



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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Monday, February 25, 2013

The Board of Cassia County Commissioners met in regular session on Monday, February 25, 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

1) 9:14 AM AMENDMENT TO AGENDA

- a) Emailed information regarding a two-day grant writing workshop in Boise came too late to be included on the posted agenda. The Board desired to discuss that during Department Head Meeting.

9:15 AM

MOTION: COMMISSIONER KUNAU MOVED TO ADD TO THE AGENDA DISCUSSION OF A GRANT-WRITING WORKSHOP THAT CAME BY WAY OF EMAIL TOO LATE TO BE INCLUDED ON THE AGENDA. COMMISSIONER CHRISTENSEN 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) Joint Public Defender Meeting at 7:30 a.m. Tuesday, February 26, 2013, in Burley
ii) Joint Jail Meeting at 8:00 a.m. Tuesday, February 26, 2013, in Burley
iii) Mid-Snake Resource Conservation & Development meeting at the Twin Falls Courthouse
iv) Cassia Lincoln Day Luncheon to be held at 12:00 p.m. at Morey's Steakhouse on Saturday, March 9, 2013
v) Sesquicentennial Kickoff Banquet in Bannock County on Monday, March 4, 2013

b) 9:05 AM CORRESPONDENCE

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- i) Email from Dan Chadwick from IAC requesting suggestions for someone who has knowledge in transmission citing to serve on the Governor’s Task Force.
 - ii) Groundbreaking for the new DL Evans Bank building in North Burley at 11:00 a.m. Tuesday, March 5, 2013
 - iii) Email regarding a grant-writing workshop in Boise
 - iv) Former VA Service Officer Dick Dalton passed away
 - v) Invitation to the 2013 Twin Falls County Lincoln Day Celebration to be held at 6:00 p.m. Saturday, March 2, 2013, at the Canyon Crest Event Center in Twin Falls.
- c) 9:04 AM PERSONNEL
- i) CHANGE OF STATUS
 - (1) SHERIFF’S OFFICE
 - (a) Promotion of Corporal Patrolman Mark Merrill to Sergeant Patrolman with an increase in rate of pay.
 - (b) Promotion of Deputy Senior Patrolman Kenny Emery to Corporal Patrolman with an increase in rate of pay.
 - (c) Promotion of Matt J. Love from Deputy Patrolman to Corporal Patrolman with an increase in rate of pay.
 - (d) Promotion of Deputy Patrolman Duane Clay Anderson to Corporal Patrolman with a raise in rate of pay was disapproved following discussion until Anderson completes an approved defensive driver training program approved by Sheriff Heward.
 - (e) Sheriff Heward indicated that all increases in rate of pay will fall within the FY2012 “A” budget amounts.

11:08 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE 3 (THREE) CHANGE OF STATUS REQUESTS AND DISAPPROVE 1 (ONE) WITH CONDITIONS AS ENUMERATED IN THE RECORD. COMMISSIONER KUNAU 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 FEBRUARY 19, 2013. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- e) 9:42 AM CSI RESIDENCY APPLICATIONS
 - i) There were no CSI residency applications to consider today.
- f) 11:23 AM COUNTY PAYABLES

INDIGENT FUND	105	\$337.00
	TOTAL	\$337.00
ADULT MISDEMEANOR PROBATION	149	\$8,556.11
	TOTAL	\$8,556.11
CURRENT EXPENSES	104	\$17,262.45
DISTRICT COURT FUND	106	\$273.00
COUNTY ROADS & BRIDGES FUND	107	\$1,715.72

AMBULANCE SERVICE	110	\$15,050.83
REVALUATION FUND	114	\$84.00
JUSTICE FUND	130	\$41,564.47
NARCOTICS SEIZED ASSETS FUND	134	\$920.00
D.A.R.E TRUST	137	\$193.93
PHYSICAL FACILITIES FUND	144	\$1,039.97
	TOTAL	\$78,104.37

