



Cassia County Board of Commissioners

Commissioner Chambers

1459 Overland Ave.

Burley, ID 83318

www.cassiacounty.org

Board Chairman:

Dennis Crane

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Board Members:

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

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

Monday, June 17, 2013

The Board of Cassia County Commissioners met in regular session on Monday, June 17, 2013, at 9:00 a.m. in the Commissioner Chambers of the Cassia County Courthouse.

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| 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: | Randy Hawkins, Burley Councilman Jay Lenkersdorfer, The Weekly Mailer Ruthe Hobbs Jay Heward, Sheriff Darwin Johnson, MCCJC Director McCord Larsen Ken Robinette, SCAAP Director |

- 1) 8:00 AM QUARTERLY JAIL REVIEW WITH MINIDOKA COUNTY COMMISSIONERS AT THE MINI-CASSIA CRIMINAL JUSTICE CENTER (MCCJC)
 - a) A quarterly review was conducted by the Boards of both Cassia and Minidoka Counties of the MCCJC.
 - b) Inspection of the facility and questions asked of inmates revealed no significant complaints of service or of conditions at the MCCJC.
 - c) McMurray completed the customary questionnaire to document proceedings of the inspection.
- 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) The Southern Magic Valley Local Working Group for sage-grouse population and habitat will meet Monday, June 17, 2013 from 6:00 to 8:00 p.m. at the Magic Valley Fish and Wildlife

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Services building in Jerome. Chairman Crane, Commissioner Christensen, and Larsen will attend.

b) 9:05 AM CORRESPONDENCE

- i) The Oregon Trail Recreation District groundbreaking notification

c) 9:35AM PERSONNEL

- i) CHANGE OF STATUS

(1) SHERIFF'S OFFICE

(a) Change of Status reviewed for Dispatcher Jennifer Gee to a new position in Records/Driver's License with no change in rate of pay.

(b) Said Change of Status was originally approved with a change of wage to reflect the difference in job description. After review it was determined that there would be no reduction in rate of pay.

(2) MINI-CASSIA CRIMINAL JUSTICE CENTER

(a) Two Change of Status recommendations were denied for need of more explanation.

- ii) FAIR AND RODEO PERSONNEL TIMESHEETS

(1) Timesheets with overtime explanations were presented for approval for Cory Parish.

9:42AM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(A). 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 RETURNED TO REGULAR SESSION AT 10:05 AM.

11:50 AM

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

- d) 11:14 AM APPROVAL OF MINUTES

11:14 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE MINUTES OF THE BOARD FROM JUNE 10, 2013. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- e) 9:31 AM CSI RESIDENCY APPLICATIONS

- i) The Board reviewed 11 CSI Residency applications for 2013-2014

9:31 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE 11 CSI RESIDENCY APPLICATIONS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- f) 11:23 AM COUNTY PAYABLES

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|-----------------------------|-----|--------------|
| CURRENT EXPENSES | 104 | \$130,028.41 |
| INDIGENT FUND | 105 | \$7,648.67 |
| DISTRICT COURT FUND | 106 | \$121,136.15 |
| COUNTY ROADS & BRIDGES FUND | 107 | \$4,405.55 |
| COUNTY ELECTION FUND | 116 | \$4,779.61 |
| ASSESSOR TRUST FUND | 123 | \$368.82 |

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| COURT TRUST FUND | 127 | \$8.50 |
| JUSTICE FUND | 130 | \$35,507.01 |
| PHYSICAL FACILITIES FUND | 144 | \$52.80 |
| ADULT MISDEMEANOR PROBATION | 149 | \$4,327.07 |
| | TOTAL | \$308,262.59 |

11:23 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED JUNE 14, 2013. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- g) 9:25 AM COUNTY ROAD AND BRIDGE
 - i) Chairman Crane reported that personnel are currently applying magnesium chloride to roads.
- h) 9:25 AM BUILDING AND GROUNDS MATTERS
 - i) McMurray reported that his office is currently gathering costs on the potential conversion of County-owned apartments into offices.
- i) 9:25 AM GATEWAY MATTERS
 - i) An email was received from attorney Doug Balfour with additional information regarding spray planes providing aerial applications to farmland in the proximity of the proposed Gateway West power line route.
 - ii) McMurray presented to the Board what he had been provided thus far from Balfour and requested that they review those items.
- 3) 9:27 AM UPDATE FY2014 BUDGET MATTERS
 - a) Larsen reported on budget workshops that will be scheduled as well as the joint budgets that will be scheduled with Minidoka County for Adult Misdemeanor Probation, Juvenile Probation, Juvenile Detention Center, Public Defender, and Veterans Services.
- 4) 9:14 AM BOARD OF EQUALIZATION
 - a) Next Monday is the last date to appeal. Davis reported that two issues are currently being worked out.
- 5) 9:10 AM DISCUSS APPRAISAL CONTRACT WITH ASSESSOR
 - a) A contract for appraisal services with the County revaluation program between the County and Scott Erwin was presented for the Board's consideration. The contract is the same as last years.
 - b) The contract amount with Erwin is for \$2,600 and for \$400 to \$500 for new industrial evaluations as needed for compliance with Idaho Code 63-314 and 63-208.
 - c) A copy of Erwin's policy declaration for commercial building appraisal liability insurance effective November 13, 2012, was included with the contract. The County's required liability limit is exceeded by his coverage.
 - d) A copy of the executed agreement is to be provided to the assessor, to the County, and to Erwin.

