



# 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, March 11, 2013

The Board of Cassia County Commissioners met in regular session on Monday, March 11, 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
	News Media:	Jay Lenkersdorfer, The News Journal
	Others:	Patty Justesen, Treasurer Dwight Davis, Assessor Susan Keck, Elections Supervisor Jared Larsen

- 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) E-mail from IAC who is joining others to sponsor HB272 regarding personal property tax exemption.
    - ii) Joint Juvenile Meeting at 7:30 a.m. Tuesday, March 12, 2013, in Rupert.
    - iii) Joint Jail Meeting at 8:15 a.m. Tuesday, March 12, 2013, in Rupert.
    - iv) Mini-Cassia Development Commissioner meeting at 12:00 p.m. Monday, March 18, 2013, at the Burley Best Western.
    - v) SEIDO Meeting at 10:30 a.m. Thursday, March 14, 2013, at the Taylor Building in Twin Falls.
  - b) 9:05 AM CORRESPONDENCE
    - i) Letter from Greg Scott, spouse of a former South Central District Health Department employee, regarding assertion of an adverse encounter with the department director. Scott indicated that the Health District has appealed a decision against his wife and he felt it

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unnecessary to spend a large amount of money to defend the appeal and desired the Board to be aware of his concerns.

(1) The Board discussed the matter and determined to study the letter further.

(2) Barrus suggested waiting to allow the Health Department to respond to the situation.

c) 10:41 AM PERSONNEL

i) CHANGE OF STATUS

(1) SHERIFF'S OFFICE

(a) Request for increase of rate of pay for Undersheriff George Warrell, III, delayed for approval to discuss further with Sheriff Jay Heward.

(2) MINI-CASSIA CRIMINAL JUSTICE CENTER

(a) Request for increase in rate of pay for Senior Deputy Richard Junior Perez for POST certification.

**10:41 AM**

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

d) 10:41 AM APPROVAL OF MINUTES

**10:41 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE MINUTES OF THE BOARD FROM MARCH 4, 2013. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

e) 10:39 AM CSI RESIDENCY APPLICATIONS

i) The Board reviewed three CSI Residency applications; two CSI high school dual credit residencies for 2013 and one CSI spring 2013 residency.

**10:39 AM**

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

f) 11:55 AM COUNTY PAYABLES

CURRENT EXPENSES	104	\$6,510.91
DISTRICT COURT FUND	106	\$579.05
COUNTY ROADS & BRIDGES FUND	107	\$3,869.24
WEED & PEST FUND	108	\$7,104.94
REVALUATION FUND	114	\$771.46
911 COMMUNICATIONS FUND	115	\$6,489.24
COUNTY ELECTION FUND	116	\$318.44
JUSTICE FUND	130	\$96,492.94
NARCOTICS SEIZED ASSETS FUND	134	\$2,244.30
D.A.R.E TRUST	137	\$210.20
	<b>TOTAL</b>	<b>\$124,590.72</b>

**1:55 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED MARCH 8, 2013. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

