



# Cassia County Board of Commissioners

*Commissioner Chambers*

*1459 Overland Ave.*

*Burley, ID 83318*

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

**Board Chairman:**

*Dennis Crane*

**Phone:** (208) 878-7302

**Fax:** (208) 878-9109

**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 18, 2013

The Board of Cassia County Commissioners met in regular session on Monday, March 18, 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:	Laurie Welch, The Times News Jay Lenkersdorfer, The News Journal
	Others:	Ruthe Hobbs Jim Hobbs Darwin Johnson, MCCJC Russ Rasmussen, MCCJC Brandon Salveson, MCCJC Terry Greenman, City of Burley Mark Mitton, City of Burley

- 1) 8:00 AM QUARTERLY JAIL REVIEW WITH MINIDOKA COUNTY COMMISSIONERS
  - a) County Commissioners from Minidoka and Cassia Counties participated in a quarterly review of the MCCJC conducted by the jail staff.
  - b) The new Telmate system that accommodates communication between inmates and others outside the jail facility was presented to the Board for review.
  - c) The jail review revealed no significant concerns requiring intervention or correction.
- 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) 9:00 AM CALENDAR
    - i) A CAT Board Meeting will be held at 12:00 p.m. Thursday, March 21, 2013, for Commissioner Christensen.

**CASSIA COUNTY COMMISSION**

**REGULAR SESSION**

**Monday, March 18, 2013**

- ii) Mini-Cassia Development Commission Meeting at 12:00 p.m. Monday, March 18, 2013, in Rupert for Commissioner Kunau.
- iii) South Central Community Action Meeting at 12:00 p.m. Thursday, March 21, 2013, for Commissioner Kunau.
- iv) Commissioner Christensen will be out of town after April 1<sup>st</sup> and will return for regular Board of County Commissioner Meeting on April 15<sup>th</sup>.
- b) 9:05 AM CORRESPONDENCE
  - i) IAC email regarding impacts of Federal sequestration on Payment in Lieu of Taxes (PILT) and Secure Rural School (SRS) to counties.
- c) 9:10 AM PERSONNEL
  - i) There were no Change of Status requests today.
- d) 10:29 AM APPROVAL OF MINUTES

**10:29 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM MARCH 11, 2013. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- e) 10:30 AM CSI RESIDENCY APPLICATIONS
  - i) There were no CSI Residency applications today.
- f) 12:05 AM COUNTY PAYABLES

ADULT MISDEMEANOR PROBATION	149	\$6,852.86
	<b>TOTAL</b>	<b>\$6,852.86</b>
CURRENT EXPENSES	104	<b>\$241,940.82</b>
INDIGENT FUND	105	<b>\$337.00</b>
DISTRICT COURT FUND	106	<b>\$54.82</b>
COUNTY ROADS & BRIDGES FUND	107	<b>\$721.01</b>
COUNTY ELECTION FUND	116	<b>\$9,957.60</b>
COUNTY SNOWMOBILE FUND	118	<b>\$93.07</b>
ASSESSOR TRUST FUND	123	<b>\$194.74</b>
JUSTICE FUND	130	<b>\$31,928.92</b>
NARCOTICS SEIZED ASSETS FUND	134	<b>\$3,180.00</b>
D.A.R.E TRUST	137	<b>\$210.20</b>
PHYSICAL FACILITIES FUND	144	<b>\$54.42</b>
	<b>TOTAL</b>	<b>\$288,672.60</b>

**12:05 PM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE COUNTY PAYABLES DATED MARCH 13, 2013. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- g) 9:10 AM COUNTY ROAD AND BRIDGE
  - i) There are no Road and Bridge matters today.
- h) 9:07 AM BUILDING AND GROUNDS MATTERS

- i) McMurray reported on the repair of the Courthouse Third floor jury restroom drain pipe leak in the District Court and the foyer of the courthouse.
- ii) Presented for costs with the CCJC included:
  - (1) \$19,306 for surveillance for materials, labor and travel
  - (2) \$19,828 for a video system
  - (3) \$5,940 for an intrusion system
- iii) These costs are outside the general contract and it is important to confirm there is Homeland Security grant money available for those items. Timeliness in finding this out is important to keep from having delays with construction.
- iv) A request for Homeland Security funds must be provided to them by April 15, 2013. Undersheriff George Warrell indicated that there was about \$40,000 in grant money remaining from 2010 and those expenditures should qualify for use of that grant money.
- v) It was pointed out that Global Surveillance is the same company that put in place the courthouse security system.

