



Cassia County Board of Commissioners

Commissioner Chambers

1459 Overland Ave.

Burley, ID 83318

www.cassiacounty.org

Board Chairman:

Dennis Crane

Phone: (208) 878-7302

Fax: (208) 878-9109

Board Members:

Paul Christensen (District #1) ~ pchristensen@cassiacounty.org

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

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

Monday, November 25, 2013

The Board of Cassia County Commissioners met in regular session on Monday, November 25, 2013, at 9:00 a.m. in the Commissioner Chambers of the Cassia County Courthouse. Commissioner Kunau was excused as he is out of town.

THOSE PRESENT:	County Commissioners:	Dennis Crane, Chairman Paul Christensen Joseph W. Larsen
	Clerk of the Board:	Al Barrus
	Prosecuting Attorney:	Kerry D. McMurray
	County Administrator:	Jared Larsen
	Others:	Victoria Knight, DUP Nick Durfee, DUP Wallace Keck, National Park Reserve Neil Dille Jay Lenkersdorfer, The News Journal Craig Rinehart, Coroner Patty Justesen, Treasurer Gordon Edwards, Weed Control Dwight Davis, Assessor Jay Heward, CCSO Darwin Johnson, MCCJC

1) 9:03 AM AMENDMENT TO AGENDA

- a) The Board desired to add to the agenda a visit to the Juvenile Detention Center in Rupert. An oversight accounted for it not being on the agenda.

9:04 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO ADD TO THE AGENDA A VISIT TO THE JUVENILE DETENTION CENTER IN RUPERT. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

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- 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. Mid-Snake Resource Conservation and Development Annual Lunch Meeting from 11:00 a.m. to 1:00 p.m. Friday, December 6, 2013, at the Mandarin House in Twin Falls
 - ii. Joint Public Defender meeting at 7:30 a.m. Tuesday, November 26, 2013, at Commissioner Chambers
 - iii. Joint Justice meeting at 8:00 a.m. Tuesday, November 26, 2013, at Commissioner Chambers
 - b) 9:05 AM CORRESPONDENCE
 - i. University of Idaho Community of Trees Publication No. 68 Fall 2013
 - ii. Letter from a 4th grade student from Woodland Hills Elementary in Idaho Falls requesting information about Cassia County
 - iii. A letter from Douglas T. Pickett regarding elk depredation upon crops and pasture lands
 - iv. A letter from BLM regarding the completion of the Environmental Assessment at Castle Rocks. Climbing and some other uses are now limited.
 - v. A letter from Jerry Lankford expressing willingness to serve another term on the Mini-Cassia Board of Community Guardians

9:03 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE APPOINTMENT OF JERRY LANKFORD TO SERVE ANOTHER TERM ON THE MINI-CASSIA BOARD OF COMMUNITY GUARDIANS. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- vi. A report on Legislative Reception for South Central Community Action was placed in Commissioner Kunau's packet.
- c) 10:40 AM PERSONNEL
 - i. CHANGE OF STATUS
 - (1) SHERIFF'S OFFICE - Sheriff Heward presented Requests for Change of Status for officers that had been discussed previously with the Board
 - A. Promotion of Deputy - Patrolman Michael Phillips to Corporal – Patrolman with increase in rate of pay
 - B. Promotion of Detective Jordan Williams to Corporal – Patrolman with increase in rate of pay
 - C. Promotion of Corporal – Patrolman Kenny Emery with increase in rate of pay to bring in line with other Corporal – Patrolman for step and grade
 - (2) MINI-CASSIA CRIMINAL JUSTICE CENTER
 - A. Hiring of Todd Williams Rittel as a Detention Deputy who also met the requirements for physical fitness
 - (3) CLERK'S DEPARTMENT
 - A. Hiring of Carrie Merrill as a Deputy Auditor in the Clerk's department
 - B. Promotion and Grade Change for Heather Evans from Co-Lead Deputy Auditor to Lead Deputy Auditor with increase in rate of pay.
 - C. Promotion and Grade Change for Lead Deputy Clerk/Elections Supervisor/Social Services Director Susan Keck with increase in rate of pay
 - ii. The Board reviewed the time sheet of Fairground Employee Cory Parish.

11:40 AM

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

d) 10:56AM APPROVAL OF MINUTES

10:56 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE MINUTES OF THE BOARD FROM NOVEMBER 18, 2013. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

e) 9:45 AM CSI RESIDENCY APPLICATIONS

- i. The Board reviewed 27 CSI Residency applications; 25 2013-2014 and two 2013-2014 high school dual credit.

