



Cassia County Board of Commissioners

Commissioner Chambers

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Burley, ID 83318

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Board Chairman:

Dennis Crane

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

Tuesday, November 12, 2013

The Board of Cassia County Commissioners met in a special session on Tuesday, November 12, 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) 9:00 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) IAC Board Meeting at 10:00 a.m. Wednesday, November 13, 2013 for Chairman Christensen
 - ii) South Central Health District Legislative Meeting from 9:30-11:00 a.m. Wednesday, November 13, 2013
 - iii) Snowmobile Advisory Committee Meeting at 4:00 p.m. Thursday, November 14, 2013, for Commissioner Kunau
 - iv) ATI Taxpayer Conference will be held in Boise on December 11, 2013
 - v) Transportation Committee Meeting at 7:00 a.m. Wednesday, November 13, 2013, for Chairman Crane
 - vi) District Judicial Meeting for Chairman Crane in Fairfield for the appointment of a judge
 - vii) Thank you note to the Board received from the family of Gary Bench for their support on behalf of Gary.
 - b) 9:05 AM CORRESPONDENCE
 - i) Newsletter from the Extension Office
 - ii) Card received from LCA Architects noting completion of the Cassia County Judicial Center (CCJC)
 - c) 9:45 AM PERSONNEL

CASSIA COUNTY COMMISSION

SPECIAL SESSION

Tuesday, November 12, 2013

- i) CHANGE OF STATUS
 - (1) MINI-CASSIA CRIMINAL JUSTICE CENTER
 - (a) Level I Detention Deputy Certification for Russell Hollins which includes an increase in rate of pay.

9:45 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE CHANGE OF STATUS REQUEST AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- d) 10:42AM APPROVAL OF MINUTES

10:42 AM

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

- e) 9:45 AM CSI RESIDENCY APPLICATIONS
 - i) The Board reviewed 68 CSI Residency applications; 15 high school dual credit applications and 53 CSI 2013-2014 applications.

9:45 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE 68 CSI RESIDENCY APPLICATIONS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- f) 11:04 AM COUNTY PAYABLES

CURRENT EXPENSE FUND	104	\$22,928.38
DISTRICT COURT FUND	106	\$130.00
COUNTY ROAD & BRIDGE FUND	107	\$490.24
WEED & PEST FUND	108	\$4,700.00
REVALUATION FUND	114	\$783.19
911 COMMUNICATIONS FUND	115	\$7,331.37
ASSESSOR TRUST FUND	123	\$394.54
JUSTICE FUND	130	\$48,709.35
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$724.95
PHYSICAL FACILITIES FUND	144	\$8,795.92
ADULT MISDEMEANOR PROBATION	149	\$4,917.17
	TOTAL	\$99,905.11

11:04 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED NOVEMBER 12, 2013. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- g) 9:11 AM COUNTY ROAD AND BRIDGE
 - i) Nothing to report as Chairman Crane had not been able to talk to Road and Bridge Supervisor Sam Adams
- h) 9:07 AM BUILDING AND GROUNDS MATTERS
 - i) Commissioner Christensen reported that he would be available to donate time to do welding on the handrail at the Public Defender's office.

**CASSIA COUNTY COMMISSION
SPECIAL SESSION**

Tuesday, November 12, 2013

- ii) Commissioner Kunau reported on the prospects of making changes with the three flag poles at the CCJC. The pole farthest to the north was too close to the original construction and the flag hits the building continually. Kunau said placement of a smaller flag is not the appropriate solution to the problem and that the change order to include the parapet wall was not an issue with the situation as originally indicated by LCA Architects.
- iii) McMurray reported on a list of minor concerns provided by Larsen that need to be resolved. Some items will be resolved by the County and others will be referred to Starr Corporation.
- iv) Maintenance Supervisor Craig Munoz will be taking some time off.
- v) A new custodian has been hired and is being trained.
- vi) Christensen asked if things are ready to move forward with the Prosecutor's Office in the courthouse. Barrus expressed concerns that the courthouse situation needs to be looked at again. He talked of the need for a reception area at the front of where the three former magistrate windows are on the first floor of the courthouse. He preferred not to have a waiting area out in the hall as it would not be an appropriate place for victims to wait.
- vii) A proposed layout for three offices for the Prosecutors office caused concern to Barrus as he thought the offices may be too small. Barrus also expressed concern that people could not be screened adequately in the proposed area his office at the former Auditor's office. He felt that once people knew that office was there, they would just walk in.
- viii) The Board desired to look again at the magistrate courtroom and judge chambers. It was felt that it would minimize construction to take out the judge's bench and the jury box, then lower the door.
- ix) It was determined there was enough room for file storage for the Prosecutor's office with the additional usage of storage on the third floor.
- x) The Board determined to walk through the facility once again to review prospective changes.
- xi) It was determined that the size of the former magistrate judge chambers is not much different than the three offices proposed for the Prosecutor's office.
- i) 9:15 AM GATEWAY MATTERS
 - i) A letter from the BLM to Governor Otter regarding the Gateway West Power Line Project was read by McMurray which dismissed the Governor's recommendations.
 - ii) A memorandum from Doug Balfour was read by McMurray. Balfour pointed out the cynicism by the federal government and that the allegations that the proposed alternate routes do not comply with the law is simply incorrect.
 - iii) Balfour suggested a letter be prepared from both Cassia and Power Counties. McMurray was asked to prepare an email to send to Balfour concurring with his memorandum.
 - iv) Chairman Crane expressed a need to meet with other involved counties as soon as possible now that the harvest is over. He will coordinate a meeting in Pocatello for next week.
- 2) 9:13 AM REVIEW AND EXECUTE ZONE AMENDMENT ORDINANCE
 - a) McMurray provided the proposed ordinance and summary which will be used for publication.
 - b) The Board reviewed the ordinance.