**9:57 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE HIRING GLOBAL SURVEILLANCE AND TO APPLY HOMELAND SECURITY GRANT FUNDS TO TAKE CARE OF THE PRESENTED COSTS. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

9:08 AM GATEWAY MATTERS

- vi) A report from Gateway West Attorney, Doug Balfour indicates that Gateway West is being ignored by BLM completely.
  - vii) The opinion of BLM is that the Land Use Planning Act will give the Counties a chance to add their opinion.
  - viii) The underground DC power alternative will likely not be considered in the EIS which no date has been set for yet.
  - ix) All appearances indicate that the battle regarding Gateway West's concerns is with the BLM.
- 3) 9:10 AM ZONING ENFORCEMENT MATTERS/GORDON PAVING
- a) McMurray has received requests for time on the Board's agenda from entities involved in litigation with the County, or where there is County involvement. He requested direction as to whether or not such requests should be honored.
  - b) Barrus indicated that the Board's discussion with one of the litigants would be inappropriate and that politicizing a legal process would dictate not putting that on the agenda. The Board concurred with this, and directed the Administrative office to not schedule such items.
- 4) 9:13 AM DISCUSS 2013 SRS AND PILT FUNDING
- a) Commissioner Kunau read an email from Ryan Yeates at NACo. He referred to Interior Secretary Ken Salazar's letter regarding sequestration which indicated that there will be a 5.1% reduction in the PILT program.
  - b) Larsen indicated that this would pose a significant potential loss to Cassia County's revenues as Cassia County receives more PILT funding than any county in Idaho except for Elmore County.
  - c) A Federal hearing will be held tomorrow regarding SRS and PILT short term and long term funding protection. NACo will represent counties' interests in that testimony.
- 5) 9:25 AM REVIEW AND SIGN CASSIA COUNTY FAIR GROUNDS RENTAL
- a) A rental agreement was presented for the Cassia County Fairgrounds on behalf of Estes Auctions for a community auction to be held on April 6, 2013, for a fee of \$300.00.

**9:22 AM**

***CASSIA COUNTY COMMISSION  
REGULAR SESSION  
Monday, March 18, 2013***

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE RENTAL AGREEMENT BETWEEN ESTES AUCTIONS AND THE COUNTY AS PROPOSED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

**9:22 AM EXECUTIVE SESSION**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PENDING LITIGATION UNDER IDAHO CODE SECTION 67-2345(1)(F). THE MOTION WAS SECONDED BY COMMISSIONER KUNAU. 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 9:30 AM.**

- 6) 9:32 AM DUI COURT SUPREME COURT APPLICATION DISCUSSION WITH JUDGE CANNON AND LINDA WRIGHT
- a) This application as approved by Cassia County was approved by the Supreme Court. It requires agreement of County Commissioners, Prosecutors, and Public Defenders.
  - b) Judge Cannon indicated that this has the potential to be a good program. He went to Supreme Court Training last week in Boise and the latest research is showing that problem-solving courts are effective rehabilitation with the face to face contact with a judge along with the help they get from Adult Misdemeanor Probation. Probationers with DUI's need to keep their drivers licenses.
  - c) Cannon acknowledged that it does stress the courts, clerks, bailiffs, and the probation office. He expressed hope that it would help with recidivism rates.
  - d) Christensen questioned how much they anticipate recidivism rates to decrease. Wright indicated that it is less with those individuals who go through DUI Court. Those involved in the DUI Court are second time offenders or more. There is more involvement with offenders than with traditional probation.
  - e) Barrus talked of changes in the Probation Department. They are down one probation officer and that position will not be filled as there are financial issues there. It has been self-funded and there currently is a shortfall in funding. Adult Misdemeanor Probation Director Amber Prewitt indicated that their attitude has changed regarding DUI Court because of their officers' increased case load.
  - f) There was a question regarding expunged records for probationers. Cannon indicated that they only experience withheld judgments or dismissals. It does give relief on the driver's license suspension at the judge's discretion as the real incentive.
  - g) Wright indicated that people will still be on probation and the clerks will still need to clerk. Barrus asked who would coordinate the program and Wright indicated that counties take that responsibility. Christensen talked about financial constraints that the County is currently experiencing and there would be added stress to provide a coordinator.
  - h) Cannon indicated that staffing weekly and coordinating would take place informally between the judge and the probation office.
  - i) Wright indicated that Twin Falls County is the only one in the 5<sup>th</sup> Judicial District who is holding this court right now. Fees almost cover salaries and benefits with their DUI court at \$20 per hour in Twin Falls.
  - j) Barrus and Christensen asked about the financial impact on the Adult Misdemeanor Probation Office and the Clerk's Office. Wright suggested that Minidoka County could handle that court and that they do not need bailiffs. It would however add time for Cassia County to transport the inmate to our jail from Minidoka County.