9:16 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO ACCEPT AND SIGN SAID CONTRACT WITH ERWIN AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 6) 9:21 AM REVIEW AND SIGN CASSIA COUNTY FAIR AND RODEO SPECIAL EVENTS CONTRACT
 - a) The Board reviewed a Special Events Contract between the County and the Richest One Day Rodeo for July 4, 2013, at the cost of \$500.00 and 2 tons of small bale hay payable before the performance.

- b) The consensus of the Board was to approve the contract.

9:22 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE CONTRACT WITH RICHEST ONE DAY RODEO AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 7) 9:22 AM CONSIDER RESOLUTION NO. 2013-006 ADOPTING BYLAWS FOR BUILDING CODE APPEAL BOARD
 - a) The Board reviewed the proposed resolution to adopt the bylaws of the Cassia County Board of Building Code Appeals as presented.
 - b) McMurray indicated that changes include adoption of the board being made up of at least five members and no more than seven.
 - c) Representatives will include a representative selected by city officials from Albion, Declo, Malta, and Oakley plus three at-large members from the unincorporated County which the County shall strive to include one engineer or architect.
 - d) McMurray indicated that this appeals board is not highly used but needs to be in place to quickly resolve issues as they arise.

9:24 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SIGN RESOLUTION NO. 2013-006 ADOPTING BYLAWS OF THE BUILDING CODE APPEAL BOARD AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 8) 9:29 AM CONSIDER FOOD SERVICE AGREEMENT EXTENSION WITH ABL
 - a) McMurray went over the provisions of the contract in place with ABL Management, Inc. That contract includes an escalator clause.
 - b) ABL requested a rate increase to extend the Food Services Agreement for the MCCJC effective October 1, 2013. An increase of 2.7% on meal prices based on inmate population was proposed.
 - c) Consensus of the Board was to sign off on this proposed increase and put those services out to bid when the contract expires. MCCJC director Darwin Johnson concurred with the Board's decision.

9:30 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SIGN THE FOOD SERVICE EXTENSION WITH ABL MANAGEMENT, INC. AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 9) 9:31 AM REVIEW PROPOSED COMMISSARY AND BANKING AGREEMENT
 - a) McMurray indicated he reviewed the contract and requested changes have been accepted and made for a commissary and banking agreement with Trinity.
 - b) The agreement will begin on August 1, 2013, with Trinity for those services.
 - c) The approval of the contract with Trinity will take place next Board meeting.
- 10) 9:45 AM REVIEW COUNTY PROPERTY 2013 ASSESSMENT NOTICES
 - a) The Board reviewed the assessment notices for County property as presented.
- 11) 9:50 AM REVIEW NOTICE OF LABOR DISPUTE FROM PACIFIC NORTHWEST REGIONAL COUNCIL OF CARPENTERS
 - a) McMurray read a notice of dispute to the Board from the Pacific Northwest Regional Council of Carpenters.
 - b) Jason Derricott from Starr Construction was notified of the referred to Notice of Labor Dispute.

c) It was pointed out that Federal money is not involved with our CCJC project.

9:54 AM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(A). 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 RETURNED TO REGULAR SESSION AT 10.33 AM.

12) 10:34 AM CONSIDER RESOLUTION NO. 2013-010 FOR THE DESTRUCTION OF SEMI-PERMANENT RECORDS FROM THE PROSECUTOR'S OFFICE

- a) Barrus indicated that their office is running out of space for storage of records.
- b) A proposal by resolution was presented for the destruction of semi-permanent records.

10:36 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE RESOLUTION NO. 2013-010 FOR THE DESTRUCTION OF SEMI-PERMANENT RECORDS IN THE PROSECUTOR'S OFFICE AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

13) 10:36 AM CONSIDER RESOLUTION NO. 2013-011 DECLARING SWENSON SIGN AS SURPLUS

- a) The cost of removal of the old Swensons sign board and post on the property of the CCJC is about \$600.00 and the value is less than \$250.00.
- b) The proposed resolution is to declare said sign and post as surplus property prior to removal of the sign as well as the need for any party that desires to remove the sign to provide a written plan for such and to provide a certificate of insurance including Cassia County as an additional insured party, all to be approved by the County.

