



# 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, July 22, 2013

The Board of Cassia County Commissioners met in regular session on Monday, July 22, 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:	Ruthe Hobbs Joel Packham, Extension Office Darwin Johnson, MCCJC Amber Prewitt, Misdemeanor Probation Russell Rasmussen, MCCJC Patty Justesen, Treasurer Gordon Edwards, Weed & Pest Jay Lenkersdorfer, The News Journal Jim Tharp, BLM Scott Nannenga, USFS

- 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) Public Defender meeting at 7:30 a.m. Tuesday, July 23, 2013, in the Commissioners Chambers
    - ii) Joint Justice meeting at 8:00 a.m. Tuesday, July 23, 2013, in the Commissioners Chambers
    - iii) The last day to mail out absentee ballots and to appoint election workers for the August 27, 2013, Consolidated Election is Friday, July 26, 2013
    - iv) IAC District Meeting IV in Twin Falls at 1:30 p.m. Thursday, August 1, 2013, at the Twin Falls County West Building
    - v) Cassia Regional Medical Center Board Meeting at 7:00 a.m. Wednesday, July 24, 2013

**CASSIA COUNTY COMMISSION**

**REGULAR SESSION**

**Monday, July 22, 2013**

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- vi) The Spudman Triathlon will be this coming Saturday, July 27, 2013
- b) 9:05 AM           CORRESPONDENCE
  - i) Newsletter from the BPA
  - ii) Intermountain Gas Company Public Safety Response Manual
  - iii) Notice from the Department of Environmental Quality Twin Falls Regional Office of a move to their new location at the Twin Falls County West Building
  - iv) A letter from Energy and Geoscience Institute at the University of Utah regarding the Raft River Energy 1, LLC project to monitor the pumping of cold water into wells to hopefully fracture quartzite rock to increase water flow.
  - v) Idaho Transportation District 4 meeting and tour will be held August 14-15, 2013. The tour for Cassia and Minidoka Counties will be August 14, 2013, and the business meeting will be on August 15, 2013, at the Little Theatre of the King Fine Arts Center
  - vi) A letter from Idaho Association of Commerce and Industry (IACI) to businesses regarding further promotion of the elimination of Personal Property Tax
  - vii) A notice from BLM regarding the Curlew Deep Creek area responses that needs to be completed by Friday, July 26, 2013. McMurray will provide comments on behalf of the Board regarding the desire to keep roads open.
- c) 9:06 AM           PERSONNEL – No personnel issues or Change of Status Request’s today
- d) 2:22 AM           APPROVAL OF MINUTES

**2:22 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE MINUTES OF THE BOARD FROM JULY 15, 2013. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- e) 9:11 AM           CSI RESIDENCY APPLICATIONS
  - i) The Board reviewed ten CSI Residency applications for 2013-2014

**9:11 AM**

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

- f) 10:35 AM        COUNTY PAYABLES
  - i) July 17, 2013 Expenditures:

CURRENT EXPENSES	104	\$23,200.00
	<b>TOTAL</b>	<b>\$23,200.00</b>

- ii) July 22, 2013 Expenditures:

CURRENT EXPENSES	104	\$3,022.91
INDIGENT FUND	105	\$54,138.44
DISTRICT COURT FUND	106	\$26.00
REVALUATION FUND	114	\$61.80
COUNTY ELECTION FUND	116	\$15,877.05
COUNTY SNOWMOBILE FUND	118	\$322.00
JUSTICE FUND	130	\$20,838.86

PHYSICAL FACILITIES FUND	144	\$1,068.17
ADULT MISDEMEANOR PROBATION	149	\$2,062.32
	<b>TOTAL</b>	<b>\$97,417.55</b>

**10:35 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE COUNTY PAYABLES DATED JULY 17, 2013, AND JULY 22, 2013, AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- g) 9:11 AM COUNTY ROAD AND BRIDGE
  - i) Knife River has been set up for asphalt testing and ended up with enough asphalt left over from that testing to place around the County shop.
  - ii) They also had enough asphalt remaining that the Road and Bridge crew could pave in front of the fire station as well.
- h) 9:15 AM BEER AND LIQUOR LICENSES