- k) Crane asked for this to be placed on the agenda after questions are answered regarding Minidoka County, Clerks, and Adult Misdemeanor Probation.
- 7) 9:52 AM APPOINTMENT OF MEMBERS TO CASSIA COUNTY HISTORICAL SOCIETY
  - a) The names of Janiece Burgess and Renae Moncur were submitted to serve on the Museum Board.

**9:53 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO ADD THESE MEMBERS TO THE MUSEUM BOARD. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 8) 9:50 AM HEARING ASSISTANCE SYSTEM FOR COURTS
  - a) This item was discussed with other building matters.
  - b) The County is exploring options for appropriate hearing assistance systems.
  - c) McMurray will look into different considerations to assist in making a decision.
- 9) 9:53 AM SIGN HOMELAND SECURITY GRANT
  - a) Some signatures of the Chairman of the Board were missed on already approved 2013 Homeland Security Grant Applications.
  - b) Chairman Crane signed a Certifications Regarding Lobbying, Debarment, Suspension, and Other Responsibility Matters form, a Drug-free Workplace Requirements form, and a Standard Assurances form to complete 2013 Homeland Security Grant Applications.
- 10) 10:02 AM ACT ON TWIN FALLS REQUEST FOR APPOINTMENT OF MEMBER OF MIDDLE SNAKE REGIONAL WATER RESOURCE COMMISSION (MSWRC)
  - a) The Board received a memo from the Middle Snake Regional Water Resource Commission Executive Director, Bob Muffley requesting a yes or no vote of the Cassia County Board for Robert Potter as a new member of the Commission.
  - b) Potter is the Twin Falls Planning and Zoning representative who replaced Mary Brand who is no longer a member of the Planning and Zoning Commission.
  - c) The Commission term is for four years and expires in 2017.

**10:02 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE APPOINTMENT OF ROBERT POTTER TO THE MSWRC COMMISSION AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 11) 10:10 AM CONSIDER ACCEPTANCE AND EXECUTION OF FOURTH AMENDED ORDER RE: MINI-CASSIA JUVENILE PROBATION DEPARTMENT
  - a) Barrus was asked to revise the last agreement. Judge Duff was more involved in that agreement. It was the consensus of the members of the Joint Juvenile Board that the judge's role be not be as involved as much in the operations of that Board.

**10:12 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE AND SIGN THE FOURTH AMENDED ORDER FOR THE JUVENILE PROBATION DEPARTMENT. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 12) 10:20 AM REVIEW NOTICE OF INTENT TO APPLY FOR FEDERAL ASSISTANCE – PARTRIDGE PARKE APARTMENTS
  - a) McMurray indicated that a party is going to renovate the Partridge Parke Apartments for low income housing and the Board can make comments if they desire.

- b) The Board discussed the Section 42 application for low income housing properties with Assessor Davis and he saw no problem with that application from the standpoint of his office.
  - c) Deadline for comments from the Board, should they desire, is April 4, 2013.
- 13) 10:16 AM REVIEW CACHE PEAK CIVIC ASSOCIATION'S LETTER DATED MARCH 8, 2013, AND ACT ON INFORMATION PROVIDED BY KINCADES.
- a) The Board reviewed a map devised from the land description of the property that is the Cassia County shale pit in Elba.
  - b) McMurray read a proposed letter from the Board in response to a request of the Cache Peak Civic Association to delineate boundaries of the County-owned Elba shale pit.
  - c) To reduce risk and liability, the County and the Kincade's who own the real property surrounding the shale pit concluded to lock the gate and post it as private property.
  - d) The Board requested that residents speak with the BLM or private pit operators as a source for shale.