10:37 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE AND SIGN RESOLUTION 2013-013 AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

14) 10:38 AM SIGN COUNTERPART JOINT RESOLUTION 2013-06-01 INCREASING JUVENILE PROBATION FEES

- a) Two original agreements were prepared; one for Minidoka County and one for Cassia County. The Board signed the one provided to Minidoka County and they now need to sign this copy that was returned to us from Minidoka County with their approval and signatures.

10:38 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO SIGN RESOLUTION 2013-06-01 TO ALLOW THE INCREASE OF JUVENILE PROBATION FEES AS PREVIOUSLY APPROVED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

15) 10:39 AM REVIEW NOTICE OF INTENT TO AMEND BURLEY CODE 5-4-4

- a) A Notice of Hearing has been set for Friday, June 28, 2013, to amend Burley Code Section 5-4-4 pertaining to setback rules.

16) 10:40 AM CASSIA COUNTY JUDICIAL CENTER (CCJC) MATTERS

- a) Quotes for furniture for the CCJC were presented by McMurray and Administrative Secretary Sara Haynes. All vendors meet Idaho Statute Title 67 Chapter 28 directives.
- b) Quotes for furniture and installation were received from Office Depot at \$74,667.70, IDI at \$72,900.91, Idaho Correctional Institute at \$90,787.00, and Office Pavilion at \$82,032.53.
- c) Contrast of the two lowest bids included:

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- i) Office Depot – better quality mesh back chair and leather chairs for judges
- ii) IDI – lesser quality chair and upholstery chairs for judges.
- d) Following discussion of the Board, it was determined to accept the bid of Office Depot. The service, warranty commitment, and quality was impressive to Commissioner Kunau, McMurray, and Larsen when they visited a school district facility in Ogden, Utah, that had purchased their furniture from Office Depot. Further negotiation of price with Office Depot will take place.

10:55 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONTRACT WITH OFFICE DEPOT IN THE AMOUNT OF \$74,667.70 FOR FURNITURE FOR THE CCJC. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

17) 11:01 AM REVIEW SECOND LEVEL CONFLICT PUBLIC DEFENDER

- a) A letter was sent out on June 4, 2013, soliciting attorneys to enter into a contract with the County to serve as second level conflict public defender. Kunau read a letter from McCord Larsen.
- b) The County desires to have that in place by July 1, 2013.
- c) The Board desired to discuss the application of McCord Larsen to be considered for that contract. Barrus will advise the judges of that input for their input.

18) 11:23 AM SOUTH CENTRAL COMMUNITY ACTION PARTNERSHIP (SCCAP) BUDGET PRESENTATION

- a) Ken Robinette from SCAAP presented the adverse effects of federal sequestration in funding of their programs which has resulted in a cutback of services.
- b) Details of Cassia County's 2012 Community Service Block Grant (CSBG) Emergency Services, Transitional Housing and Case Management, Weatherization programs, and a 2012 State of Poverty in Idaho report was presented to the Board.
- c) The request of SCCAP for funding from Cassia County is \$2,000.00 for FY2014 which is the same as requested for FY2013.

19) 12:00 PM DEPARTMENT HEAD TRAINING

- a) A working lunch included law enforcement Investigator Kevin Horak making a presentation on courthouse security to department heads.

20) 1:29 PM CONFLICT PUBLIC DEFENDER DISCUSSION WITH MCCORD LARSEN

- a) The Board met with attorney McCord Larsen regarding the potential of contracting with him as a second level conflict public defender.
- b) Larsen is currently working in private practice in family law and indicated that it should not present a problem being able to fulfill obligations of a second conflict public attorney contract.
- c) Whenever there are calendar conflicts, a continuance could facilitate a time without conflict.

1:45 PM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONTRACT WITH MCCORD LARSEN AS A SECOND LEVEL PUBLIC DEFENDER. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

21) 2:05 PM RECESS

22) 6:00 PM SOUTHERN MAGIC VALLEY LOCAL WORKING GROUP RE: SAGE GROUSE AT THE IDAHO FISH AND GAME JEROME OFFICE

- a) Chairman Crane, Commissioner Christensen, and Larsen attended the meeting of the local working group in Jerome from 6:00 to 8:00 p.m.
- b) Representatives of Governor Otter's working group presented and promoted their plan proposal for the groups benefit on how to avert the endangered species listing of sage-grouse.

- c) That plan does not include a core population designation of sage-grouse through the alternative Gateway West Power Line project proposal that is promoted by the County and the Gateway Task Force.

23) 8:10 AM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board