9:13 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE ZONE AMENDMENT ORDINANCE AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 3) 9:27 AM DISCUSS SECOND LEVEL CONFLICT PUBLIC DEFENDER

- a) There has been no response from the solicitation for a second level conflict public defender.
 - b) Larsen reported that payable approvals before the Board today for services that would ordinarily be provided by a contracted second level public defender exceeds \$2500.00.
 - c) The Board discussed the prospects of sending a letter to attorneys that didn't include the amount of compensation and leaving that for discussion with the prospective candidate.
 - d) Larsen was asked to research the costs that the County has historically incurred for second level public defender services.
 - e) Barrus reported that a couple of attorneys have expressed interest. It will be placed back on the Board agenda once they have been talked to.
- 4) 9:31 AM REVIEW AND EXECUTE LETTER OF SUPPORT FOR MINIDOKA FIRE PROTECTION DISTRICT IN SEEKING GRANT FUNDING
- a) Commissioner Kunau read a proposed letter of support for grant funding for the Minidoka Fire Protection District.
 - b) That district can better serve the Jackson area with their proposed project. The Board concurred to provide a letter of support.

9:33 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO PROVIDE A LETTER OF SUPPORT AS REQUESTED BY THE MINIDOKA FIRE PROTECTION DISTRICT FOR GRANT FUNDING. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 5) 9:33 AM DISCUSS MOU WITH CSI REGARDING CADET PRACTICUM PROGRAM
- a) Undersheriff George Warrell suggested support of the MOU with CSI for the Cadet Practicum Program in that the Cassia County Sheriff's Office (CCSO) recruits officers from that program.
 - b) McMurray expressed concerns that the cadets in training who serve as volunteers in this program present a shared liability issue for the County. Though the program is good for the CCSO, it would be prudent for those in the program to be removed from situations such as high speed chases. It would be incumbent for training officers to remove the cadets from potential risk situations. A protocol for the CCSO should be established for dealing with those situations.
 - c) Warrell pointed out that the cadets go through an 18 month program with certified instructors. They are certified to carry firearms and are ready to take their POST tests.
 - d) Heward expressed the impracticability of stopping during a high speed chase to drop off the cadets in training. Barrus stressed the need to do the best they could to avoid high risk situations for those volunteers.
 - e) Warrell expressed the value in having the same arrangements with ISU as they have a cadet practicum program as well. Barrus suggested getting in contact with them to let them know of the agreement with CSI.
 - f) Heward extolled the cost savings of recruitment from this program with POST training and that there is no cost for them where they are volunteers.

9:39 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE AND SIGN THE MOU WITH CSI FOR THE CADET PRACTICUM PROGRAM AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 6) 9:40 AM REVIEW EXTENSION LEASE PAYMENT AT CSI
- a) Extension Agent Joel Packham provided McMurray an invoice for the lease payment from CSI for the Extension Office for the time period of July 1, 2013, to June 30, 2014.

- b) Chairman Crane asked if the agreement tied the County to that specific time period. The concern was in terms of the prospects of moving to the new Courthouse facility. The Board was advised that it had not entered any lease agreement, but rather it is believed that the agreement is between the University of Idaho and CSI.
- c) The Board discussed the prospects of getting the Extension Office moved to the courthouse by the end of June.
- d) Barrus asked for a copy of the agreement for leasing CSI space and was directed to the Extension Office to obtain that copy.