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- g) 11:33 AM COUNTY ROAD AND BRIDGE
  - i) Road and Bridge spring work plans will be discussed with Road and Bridge Supervisor Sam Adams in Elba this afternoon.
- h) 11:34 AM BUILDING AND GROUNDS MATTERS
  - i) McMurray discussed charges from the City of Burley in the amount of \$11,163 for installation of electrical utilities connections to the CCJC. Concern was expressed as to whether or not those charges were included in the bid for construction or if it was the responsibility of the County separate from the bid.
  - ii) Discussion regarding concerns with the data room at the CCJC and the amount of critical space taken up for electrical panel boxes placed there by LCA Architects.
  - iii) The Board discussed the financial obligation for soil compaction, gravel fill required around the foundation at the front of the CCJC, water supply line replacement, and roof problems around penetrations.
  - iv) Commissioner Kunau was asked by the Board to discuss these matters with LCA Architects. They will be here on March 26<sup>th</sup>.
  - v) Access control bids for the CCJC from Global Surveillance were discussed by the Board.
- i) 9:00 AM GATEWAY MATTERS
  - i) No Gateway matters were discussed today.
- 2) 9:05 AM ELECTION UPDATE
  - a) Larsen and Susan Keck discussed the taxing district election to be held tomorrow for the Cassia Joint School District Physical Plant Levy.
  - b) Commissioner Christensen reported on a discussion from the last Cassia County Central Republican Committee Meeting regarding a proposal to decrease the number of precincts in Cassia County by four. They appointed a subcommittee to get information regarding cost savings as a means to justify that reduction in number of precincts.
  - c) Larsen will follow upon their concerns prior to making a recommendation to the Board on precinct changes.
- 3) 9:18 AM DISCUSS SOLID WASTE FEE
  - a) White Pine Middle School is currently paying \$2,400.00 per year for solid waste pickup while others in the school district are at \$96.00 per year.
  - b) McMurray indicated that a formula is addressed in an ordinance that needs to be reviewed. Charges are based on the number of containers and frequency of dumps.
  - c) Solid waste fees need adjustments where necessary so they are correctly assessed to each entity.
- 4) 9:20 AM BOARD OF EQUALIZATION

**9:29 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO GO INTO BOARD OF EQUALIZATION.  
COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- a) Assessor Davis provided a list of new homeowners who have applied for and qualified for homeowner's exemption which was reviewed and approved by the Board.
- b) Davis also provided a list of homeowners whose homeowner's exemption has been disallowed with detailing the reason for the disallowance. Those homeowners will receive a letter from the Board after which they have 21 days to respond to the disallowance.
- c) Davis pointed out that homeowners need to come into his office to apply for homeowner's exemption. It is not granted automatically.

**9:32 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO FOLLOW THE RECOMMENDATIONS OF ASSESSOR DAVIS TO SEND LETTERS TO HOMEOWNERS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

**9:34 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO GO OUT OF BOARD OF EQUALIZATION. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

5) 9:30 AM GLOBAL SURVEILLANCE – CCSO SECURITY SYTEM UPGRADE

- a) An upgrade to the security system through Global Surveillance at the CCSO will cost a total of \$7,320.00 and needs the approval of the Board.

**9:38 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE EXPENDITURES WITH GLOBAL SURVEILLANCE FOR A SECURITY SYSTEM UPGRADE FOR THE CCSO. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

6) 10:43 AM REVIEW AND EXECUTE ORDER AND NOTICE TO EXTERMINATE NOXIOUS WEEDS

- a) A Notice to Comply with Order for Extermination of Noxious Weeds was reviewed and accepted by the Board.
- b) An Order Creating Area for Extermination of Noxious Weeds Designating What are Noxious Weeds, and Providing Manner for Eradication was reviewed and accepted by the Board.

**10:44 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO ACCEPT AND SIGN SAID NOTICE AND ORDER REGARDING EXTERMINATION OF NOXIOUS WEEDS. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

7) 10:46 AM REVIEW CONFLICT PUBLIC DEFENDER REPORTS FOR FEBRUARY 2013

- a) The Board reviewed the report from conflict public defender Clayne Zollinger as presented.

8) 9:50 AM APPOINTMENT OF ASSISTANT 911 COORDINATOR

- a) Cary Bristol was nominated and recommended by the 911 Advisory Committee to serve as volunteer Cassia County Assistant 911 Coordinator for a two year term.

**10:47 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE CARY BRISTOL’S APPOINTMENT AS A VOLUNTEER 911 ASSISTANT COORDINATOR. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

9) 9:55 AM APPOINTMENTS TO EMPLOYEE BENEFITS COMMITTEE

- a) The following were presented to serve on the Employee’s Benefit Committee:
  - i) Karen Dayley from the Assessor’s Office
  - ii) Kris Zanone from the Auditor’s office
  - iii) Ann Harper from the MCCJC

**10:49 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THOSE AS PRESENTED TO SERVE ON THE EMPLOYEE’S BENEFIT COMMITTEE. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

10) 10:10 AM AUDIT REPORT

- a) Outside Auditor Jeff Poulsen presented the audit report for FY2012. He indicated that the purpose of the audit is to assist with improvement of internal controls.