**1:34 PM**

**MOTION: COMMISSIONER KUNAU MOVED TO SIGN AND SEND THE PROPOSED RESPONSE LETTER TO THE CACHE PEAK CIVIC ASSOCIATION REGARDING THE COUNTY-OWNED ELBA SHALE PIT. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

14) 10:30 AM CASSIA COUNTY JUDICIAL CENTER MATTERS

- a) McMurray created a binder of items for consideration that the Board needs to address and make decisions each week to not slow down the process with the CCJC.
- b) Proposal #12 in the amount of \$1,222.93 was presented for ramp placement and step removal in the Juvenile Courtroom Room 106 on the north wall.

**10:30 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE PROPOSAL #12 AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- c) Proposal #11 included data/AV revisions including Provision #3 in the amount of \$32,198.59. Questions needed to be asked of LCA to get confirmation on those costs.
- d) It was determined based upon information from LCA Architects that Proposal #11 superseded #4

**11:49 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO ALLOW ADMINISTRATOR MCMURRAY TO NEGOTIATE WITH APPROPRIATE PARTIES AND TO APPROVE EXPENDITURES IF THE ORIGINAL BILL HAD BEEN INCLUDED IN THOSE COSTS AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- e) Proposal #9 for Provision #1 for court reporter millwork labor and materials is \$7699.05. The Board determined to hold on this item to get confirmation on those costs for adding/moving the court reporter station.
- f) Larsen indicated that the architectural drawings did include a standalone court reporter station. The question remained whether that was the best placement as a stationery unit or to set the station attached to the judge's bench.
- g) Electrical connection billed by the City of Burley was \$4796.00. The Board indicated that they assumed there would be overhead rather than underground placement. Commissioner Christensen recommended doing what was most reasonable in cost. The Board approved McMurray negotiating with the City of Burley up to the \$4796.00 amount.

- h) A bid was received from PMT for materials and labor in placing two - 2 inch conduits from the courthouse to the CCJC totaling \$7,836.95.

**11:46 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONTRACT PMT TO PLACE CONDUITS BETWEEN THE EXISTING COURTHOUSE AND THE NEW CCJC. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

**1:38 PM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE BID FROM PMT FOR 30 MITEL KEYSETS AND 2 12 PORT DIGITAL INTERFACE CIRCUIT CARDS. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- i) Proposal #8 was for block lights cut in a wall in lieu of a skylight in the District Court Jury room.

**1:41 PM**

**MOTION: COMMISSIONER KUNAU MOVED TO ADD BLOCK WINDOWS TO THE JURY ROOM. THE MOTION DIED FOR LACK OF A SECOND.**

- j) A meeting will be held with appropriate individuals to determine keying for appropriate doors within the building.
- k) Proposal #7 in the amount of \$5498.73 was for needed roof truss repair that was not possible for the architects to see due to the closed wall and ceiling structure.

**11:01 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE EXPENDITURES FOR THE ROOF TRUSS REPAIR AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

15) 11:01 AM CANVASS MARCH 12, 2013, SCHOOL LEVY ELECTION

- a) Elections Supervisor Susan Keck reported that the March 12, 2013, election evidenced a low turnout of roughly 25% of registered voters.
- b) The report included canvass of votes from Twin Falls and Oneida Counties involved with the Joint Cassia County School District Physical Plant Levy election.
- c) The report also included the canvass of votes from the Heglar-Yale Precinct for the Power County School District supplement levy election that is provided to Power County Clerk's Office.