**9:16 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO GO ON THE RECORD TO CONSIDER BEER AND LIQUOR LICENSES FOR 2014. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- i) Chairman Crane presented the following Beer and Liquor license applications for consideration:
  - (1) Albion Café –liquor license and draft beer on premise
  - (2) Searle’s – beer off premise
  - (3) Pizza Hut #2151 – beer on premise
  - (4) Pit Stop on I-84 – bottled wine and beer off premise
  - (5) Creek Side 66 – bottled wine and beer off premise
  - (6) Pomerelle Ski Area – liquor license and draft beer on premise
  - (7) Farmer’s Corner – beef off premise
  - (8) Country Store Gas and Deli – beer off premise
  - (9) Rock City Mercantile – beer on premise, bottled wine, beer off premise, and wine by drink
  - (10)United Oil – beer off premise
  - (11)Angela’s Mexican Restaurant – beer on premise
  - (12)Albertson’s Food Center #132 – bottled wine and beer off premise

**9:19 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE BEER AND LIQUOR LICENSE APPLICATIONS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- i) 9:10 AM UPDATE FY2014 BUDGET MATTERS
  - i) The budget office has been working on proposed County expenditures for the past month with department heads for FY2014. They will be prepared to provide some preliminary expenditure, revenue, and payroll considerations for the Board next week.
  - ii) Some departments have yet to report on carryover estimates from this fiscal year to next that are critical for our budget proposals to present to the Board next week.
- 2) 9:11 AM BUDGET WORKSHOPS:
  - a) Snowmobile
    - i) Snowmobile supervisor Chuck Larson was not present for the budget workshop.

- ii) Commissioner Kunau represented the Snowmobile department to concur with Board recommendations as previously presented for shifting of some proposed budget expenses.
- b) Extension Office
  - i) Extension Office Director Joel Packham presented department head budget recommendations.
  - ii) Packham was asked to identify office equipment he was budgeting \$6000.00 for FY2014.
- c) Road and Bridge – Magnesium Chloride
  - i) Discussion took place about the possibility of a levy for Road and Bridge as other Counties have done that is specific to the tax code area where work is performed.
  - ii) Chairman Crane asked to get figures of costs of highway districts in the County as a comparative.
- 3) 9:35 AM NOTICE OF HEARING – CITY OF BURLEY: TO AMEND COMPREHENSIVE PLAN AND BURLEY CITY CODE 5-4-4
  - a) Notice was received from the City of Burley of intent to amend Burley Code Subsection 5-4-4 as well as the Comprehensive Plan.
  - b) The hearing was set for 7:00 p.m. Tuesday, August 13, 2013, at the Burley City Hall.
- 4) 9:45 AM REQUEST FOR PUBLIC COMMENTS – A & B IRRIGATION
  - a) McMurray read a Request for Public Comment for the A&B Irrigation District regarding Unit A Pumping Plant #2, Minidoka Project.
  - b) Alternatives include expansion of the existing pump plant and construction of the related distribution pipeline or construction of a new pumping plant on the Snake River upstream from the existing plant.
  - c) Written comments need to be provided by August 12, 2013.
  - d) Commissioner Christensen talked about the changes they are proposing for moving equipment.
  - e) The proposal is for implementation of a pump up and gravity out system.
- 5) 9:45 AM DEPARTMENT HEAD MEETING
  - a) JAY HEWARD – SHERIFF
    - i) Heward was not present as he was on vacation
  - b) PATTY JUSTESEN – TREASURER
    - i) Justesen provided the Board with a Statement of Treasurer’s Cash for June 2013
    - ii) The Idaho Association of County Treasurers annual meeting will be held from August 4 to 8, 2013. Justesen is involved with that meeting where it is hosted by our district.
    - iii) Treasurer employees have been on vacation recently.
  - c) DWIGHT DAVIS – ASSESSOR
    - i) Davis was at Assessor meetings and asked to be excused.
  - d) JOE LARSEN – CLERK
    - i) Larsen reported on the FY2014 budget progress. He thanked all departments for their cooperation with that process and for understanding the need for cutting costs wherever possible due to decreased State and Federal funding.
    - ii) A report on logistics of the move to the new CCJC facility was provided. The tentative plans are for the courts to begin function in the new facility after the Judges Conference the last week of September. The move of court-related items will take place while the judges are at their conference and while the court calendar is as free as possible.
    - iii) A Cassia School District plant facility levy election will be held on the scheduled consolidated Election Day on Tuesday, August 27, 2013.

