTY SNOWMOBILE FUND	118	\$4,277.19
JUSTICE FUND	130	\$13,121.85
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$91.49
D.A.R.E TRUST	137	\$76.00
ADULT MISDEMEANOR PROBATION	149	\$9,713.37
	<b>TOTAL</b>	<b>\$60,764.72</b>

**10:58 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED DECEMBER 16, 2013. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- g) 9:09 AM           COUNTY ROAD AND BRIDGE
  - i) They will be doing grading today after the thaw.
- h) 9:10 AM           BUILDING AND GROUNDS MATTERS
  - i) Bids on bathrooms have been received.

- ii) There is a problem with the chairs at the Judge's Bench in each courtroom that needs to be addressed. The height of the chairs is an issue as well as line of site to the witness stand.
- iii) There are numerous jury trials scheduled that Global Surveillance will need to work around with video surveillance issues. There is also a crack in wall in courtroom #2 that Starr Construction needs to repair this week.
- i) 11:35 AM GATEWAY MATTERS
  - i) McMurray reviewed an email that just came in from Doug Balfour regarding a lawsuit from Western Watershed and BLM's corridor establishment.
- j) 10:11 AM BUDGET MATTERS
  - i) A letter was received from the South Central Public Health Department (SCPHD) inquiring about there being no change in Cassia County's payment from FY2013 to FY2014.
  - ii) During FY2014 budget workshops, the Board determined to approve the SCPHD budget without the proposed increase. The amount paid in FY2013 will carry forward.
  - iii) Larsen was asked to write a letter to the SCPHD and make them aware of that.
- 2) 9:10 AM URBAN RENEWAL INFO REVIEW – MARK MITTON
  - a) Mitton presented information an Urban Renewal project with McCain's that the City of Burley is working on with a 17 year tax increment estimate of \$16,332,750. They are still working on final numbers from their consultant which will be completed after the first of the year.
  - b) They are also working with the Idaho Transportation Department (ITD) on a work plan for a \$5,500,000 improvement project to make four lanes the whole length of the property with a center turn lane.
  - c) Estimates also include electrical upgrades in the amount of \$5,024,000, site preparation in the amount of \$2,600,000, natural gas in the amount of \$250,000, road and parking in the amount of \$2,881,000, and an unknown amount for rail improvement.
  - d) A survey map was provided for the Board to examine. There will be some exemptions and exclusions.
  - e) McCain's will pay an occupancy tax in the beginning but if the schedule goes as planned, 2017 will be the first year of full taxation.
  - f) The Burley Development Association (BDA) appointed Chairman Crane to that committee.
  - g) Barrus brought up a right for a six year extension. Mitton said they do not desire to extend it. When the Revenue Allocation area expires it will be added back to the tax base of the County.
  - h) Barrus asked about the project being done in less than 17 years. Mitton indicated that he doesn't know and that the electrical is the wild card along with land acquisitions for additional rail. They do not have all of the plans yet.
  - i) Commissioner Christensen asked if Idaho Power will participate. Mitton said it is up to McCain's and Idaho Power for negotiations.
  - j) It was pointed out that a tax increment analysis will be done.
  - k) The total cost of the project will be \$183 million. They will take the assessed value when the project is completed. Caveats need to put in the project development plan to take into account personal property tax implications.
  - l) Assessor Davis talked about fast depreciation on robotic equipment that will be used. He pointed out that personal property tax exemption will not go away and needs to be addressed.
  - m) Mitton indicated that McCain's will buy their own bonds as it reduces the risk to the BDA. They want to do it the same way as Dot Foods which protects the BDA from personal property tax implications. It also cuts time for judicial confirmation for them to go after those bonds.

- n) Barrus indicated that Idaho Code 50-2905 enumerates eight things that need to be done. The plan received from City Attorney Randy Stone didn't include all of those items. Mitton said that initially they planned to present conception drawings of what McCain intends to do with the rail and site development and follow up with additional items as it develops.
  - o) An economic study will come from the Department of Labor depicting the benefits derived along with a detailed list of estimated project costs and tax implications of the project. There will also be a description of the method of financing. As money accrues, the bonds are paid off early and all costs stay in that Revenue Allocation Area.
  - p) Idaho Code 52-1008 requires a resolution from the County.
  - q) Road infrastructure and substation which are both deficient, in that they won't allow development, will be improved and three old buildings will be removed. The County requests additional information prior to drafting a resolution. More specifics will be defined after the first of the year which needs to be in place in order to apply for a grant that will help leverage the project.
- 3) 9:40 AM DELIBERATE INDEPENDENT EDUCATIONAL SERVICES CONTRACT
- a) An Independent Educational Services Contract is needed between new GED instructor Patricia Merrill and the MCCJC.
  - b) The Board discussed the contract which includes a \$400 per month consideration.
  - c) It will also need to be approved by the Board of Minidoka County.