**11:05 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE AND SIGN THE CANVASS OF THE VOTE OF THE MARCH 12, 2013, TAXING DISTRICT ELECTION. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

16) 11:06 AM INDIGENT MATTERS

**11:06 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 #2012135 and #2012134
- b) Certificate of Denial on Case #2012126 and #2012127
- c) Certificate of Approval on Case #2012133
- d) Certificate of Approval for Additional Treatment on Case #2012132

- e) Notice of Lien and Application for Medically Indigent Benefits on Case #2013014, #2013015, #2013016, and #2013017
- f) Release of Medically Indigent Lien on Case #2011023 and #206133
- g) Order of Reimbursement on Case #2012133

**11:20 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 11:19 AM.**

17) 11:20 AM PARCEL DATA SHARING – ASSESSOR’S OFFICE

- a) Davis and Assessor mapper Sorensen presented a demonstration of the recently completed website through the Idaho State Tax Commission containing Cassia County parcel data.
- b) Basic parcel information will be provided at no cost. Davis and Sorensen recommended the establishment of a cost for obtaining more than the basic information.
- c) They requested that the link to the website be placed on the County’s website.
- d) The link to the site is <http://apps.gis.idaho.gov/tax/Google/Parcels/Cassia.html>

**11:27 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO PLACE A LINK TO THE IDAHO STATE TAX COMMISSION’S CASSIA PARCEL INFORMATION ON THE COUNTY WEBSITE. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

18) 11:30 AM STREVELL CONCERNS – ASSESSOR’S OFFICE

- a) There are non-contiguous parcels in the Strevell area which the Assessor’s Office indicated is not a good practice to have. Their office does not keep track of whether they are contiguous or not.
- b) Assessor’s Office mapper Park Sorenson provided a map of Strevell and recommended vacating proposed roads except for those roads that access. The result would be a reduction to 40 parcels from the 94 existing parcels. This would require legal descriptions of the properties. Adjacent property owners would share the vacated areas and it would increase the size of involved property owner’s respective taxable parcels.
- c) Barrus indicated that those recommendations would require a notice to be sent to property owners and the necessity to hold a hearing.

19) 11:36 AM BOARD OF EQUALIZATION

**11:36 AM**

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

- a) Assessor Davis provided the Board with a list of four parcels and owners whose Homeowner’s Exemption was recommended to be disallowed and a list of six parcels and owners who qualify for Homeowner’s Exemption.
- b) Davis recommended that the Board send letters to notify those homeowners involved.

**11:38 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.**

**11:39 AM**

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

20) 11:51 Commissioner Kunau departed the Board Meeting to attend another meeting in Minidoka County.

21) 12:00 PM DEPARTMENT HEAD TRAINING

a) The Board and elected officials convened in the Juvenile Courtroom for a webinar training regarding ethics as presented earlier by the IAC.

22) 11:54 AM DISCUSS ACH AGREEMENT AND PROPOSED LANGUAGE CHANGES

a) After review of the ACH agreement, it was noted that changes needed to be made.

b) McMurray will work directly with D.L. Evans Bank regarding those changes.

23) 11:57 AM EXECUTIVE SESSION

**11:57 AM EXECUTIVE SESSION**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PENDING LITIGATION UNDER IDAHO CODE SECTION 67-2345(1)(F). THE MOTION WAS SECONDED BY COMMISSIONER KUNAU. 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 12:04 AM.**

24) 1:30 PM MEET WITH CITY OF BURLEY RE: LAW ENFORCEMENT CONTRACT

a) Sheriff Jay Heward indicated that the agreement with the City of Burley law enforcement works very well. He indicated that if there were any problems that anyone feels with the conducting of law enforcement that now is the time to begin that discussion.

b) Mayor Terry Greenman and Administrator Mark Mitton indicated that the City of Burley was happy the way things are going with law enforcement right now.

c) Larsen pointed out that the conclusion of our FY2012 outside audit indicated that a decline in fund balances was attributed to reduced revenue from the law enforcement agreement.

d) Mitton expressed concern that the City of Burley needs to review information about future funding to the City of Burley prior to making a decision with one of their largest expenditures. Larsen indicated that the Auditor's Office is required to make budget recommendations to the Board with information received from departments earlier than what has been the case in the past with the law enforcement agreement, one of Cassia County's largest revenues.

25) 2:02 PM ADJOURNMENT

APPROVED:

/s/

Dennis Crane, Chairman of the Board

ATTEST:

/s/

Joseph W. Larsen, Clerk of the Board

**CASSIA COUNTY COMMISSION**

**REGULAR SESSION**

**Monday, March 18, 2013**

**9 | Page**