- e) AL BARRUS – PROSECUTING ATTORNEY
  - i) Barrus indicated that his office is staying busy with hearings coming up on two murder cases.
  - ii) They are also working on a competency hearing on one of the murder cases.
- f) KERRY MCMURRAY – ADMINISTRATOR
  - i) McMurray’s building report for June 2013 included four Ag siting permits issued totaling \$300.00, 20 building permits totaling \$17,602.61 with \$2,195,033.95 in property value, and three manufactured home permits totaling \$845.62 with \$4,048.00 in property value.
  - ii) There has been a lot of activity with the building department and compliance checks. One problematic issue in the buffer zone was taken care of.
  - iii) Planning and Zoning had a meeting last week. They determined to not meet in August. The next meeting will be in September.
  - iv) There will be a hearing for a zoning amendment in September regarding an area zoned prime agriculture to be changed to multiple use. It is where zones meet so the request is logical.
  - v) The mapping department is keeping busy. Todd Quast is on vacation this week.
- g) AMBER PREWITT – ADULT MISDEMEANOR PROBATION
  - i) Prewitt reported that they are working with the jail for testing of probationers during late afternoon and evening hours. They are also working with the jail on costs for that testing.
  - ii) They are looking for available local training for probation officers to meet their requirements. 40 hours is required and some tactics training can be done with the Sheriff’s office.
- h) DARWIN JOHNSON – MINI-CASSIA CRIMINAL JUSTICE CENTER
  - i) Johnson reported on openings for a deputy, for a corporal, and for a maintenance supervisor. There has only been one applicant so far for the maintenance position.
  - ii) It was proposed that UA testing costs that take place at the jail have an increase in cost from \$12 to \$18. 25 UA tests were done in one day and it does take a lot of time.
  - iii) McMurray indicated that a notice of hearing needs to be done if fees are increased.
  - iv) Russ Rasmussen reported that there are 170 beds in the jail and that 171 people are currently housed in the jail. There are 18 arraignments today and there are more disciplinary problems with 18 current lockdowns which necessitates a heavy workload. There are 58 Cassia holds, 46 Minidoka holds, 49 State holds, 14 US Marshall holds and one ICE hold.
  - v) They just completed the installation of a new washing machine but they will be questioning the billing Johnson felt was out of line.
  - vi) A system for cell checks monitoring was installed by Johnson.
- i) GORDON EDWARDS – WEED AND PEST CONTROL
  - i) Edwards reported that they are working hard in wildfire areas.
  - ii) The quarantine area in Sublett is also currently being worked.
  - iii) A lot of work with Canadian Thistle and other weed eradication is currently being done.
  - iv) An employee that was involved in a 4 wheeler accident is now home and doing well.
- j) CRAIG RINEHART – CORONER
  - i) Not present
- k) JOEL PACKHAM – EXTENSION AGENT
  - i) Packham is making plans for a class with farm management for estate planning for this coming year. They will be holding those classes every other year in January and February.
  - ii) 4H is keeping really busy. There is a horse show tonight and they are starting with preparations for the County Fair.

- iii) Packham discussed installation of equipment at the Fairgrounds for internet. They have received bids from two different companies. Looking at the prospects of having just one provider to include the entire fairground complex as a means to save money was discussed.
- iv) Packham discussed disease problems with wheat as well as frost damage.
- l) COMMISSIONER PAUL CHRISTENSEN
  - i) Commissioner Christensen thanked all departments for their cooperation with budgeting.
- m) COMMISSIONER BOB KUNAU
  - i) Commissioner Kunau reported on the construction phase of the CCJC being on schedule for completion August 15, 2013.
  - ii) A public open house will be scheduled for that facility.
- n) DENNIS CRANE
  - i) Chairman Crane tentatively set the date for the County Picnic as September 10, 2013.
  - ii) The parade, fair, and rodeo that is scheduled for the week of August 12 to 17, 2013, was discussed.
- 6) 9:45 AM FOLLOW UP ON HISTORICAL SOCIETY BUDGET
  - a) Commissioner Kunau was not able to get with Rod Smith regarding the Historical Society budget. He will follow up with Smith regarding that matter.
- 7) 10:40 AM FOLLOW UP ON CONSOLIDATED ELECTION PURCHASE
  - a) Larsen reported that the Election's office has purchased laptop computers to be used in precincts on Election Day to identify registered voters and their polling places.
  - b) It will be necessary to open the budget to show unanticipated revenue that will come from the State of Idaho to offset this unbudgeted expense.
  - c) The reimbursement was previously approved by the Secretary of State's office and will come from funding set aside for Consolidated Election startup costs.