9:44 AM

MOTION: COMMISSIONER KUNAU MOVED TO PROCESS THE PAYMENT TO CSI FOR THE EXTENSION OFFICE RENT AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 7) 9:46 AM REVIEW OCTOBER 2013 AMBULANCE REPORT
 - a) The Board reviewed and discussed the October 2013 Ambulance Report.
 - b) Larsen reported to the Board that some counties are having difficulty contracting for ambulance services.
 - c) Commissioner Kunau talked about the trade of ambulance services between Minidoka and Cassia Counties on the weekends. Chairman Crane asked Commissioner Christensen to inquire about that at his next Cassia Regional Medical Center Board meeting.
- 8) 9:55 AM REVIEW OCTOBER 2013 VETERANS SERVICE OFFICER REPORT
 - a) The Board reviewed the October 2013 Veterans Service Officer Report.
- 9) 10:00 AM REVIEW OCTOBER 2013 CONFLICT PUBLIC DEFENDER REPORT
 - a) The Board reviewed the October 2013 Conflict Public Defender Report as presented.
- 10) 10:01 AM EXECUTIVE SESSION IC 67-2345(1)(b) PERSONNEL ISSUE

10:01 AM EXECUTIVE SESSION

MOTION: COMMISSIONER KUNAU MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL UNDER IDAHO CODE SECTION 67-2345(1)(B). COMMISSIONER CHRISTENSEN SECONDED THE MOTION. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE, COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE. THE BOARD WAS ADVISED OF AN FMLA SITUATION THAT IS ONGOING. THE BOARD RETURNED TO REGULAR SESSION AT 10:16 AM.

- 11) 10:26 AM DISCUSS VEHICLE USE POLICY – CURRENT VERSION
 - a) McMurray presented for the record proposed changes of a Vehicle Use Policy marked in red which was read by Chairman Crane.
 - b) Barrus remarked that the exclusion of vehicle use for detectives not on call was not included in the policy. The Board concurred that detectives who are on call can take their vehicle home.
 - c) It was pointed out that the policy addresses use of County vehicles for out of County detectives and bailiffs.
 - d) Sheriff Heward pointed out that two detectives were in Boise on a situation this weekend and that there was a shooting that the other detectives were called in for.
 - e) Barrus stressed the need for the policy to address the situation rather than the employees.
 - f) Lieutenant Kevin Horak addressed the Board about split situations that can occur which requires all detectives to respond.
 - g) It was determined to exempt Detectives Dan Renz and Jordan Williams from the restrictive provisions of vehicle use within the policy to allow coverage of investigative detective situations.

- h) McMurray will make necessary changes to the draft of the revised policy.
- 12) 10:50 AM CANVASS BALLOTS FROM NOVEMBER 5, 2013 ELECTION
- a) Elections Supervisor Susan Keck presented the Canvass of the Votes and Abstract results of the November 5, 2013 Election.
 - b) Official results have not been received by Minidoka County as of yet.
 - c) The Canvass of the Vote included a tie vote for Mayor of Albion which will be resolved by a toss of a coin by the city clerk at a statutorily designated meeting before the council.

10:53 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE CANVASS OF THE VOTE OF THE NOVEMBER 5, 2013 ELECTION AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

13) 10:55 AM INDIGENT MATTERS

10:55 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 cases for review and approval of the Board:

- a) Certificate of Denial: 2013083
- b) Certificate of Approval: 2013093
- c) Notice of Lien and Application for Medically Indigent Benefits: 2013091 and 2013092
- d) Medical Records/Utilization Management Review: 2013091

11:03 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 11:04 AM.

14) 11:10 AM BOARD TOUR OF THE COURTHOUSE FACILITY TO REVIEW PROPOSED CHANGES

- a) The Board toured the former magistrate clerk area, the former magistrate judge's chambers, the former magistrate courtroom, the former Auditor's office, and the former district judge's chambers.
- b) A discussion ensued regarding potential alternatives to placement of some Administrative office functions and the Prosecutor's offices, reception area, and file storage.
- c) Commissioner Kunau asked for the consideration of a restroom to be located on the 1st floor as a part of the changes being made.

11:50 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO PROCEED WITH COURTHOUSE PLANS WITH THE PROSECUTOR'S OFFICE ON THE 1ST FLOOR, THE ADMINISTRATIVE OFFICES ON THE 2ND FLOOR, AND TO EXPLORE THE PROSPECTS OF A RESTROOM ON THE 1ST FLOOR. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

15) 12:05 PM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board