**9:40 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SIGN THE INDEPENDENT EDUCATIONAL SERVICES CONTRACT AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 4) 9:41 AM DELIBERATE PUC CASE NO. IPC-E-13-25 FILING
  - a) The Board reviewed PUC Case No. IPC-E-13-25 filing as received from the PUC.
- 5) 9:43 AM DELIBERATE ON IDAHO TRANSPORTATION DEPARTMENT (ITD) REQUEST FOR FUNDS
  - a) McMurray presented to the Board a request for funding from ITD in the amount of \$4,770.13 for the County's share of costs with the City of Rocks Country Byway project.
- 6) 9:50 AM DELIBERATE FY2014 ANNUAL SNOWMOBILE GROOMING CONTRACT WITH USFS
  - a) The USFS brought in the FY2014 contract for snowmobile grooming that needs to be approved and signed.
  - b) Some discussion ensued about representation on the committee.
  - c) The Board determined to hold over further discussion until a later meeting.
- 7) 10:52 AM DELIBERATE ITD ENGINEER REPORT ON HWY 30 SPEED LIMIT
  - a) Commissioner Christensen indicated that after reviewing accident history, he does not see evidence that backs the need to make the speed limit reduction changes. There are still questions as to why ITD reduced the speed limit from 55 to 45 at Murtaugh. He requested that Barrus look further into it.
- 8) 10:15 AM ELECTION MATTERS
  - a) Elections Supervisor Susan Keck advised the Board that Idaho Code 34-301 allows the Board to make any changes regarding voting precincts before January 15<sup>th</sup> of a general election year.
  - b) Currently some precincts have to be opened for just a small number of qualified electors with the new consolidated elections.

- c) The Elections office has worked with County Mapper/GIS Specialist Todd Quast to identify areas of consideration for change. The City of Burley buffer zone, potential annexation and imbalances of current precincts have been reviewed.
- d) Cost savings upwards of \$7,000.00 for the combining of the two smallest precincts, Burley 101 and 107 was recommended. Voter turnout is very low compared to other precincts.
- e) Recommendations were made from demographic data to balance precinct boundaries which would result in minor realignments. Those proposals were centered primarily on the boundaries of the City of Burley.
- f) Changes include realignment to easily identifiable boundaries, balancing of sizes of precincts, accounting for future annexation and growth, and the elimination of opening of precincts that include only a small part of the City of Burley. This will result in potential cost savings of \$4,000 per year for City of Burley elections alone. Management of elections will be more feasible as well.
- g) The Board felt the proposals were reasonable and requested that leaders of County political parties attend a discussion for consideration of changes at the regularly scheduled Board Meeting on January 6, 2014.

9) 10:40 AM INDIGENT MATTERS

**10:40 AM EXECUTIVE SESSION**

**MOTION: COMMISSIONER KUNAU MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING MEDICAL INDIGENT MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(D). COMMISSIONER CHRISTENSEN 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) Keck briefed the Board on Case No 2011083 for a Settlement Request.
- b) Certificate of Denial: 2013089 and 2013090
- c) Notice of Lien and Application for Medically Indigent Benefits: 2013103

**10:48 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.**

10) 11:00 AM FAIR BOARD ANNUAL REPORT

- a) The Fair Board reported on the success of the Cassia County Fair for 2013. The rodeo and horse racing showed an increase in profits this year and overall expenses were down.
- b) They made their last payment on a ten year contract for the Art Building and will use those funds to improve the horse barn.
- c) They reported on 4H and FFA participants and animal projects which were comparable to previous years.
- d) Fat stock sales were up and food booth sales were average.
- e) The Fair Board conducted elections last month. Sam Yoshida will be the new president, Jeff Chatburn will be the new vice president
- f) Don Knopp is retiring at the end of this year. Ryan Samples and Blair Davis began their term of service this year, serving a four year term which will end 2017.

**11:09 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE RE-APPOINTMENT TO THE FAIR BOARD FOR ANOTHER TERM BOTH SAM YOSHIDA AND JEFF CHATBURN. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

**11:15 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE APPOINTMENT OF DAN GAMMON TO THE FAIR BOARD TO REPLACE RETIRING DON KNOPP. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- g) Each Fair Board member explained their area of responsibilities. Blair Davis is over the 4H and the fat stock sale committee. Paul Marchant is helping Todd Powers with the rodeo and is over the tractor pull and entertainment at the Fair. Jeff Chatburn is over horse racing. Ryan Samples is over the concert and working of the grounds with the tractor. Todd Powers is over the rodeo and working with the queens. Sam Yoshida is over the parade and the para-mutual room. Dan Gammon working with Blair Davis with 4H and is over vendor booths and website management.

11) 11:40 AM ADJOURNMENT

APPROVED:

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

Dennis Crane, Chairman of the Board

ATTEST:

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

Joseph W. Larsen, Clerk of the Board