- b) Poulsen went over a letter of findings enumerating some suggestions for change but indicated that the County generally is functioning very well and has met the goal of a clean report.
- c) Poulsen went over findings and recommendations to the County.
- d) Chairman Crane requested that Larsen prepare letters to various departments regarding those findings and recommendations for the Board to request of those departments a timeframe for compliance of what is necessary.
- e) Christensen asked that Poulsen examine cash balances to confirm that capital expenditures accounted for no increase in cash during FY2012.
- f) Poulsen also went over the financial statements with the Board.

**10:40 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE OUTSIDE AUDIT AS PRESENTED BY EVANS AND POULSEN. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

11) 10:30 AM EXECUTE LETTER TO IDAHO DEPARTMENT OF COURTS REGARDING DECLINATION OF WESTERN STATES FIRE MANAGERS GRANT FUNDS

- a) Major landowners desire not to participate in a proposed project site for use of Cassia County Western States Fire Managers grant funds.
- b) The Board advised the Idaho Department of Lands Bureau of Fire Management by email that they will not be able to utilize the grant funds as intended.

**10:50 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO TURN BACK WESTERN STATES FIRE MANAGEMENT GRANT FUNDS THAT WILL NOT BE USED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

12) 9:05 AM DISCUSSION OF LEGISLATION CONCERNING COUNTIES

- a) Barrus suggested that each Commissioner's send an email individually to our District 27 representatives regarding their stance on the IAC proposed legislation on personal property tax exemption.
- b) The general consensus of the Board was to support IAC's proposed legislation.

13) 11:13 AM INDIGENT MATTERS

**11:13 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 #2013001 and #2012131
- b) Certificate of Denial on Case #2012124
- c) Certificate of Approval on Case #2012125 and #2012132
- d) Notice of Lien and Application for Medically Indigent Benefits on Case #2013007, #2013008, #2013009, #2013010, #2013011, #2013012, and #2013013
- e) Order of Reimbursement on Case #2012125 and #2012132
- f) Medical Records/Utilization Management Review on CAT Case #4C-2013-00018

11:27 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 11:29 AM.**

14) 11:00 AM EXECUTIVE SESSION – CONTROVERSY/LITIGATION I.C. 6702345(1)(F)

**11:01 AM EXECUTIVE SESSION**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PENDING LITIGATION UNDER IDAHO CODE SECTION 67-2345(1)(F). A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE, COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE. THE BOARD DISCUSSED POTENTIAL LITIGATION WITH COUNTY PROSECUTING ATTORNEY ALFRED E. BARRUS. THE BOARD RETURNED TO REGULAR SESSION AT 11:15 AM.**

15) 12:00 PM LUNCH

16) 1:30 PM MALTA TRANSFER STATION REVIEW

- a) Landfill Executive Director Josh Bartlome presented to the Board items for their consideration including the need for a wind break at the Malta Transfer Station structure and options for an office structure with restroom facilities.

17) 2:00 PM REVIEW SPRING WORK PLAN – COUNTY ROAD AND BRIDGE

- a) The Board met with Road and Bridge Supervisor Sam Adams to review work to be accomplished in their department this spring. Work will include rebasing, resurfacing, and culvert work in various locations in the Almo-Elba areas.
- b) Discussion also took place of gate, fence, and signage placement at the County shale pit in Elba.

18) 3:35 PM ADJOURNMENT

APPROVED:

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

Dennis Crane, Chairman of the Board

ATTEST:

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

Joseph W. Larsen, Clerk of the Board