**10:38 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE PAYMENT OF THE PURCHASED LAPTOP COMPUTERS WHICH WILL BE REIMBURSED FROM AVAILABLE CONSOLIDATED ELECTION STARTUP COST FUNDS. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 8) 10:40 AM SOUTH CENTRAL COMMUNITY ACTION PARTERSHIP – APPLICATION FOR FEDERAL ASSISTANCE
  - a) Commissioner Kunau read a letter of request from the South Central Community Action Partnership regarding their application for Federal assistance.
  - b) The Board reported that they had no comment on the proposal.

**10:41 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO SIGN THE PROGRAM REVIEW AND COMMENT SHEET AND INCLUDE NO COMMENTS. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 9) 11:01 AM INDIGENT MATTERS

**11:02 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 #2013044 and #2013053
- b) Notice of Lien and Application for Medically Indigent Benefits on Case #2013053, #2013054, #2013055, #2013056, and #2013057

**11:12 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 11:12 AM.**

- c) Keck reported on a District Social Services Meeting held this past Thursday in Twin Falls that she and Larsen attended.

10) 11:13 AM DISCUSSION WITH FIRST AMERICAN TITLE CO. REGARDING CONTRACT FOR COMPUTERIZED RECORDS

- a) Shellie Yarbrough presented on behalf of First American Title Company's concern of clarification of an agreement with the County regarding their record access.
- b) They have a plant agreement for access with Alliance Title and Land Title to access information that they search.
- c) First American Title desires real time access of instruments as they are recorded.
- d) The contract with American Title is for a payment of \$200 per month fee and \$0.05 per image fee. Yarbrough indicated that other companies pay less than that.
- e) McMurray indicated that Twin Falls County and Elmore County presently have agreements with title companies for the same as Cassia County is presenting in our contract.
- f) Yarbrough indicated that it was explained to them that the agreement was primarily for the ease of the County to e-record.
- g) Recorder's office provides recorded information to the title companies at the end of the day. Real time access allows them to know what has been recorded as it is done.
- h) McMurray explained that a former employee of the County as a third party had altered the contract without authorization. He explained that the internet access fee is \$200 per month and that the County does not have the ability to split information out the way the programming is set up without a large expense to the County.
- i) Yarbrough indicated that First American Title Company's corporate attorney is Phil DeAngeli from Boise and he will need to review the contract.
- j) The Board concurred that it would continue with the standard remote access contract for all entities, without variance of provisions.

11) 10:53 AM DISCUSS NO SMOKING POLICY FOR COUNTY PROPERTY

- a) McMurray presented signs that could be used regarding a non-smoking policy on County property. He felt the timing was appropriate to discuss the matter with the pending move to the new CCJC facility.
- b) It was reported that discussion should take place with the Fair Board regarding the no smoking policy.

12) 11:30 AM BLM/USFS

- a) SCOTT NANNENGA – FOREST SERVICE RANGER
  - i) Nannenga reported that they had signed an agreement for mining in the Silver Hills mine area this past Thursday. There will be a 30 day time period for any appeals.
  - ii) The Kelsaw Canyon Road is currently impassable and it has been barricaded and currently closed for safety.