11:23 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED FEBRUARY 20 & 22, 2013, AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- g) 9:18 AM COUNTY ROAD AND BRIDGE
 - i) The Board discussed road conditions following the recent snowfall.
- h) 9:22 AM BUILDING AND GROUNDS MATTERS
 - i) McMurray discussed with the Board proposed change orders in some areas of the new CCJC.
 - (1) Ceiling in the jail cell
 - (2) Switch of the clerk station with witness stand in the District Courtroom.
 - (3) Diffused ceiling light into the clerk's area.
 - (4) Commissioner Kunau asked about ceiling lights into the jury room and the Board determined it appropriate to not create more roof penetrations than currently in place with approved architectural plans.
- i) 9:35 AM GATEWAY MATTERS
 - i) The Board discussed a meeting with Governor Otter and John Chatburn regarding the importance of inclusion of underground DC power to the EIS.
 - ii) The discussion went well between Chatburn, Governor Otter, and the BLM.
 - iii) Chatburn will provide information to Gateway West attorney Doug Balfour.
 - iv) McMurray read a letter from Balfour concerning that meeting, indicating that the BLM should work more closely with local entities rather than making alternatives at their own discretion. County sovereignty had not recognized.
 - v) McMurray expressed that we should review the demand list prior to it being sent out by Balfour.
- 3) 9:23 AM ELECTION UPDATE
 - a) Larsen reported on Consolidated Elections training in Boise that he and Elections Supervisor Susan Keck attended.
 - b) The May 12, 2013, Consolidated Election includes just the Heglar-Yale mail-in precinct of Cassia County as part of the Power County School District's two-year \$660,000 per year supplemental levy election. That election also includes the Cassia School District's 10 year Plant Facilities Reserve Fund Levy election totaling \$23,095,198.
 - c) The Elections office is working with County Mapper Todd Quast who has been working for several months on a proposed consolidation of some voting precincts in Cassia County to reduce costs for conducting elections and to follow more closely the boundaries of the various taxing districts in the County.

4) 9:20 AM DISCUSS COUNTY AUDIT REPORT

- a) Larsen discussed with the Board the signing of a Management Transmittal letter by Chairman Crane and Auditor Larsen to our outside auditors, Evans and Poulsen as part of our 2012 Audit that will be presented in next Board meeting.

9:24 AM

MOTION: COMMISSIONER KUNAU MOVED TO SIGN AND ACCEPT THE MANAGEMENT TRANSMITTAL LETTER AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

5) 9:26 AM DISCUSS OF SOLID WASTE AGREEMENTS

- a) Barrus went over the agreement as presented in last Board meeting. It is a 20 year agreement and Barrus pointed out that Section 3 of the Constitution may preclude binding the County to an obligation of that length of time. He further stated that the agreement could get challenged as not being ordinary and necessary. McMurray indicated that may not apply to a joint powers agreement.
- b) Barrus also questioned the right of the County to commit all solid waste to this agreement.
- c) Justesen suggested that the solid waste fee structure needs to be discussed. Chairman Crane indicated that we can add that to the agenda to discuss at a later time.
- d) Commissioner Christensen noted for the record that he is involved directly with the Solid Waste.

9:28 AM

MOTION: COMMISSIONER KUNAU MOVED TO ACCEPT AND SIGN THE SOLID WASTE AGREEMENT. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

6) 9:33 AM REVIEW AND EXECUTE LETTERS TO EAST AND WEST CASSIA SOIL AND WATER CONSERVATION DISTRICTS

- a) Letters to both the East and the West Cassia Soil and Water Conservation District expressed the intent to provide \$3000.00 to each District for FY2014.

9:34 AM

MOTION: COMMISSIONER KUNAU MOVED TO SIGN LETTER OF INTENT TO COMMIT FUNDING IN THE AMOUNT OF \$3000.00 FOR EACH SOIL AND WATER CONSERVATION DISTRICT. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

7) 9:34 AM BOARD OF EQUALIZATION

- a) No BOE today.

8) 9:45 AM DEPARTMENT HEAD MEETING

- a) JAY HEWARD – SHERIFF
 - i) Heward reported on promotions that have taken place in the Sheriff's Department.
 - ii) Heward reported on the arrests over the weekend of 2 juveniles and 2 adults who were involved with an armed robbery at the Lamplighter Motel. These individuals were also involved in two other theft situations.
- b) PATTY JUSTESEN – TREASURER
 - i) Justesen provided the Treasurer's Cash Report.
 - ii) Justesen provided the annual reports of Capital and Surplus along with Certificates of Compliance from banks Cassia County does business with.
 - iii) Eleven Warranties for Distraint for delinquent taxes were submitted. Of them, 6 have come in to the Treasurer's Office and they are now down to 5.