9:45 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE 27 CSI RESIDENCY APPLICATIONS AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

f) 11:39 AM COUNTY PAYABLES

CURRENT EXPENSE FUND	104	\$6,079.15
SOCIAL SERVICES	105	\$4,725.00
DISTRICT COURT FUND	106	\$7,299.95
COUNTY ROAD & BRIDGE FUND	107	\$1,070.95
COMMUNITY COLLEGE FUND	113	\$127,550.00
REVALUATION FUND	114	\$518.03
JUSTICE FUND	130	\$22,114.07
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$5,075.00
PHYSICAL FACILITIES FUND	144	\$3,770.66
ADULT MISDEMEANOR PROBATION	149	\$838.79
	TOTAL	\$179,041.60

11:39 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE COUNTY PAYABLES DATED NOVEMBER 25, 2013. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

g) 9:38 AM COUNTY ROAD AND BRIDGE

- i. Personnel are currently working on Beus Lane in Almo.
- ii. The McWork project in assisting with the snow fence went well.

h) 9:14 AM BUILDING AND GROUNDS MATTERS

- i. McMurray reported on demolition that has taken place in the courthouse in preparation for construction projects.
- ii. Specification sheets for wall construction in the Prosecutor’s Office and the Clerk’s Office will likely be received this week and they will provide that to potential contractors.
- iii. Plans are underway for insulation, phone jacks, and soundproofing in the courthouse offices. PMT and Ben Stephenson from Stephenson’s Computer Consulting will be working with McMurray on that.

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- iv. Furniture for the Cassia County Judicial Center (CCJC) will be installed on Wednesday, November 27, 2013.
 - v. An updated list from Larsen regarding items needing to be completed at the CCJC was presented.
 - vi. Citizen Neil Dille suggested elevating the flagpole height and put benches around it for people waiting at the CCJC to alleviate the flagpole issues. He suggested it as an Eagle Scout project.
- 3) 9:17 AM DUP SET MARKER DISCUSSION
- a) Nick Durfee and Vicky Knight of Elba and representatives of the Daughters of the Utah Pioneers (DUP) requested permission to establish an Historic Marker at 3565 Twin Sister's Road in Almo.
 - b) The proposed marker would have a two foot footing for the plaque and a six inch base above the ground.
 - c) City of Rocks Superintendent Wallace Keck indicated that the historic monument was proposed to be located on Simplot private property located at the junction of two important trails.
 - d) The National Park Service (NPS) does not have jurisdiction and it would need to go before Planning and Zoning (P&Z) for a permit. The location is in an Historic Preservation Zone.
 - e) Keck indicated that there is some concerns to the NPS to preserve and protect the interpretation area which is included in the comprehensive management plan and which the County has signed on to.
 - f) The proposed location already has two existing monuments and Keck was concerned about the precedence it sets for others and that it may also detract from the cultural landscape.
 - g) He encouraged the DUP to work together with the NPS through the public process which should go before P&Z.
 - h) McMurray went over the County ordinance verbiage and discussed the need to determine if the proposed monument constitutes a structure for that ordinance's purpose.
 - i) Barrus asked if when the other monuments were placed they went through the same permitting process through P&Z. Keck's response was that they did not have to, as the Service only needed to comply with the comprehensive management plan.
 - j) Other concerns included whether or not the monument's verbiage duplicated other monuments in place.
 - k) Chairman Crane indicated that the matter should be reviewed by McMurray and Barrus.
- 4) 9:45 AM DEPARTMENT HEAD MEETING
- a) JAY HEWARD – SHERIFF
 - i. Heward reported on calls for service and citations.
 - ii. Roof repairs at the Cassia County Sheriff's Office (CCSO) are currently underway.
 - iii. Deputy Leo Fiero is ready to go out by himself according to field training officers. They have one officer still in training.
 - iv. A Search and Rescue vehicle had an accident on the way to a call last week. It was a two vehicle collision and the CCSO will have be required to pay a deductible.
 - v. Heward discussed the difficulty of the PREA audit at the jail. That training is required if we are to house State and Federal holds.
 - b) PATTY JUSTESEN – TREASURER
 - i. Justesen provide the Statement of Treasurer's Cash.
 - ii. Their office has provided address changes to the Assessor's office
 - iii. Tax notices have all been sent out and they are starting to get taxes in.