- iii) Firewood removal is on a three year contract and fuels reduction contracts are being sought to thin out trees near summer homes. Homeowners were consulted to flag trees they wish to keep so they will not be removed.
  - iv) There have been reports of cows coming into campground areas.
  - v) Nannenga reported that there will be the same number of engines and firefighters this year despite Federal sequestration.
  - vi) They are getting together with the Burley Highway District regarding road obligations and will get with McMurray once that has taken place.
  - vii) Road budgets are higher than what they had expected.
- b) MIKE COURTNEY – BLM DIRECTOR
- i) There was approval of \$143,000 for upgrades on the Milner Road. Other Milner projects did not get approved. They are going to put traffic counters out to achieve better traffic data.
  - ii) Agua Caliente will be drilling on private grounds in the Raft River area for hot water. They will not be drilling on BLM ground.
  - iii) A map was provided for detailing current wildfires.
  - iv) They will be doing repairs from the Emery wildfire and they have not determined what to do yet regarding the Skaggs Ranch wildfire.
  - v) There are currently two wildfires on the Utah border. They will not be doing anything with them as there are other wildfires which make it hard to get out to those areas.
- 13) 12:00 PM LUNCH RECESS
- 14) 1:43 PM DISCUSS LAW ENFORCEMENT MATTERS WITH SHERIFF AND UNDERSHERIFF
- a) The City of Burley’s tentative budget apparently included only \$1,428,800.00 for the cost of the law enforcement agreement with the County.
  - b) They apparently came up with that amount by adding half of the COPS Grant, which grant payment obligations have now concluded. That grant has paid for one of the City Division officers, the full costs of which, including benefits for that employee, are now the obligation of the County.
  - c) Commissioner Christensen expressed a desire that the committee get together and go over the financial information that has been provided.
  - d) Larsen reiterated the need to know the budget implications of whatever decision is made no later than July 31, 2013, to have the time to meet our statutory obligations with budgeting.
  - e) Undersheriff George Warrell indicated that Sheriff Heward will not be back in town until August 7, 2013.
- 15) 1:50 PM REVIEW FOR EXECUTION 2013 LAW ENFORCEMENT AGREEMENT
- a) The Board reviewed a Cooperative Law Enforcement Agreement between the CCSO and the US Forest Service with law enforcement and the County for intensified efforts when needed on Nation Forest System Lands.
- 1:44 AM**
- MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SIGN THE AGREEMENT WITH THE US FOREST SERVICE AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**
- 16) 10:58 AM OFFICIAL ANNOUNCEMENT OF BIG RIVERS NATIONAL PARKS
- a) An official announcement was read by Commissioner Kunau from The National Pioneer Hall of Fame, a national non-profit foundation of the Big Rivers National Park.

b) Also announced was a public meeting of that group to be held at 3:00 p.m. Friday, July 26, 2013, at the Burley Council Chambers.

17) 11:28 AM REVIEW AND APPROVE ESRI MAINTENANCE QUOTE

a) The Board reviewed the annual contract with ESRI for ArcGIS maintenance for mappers Todd Quast, Sara Haynes, and Park Sorenson as well as for Desert West at a total cost of \$4,300.00.

**11:30 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO SIGN THE ESRI CONTRACT AS PRESENTED FOR A TOTAL COST OF \$4300.00. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

18) 1:45 PM BURLEY HIGHWAY DISTRICT HOWELL CANYON REPORT THROUGH JUNE 2013

a) The Board reviewed the Burley Highway District's report for snow removal, maintenance expenses, the Howell Canyon bank check register, and the State Treasurer's Howell Canyon bank check register.

b) Christensen inquired about reject gravel charges on October 2012 over the course of a week.

19) 11:02 AM REVIEW AND EXECUTE RESOLUTION NO. 2013-014 REGARDING DESTRUCTION OF SOCIAL SERVICES SEMI-PERMANENT RECORDS

**11:02 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE RESOLUTION NO. 2013-014 FOR DESTRUCTION OF SOCIAL SERVICES SEMI-PERMANENT RECORDS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

20) 10:45 AM BASKET FOR TREASURER'S CONFERENCE

a) Timbri Hurst from the Administrative Office is putting together a gift basket for the Treasurer's annual meeting.

21) 2:14 PM ADJOURNMENT

APPROVED:

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

Dennis Crane, Chairman of the Board

ATTEST:

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

Joseph W. Larsen, Clerk of the Board