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- iv) There are 2 pending tax deed situations that Justesen will be sending out today. Hearings will be scheduled for May 20, 2013.
- v) The Treasurer's Office will be balancing their new sweep accounts set up with DL Evans Bank.
- c) MART ADAMS – DEPUTY ASSESSOR
 - i) Assessor Davis was asked to be excused due to an emergency family situation.
 - ii) They are currently working with circuit breaker which has a deadline of April 15th.
 - iii) Assessor's Office appraisers are out doing appraising right now.
 - iv) Discussions are ongoing with the proposed personal property tax elimination.
- d) JOE LARSEN – CLERK
 - i) Larsen previously reported to the Board on Elections Training last week and the upcoming March 12th Consolidated Election for Cassia School Districts Plant Facilities Levy and the Power County School Districts Supplemental Levy.
 - ii) Larsen reported on the prospects of purchase of polling place voting tabulators from ES&S to replace aging and outdated central polling place tabulators. He felt that it can be accomplished within the framework of the current fiscal year budget.
- e) AL BARRUS – PROSECUTING ATTORNEY
 - i) The Prosecuting Attorney's office is experiencing more contentious legal situations requiring a lot more discovery than has occurred in the past.
 - ii) Chief Deputy Prosecutor Doug Abenroth is out of town on a family emergency.
- f) KERRY MCMURRAY – ADMINISTRATOR
 - i) Planning and Zoning had a conditional use permit issued for Barry Peterson.
 - ii) Planning and Zoning recently reorganized with Bruce Beck as Chairman and Burke Garner as Vice Chairman. They went through an orientation for their new Board members.
 - iii) Building department work is steady and will likely increase as the weather warms up.
 - iv) They have been dealing with building code compliance issues with property near Declo owned by Bill Cole. A renewal of a judgment may be needed. Terms for cleanup may not be acceptable and we may need to come up with a procedure to expect the property owners to comply with.
 - v) McMurray discussed grant funding for gravel crushing in the amount of \$50,000 for the County and \$50,000 for the Oakley Highway District. They may need to go out for competitive bids.
- g) AMBER PREWITT – ADULT MISDEMEANOR PROBATION
 - i) Sheriff Heward asked for Prewitt to be excused due to the shortage of help in her office.
- h) DARWIN JOHNSON – MINI-CASSIA CRIMINAL JUSTICE CENTER
 - i) Current inmate population is 144 with 58 from entities other than Minidoka and Cassia County. There are 59 inmates from Cassia County and 27 from Minidoka County.
 - ii) Testing is taking place currently for two open positions that the MCCJC will be interviewing for this week.
 - iii) Installation of a video visitation system will begin March 11, 2013.
 - iv) Johnson reported on several DUI's over the weekend.
- i) GORDON EDWARDS – WEED AND PEST CONTROL
 - i) Not present
- j) CRAIG RINEHART – CORONER

- i) A trench was dug for a mainline in the Malta area and a skull was unearthed. An anthropologist in Boise has reported that the remains were several years old and may be as much as a century old.
- ii) Things have otherwise been quiet in his department
- k) JOEL PACKHAM – EXTENSION AGENT
 - i) Estate planning classes start this week. Other classes begin shortly after that. Just finished farm management class.
 - ii) Kunau went to advisory committee meeting and he expressed appreciation for that.
- l) CHAIRMAN CRANE – BOARD OF COUNTY COMMISSIONERS
 - i) Chairman Crane discussed a Strategic Grant Writing Workshop that will be held in Boise on February 27th and 28th.
 - ii) Larsen brought up the need for copies of grant writing paperwork that need to be in the Auditor’s office for auditing and budgeting purposes.
 - iii) Chairman Crane discussed grants in each department with each department head present.

10:27 AM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(A). COMMISSIONER CRANE SECONDED THE MOTION. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE, COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE. THE BOARD RETURNED TO REGULAR SESSION AT 10:34 AM.

- 9) 10:30 AM MISDEMEANOR PROBATION OCCUPANCY ISSUES
 - a) According to fire code, there can only be 14 people maximum occupancy in the Adult Misdemeanor Probation facility as revealed recently by a Fire Department inspection.
 - b) McMurray suggested getting Prewitt together with Building Inspector Dave Zanone and Building Compliance Officer Melissa Price-Bair and discuss a plan to remedy the situation.
- 10) 10:55 AM BOARD OF CASSIA COUNTY COMMISSIONERS ORDER REGARDING LITTER ON COUNTY PROPERTY
 - a) Commissioner Kunau read proposed Board of County Commissioners Order No. 2013-1 concerning the removal of litter on Cassia County Property.

10:55 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO SIGN ORDER NO. 2013-1 REGARDING REMOVAL OF LITTER ON COUNTY PROPERTY. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 11) 10:45 AM SIGN DONATION LETTERS TO THORNTON AND CATMULL
 - a) Letters of appreciation and acknowledgement of donations of labor and material from Ralph Thornton Construction, Inc. and Kurt Catmull Plumbing were read to the Board for consideration.

10:46AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO SIGN PROPOSED LETTERS TO THORNTON AND CATMULL AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 12) 11:26 AM CONSIDER APPOINTEES FOR EMPLOYEE BENEFITS COMMITTEE
 - a) McMurray read letters from the Prosecutor’s Office recommending Doug Abenroth and the Treasurer’s Office recommending Lisa Heisel to be appointed members of the Employee Benefit Committee.

11:26 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE REQUESTS AS PRESENTED FOR THE EMPLOYEE BENEFIT COMMITTEE. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

13) 11:09 AM INDIGENT MATTERS

11:09 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:

- a) Case #2012125 and #2012124
- b) Notice of Lien and Application for Medically Indigent Benefits on Case #2013004

11:17 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 11:18 AM.

14) 11:20 AM REVIEW AND EXECUTE BOOKMOBILE CONTRACT WITH BOX ELDER COUNTY FOR FY2013

- a) It was pointed out that the cost of providing bookmobile services to southeastern rural communities has decreased to \$5,665.00 for 55 annual service hours.

11:27 AM

MOTION: COMMISSIONER KUNAU MOVED TO ACCEPT AND EXECUTE A BOOKMOBILE SERVICE CONTRACT ON BEHALF OF SOME OF THE RURAL COMMUNITIES OF SOUTHEASTERN CASSIA COUNTY BY BOX ELDER COUNTY, UTAH COUNTY LIBRARY. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

15) BLM/USFS

- a) SCOTT NANNENGA – FOREST SERVICE RANGER
 - i) All Guard Stations in the district are eligible for the national historic register. Nannenga is gathering information on the guard stations at this time with photos and documenting the architecture. Hereford Guard Station and Bostetter Guard Station are a few years out to do something with. The Sublett Guard Station is being maintained by the snowmobile club.
 - ii) Five of six grazing allotments are up for review. They are also anticipating that Western Watersheds will likely appeal due to their dislike for grazing. The only issue would be protection of some stream trout.
 - iii) Nannenga reported they have found no correlation between the small wolverine population and recreationists.
 - iv) Nannenga reported on big horn sheep contact with domestic sheep with Pickett's ranch.
 - v) 75 miles of fence will be constructed over the next two years due to wildfires this past summer.
- b) MIKE COURTNEY – BLM DIRECTOR
 - i) Starting next week, Courtney will be involved in a project with Fish and Game where they will be capturing and collaring Sage Grouse. Telemetry factors are very important with decisions they need to make.
 - ii) Friday was the last day for the appeal period for the Milner Recreation site for paving access roads and enlarging campgrounds and highlighting the Oregon Trail.

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16) 11:30 AM APPOINTMENT TO BOARD OF HEALTH

- a) The Board received a letter from Rene LeBlanc, Board of Health Secretary of the South Central Public Health District regarding the appointment of nominee Pam Jones to complete the term of Marypat Fields on their Board.
- b) The Board discussed that recommendation.

11:30 AM

MOTION: COMMISSIONER KUNAU MOVED TO VOTE FOR NOMINEE PAM JONES TO THE BOARD OF THE SOUTH CENTRAL PUBLIC HEALTH DISTRICT. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

17) 11:52 PM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board