- iv. Justesen requested that the Board give consideration to different proposed times for closure of the courthouse for Christmas Eve day. Counties polled show a variance of how it is done.
- c) DWIGHT DAVIS – ASSESSOR
 - i. All transient notices have been sent out with no appeals.
 - ii. First report on Personal Property Tax Exemption shows the County will get a little over \$220,000 in replacement money for those exemptions.
- d) JOE LARSEN – CLERK
 - i. Larsen reported there would be an election in March for an announced school bond levy for the Cassia School District.
 - ii. It was also recommended that a financial reporting be provided by department heads at Department Head Meeting monthly. The Board concurred.
- e) AL BARRUS – PROSECUTING ATTORNEY
 - i. Their office is working on a first degree murder competency hearing currently.
 - ii. Their office is keeping busy.
- f) KERRY MCMURRAY – ADMINISTRATOR
 - i. McMurray presented a monthly report from the Building Department.
 - ii. Planning and Zoning is working on code review for amendments. Changes will be brought forward for hearing, first with Planning and Zoning Commission, then before the Board.
- g) AMBER PREWITT – ADULT MISDEMEANOR PROBATION
 - i. Not present
- h) DARWIN JOHNSON – MINI-CASSIA CRIMINAL JUSTICE CENTER
 - i. Things going well with paying holds.
 - ii. They are currently looking to put together a new contract for the transport of holds with ICE. They do not have the manpower to do transports and are asking the jail to assist. Jefferson County is providing transportation and it is working well. They are paid a given amount per mile per inmate and will be transporting to Snowville, Utah.
 - iii. A jail standard training took place at the Kimberly Fire Station. They were able to get all training needed for the next two years completed.
 - iv. They budgeted \$10,000 for a PREA audit. It will take nine days from start to finish with three days onsite so they can talk to staff and inmates. This training has to take place every three years.
 - v. They are currently down three staff members and two are in POST training.
- i) GORDON EDWARDS – WEED AND PEST CONTROL
 - i. Edwards reported they had been mapping and inventorying lately.
 - ii. He reported on Water Hyacinth in some wells. The Snake River and tributaries inventory evidenced the presence of Perennial Pepperweed.
 - iii. They are working on getting trucks ready for next year and eliminating Comp Time.
 - iv. They will be using the education trailer at shows talking about Puncturevine.
- j) CRAIG RINEHART – CORONER
 - i. Been busy this month with a couple of bad accidents.
- k) JOEL PACKHAM – EXTENSION AGENT
 - i. Asked to be excused as he is teaching classes.
- l) COMMISSIONER PAUL CHRISTENSEN
 - i. Commissioner Christensen went over the placement of some departments in the courthouse. Agriculture Extension will use the Commissioner’s Chamber with their secretaries across the

hall where Administration currently is located. They will have a meeting room where the Juvenile Courtroom used to be.

- ii. The Prosecutor's Office will occupy the former court clerk area. There will be three offices there and a receptionist office in the former Auditor's office.
- iii. The former District Courtroom will be the new Commissioner Chambers, a meeting room for P&Z, as well as being open to the public for use.
- iv. The third floor storage area will be used by the Clerk's office for election equipment and files.
- v. The first priority will be to get the Prosecutor's office completed, followed by Administration, then the Extension Office. There is no solid timeline for completion.

10:16 AM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PENDING LITIGATION UNDER IDAHO CODE SECTION 67-2345(1)(F). CHAIRMAN CRANE SECONDED THE MOTION. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE, AND COMMISSIONER CHRISTENSEN VOTING IN THE AFFIRMATIVE. THE BOARD DISCUSSED THE POTENTIAL OF LITIGATION AGAINST THE COUNTY WITH ELECTED OFFICIALS. THE BOARD RETURNED TO REGULAR SESSION AT 10:30 AM.

- 5) 10:32 AM REVIEW MILEAGE FOR CORY PARISH – The Board reviewed a mileage reimbursement request from Fairground supervisor Cory Parish.
- 6) 10:35 AM REVIEW AND EXECUTE LETTER OF SUPPORT FOR BURLEY HIGHWAY DISTRICT
 - a) The Burley Highway District is requesting funding from LTAC.
 - b) Highway District Supervisor Rob Carson requested a letter of support for that funding.
 - c) McMurray presented a proposed draft letter of support.

10:36 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO SEND THE LETTER OF SUPPORT FOR FUNDING ON BEHALF OF THE BURLEY HIGHWAY DISTRICT AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 7) 10:43 AM REVIEW AND EXECUTE GRANITE PASS COMMUNICATION STATE INVENTORY FOR BLM
 - a) The inventory at Granite Pass includes that the County is the only occupant on the site other than BLM.

10:43 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO ACCEPT AND SIGN THE GRANITE PASS COMMUNICATION STATE INVENTORY FOR BLM AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 8) 10:44 AM REVIEW AND EXECUTE RESOLUTION NO. 2013-24 REGARDING WEED TRUCK SURPLUS
 - a) A truck from the Weed Department needed to be declared as surplus to be sold at public auction.

10:44 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO DECLARE A TRUCK FROM THE WEED DEPARTMENT AS SURPLUS TO ALLOW ITS SALE AT PUBLIC AUCTION. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 9) 10:45 AM REVIEW AND EXECUTE RESOLUTION NO. 2013-25 REGARDING ADOPTION OF AMENDMENTS TO MID-SNAKE COORDINATED WATER RESOURCE MANAGEMENT PLAN
 - a) Resolution No. 2013-25 is a follow up from discussion with Mid-Snake RC&D from last week.

10:45 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO ACCEPT AND ADOPT RESOLUTION NO. 2013-25 AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

10) 10:50 AM REVIEW AND CONSIDER INDEPENDENT EDUCATIONAL SERVICES CONTRACT

a) Review of an independent educational services contract was tabled until a later date.

11) 11:01 AM INDIGENT MATTERS

11:01 AM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING MEDICAL INDIGENT MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(D). CHAIRMAN CRANE SECONDED THE MOTION. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE AND COMMISSIONER CHRISTENSEN VOTING IN THE AFFIRMATIVE.

Welfare Director Susan Keck presented the following cases for review and approval of the Board:

a) Certificate of Denial: 2013052

b) Certificate of Approval: 2012127, 2013055, and 2013088

c) Notice of Lien and Application for Medically Indigent Benefits: 2013098, 2013099, 2013100, and 2013101

d) Release of Medically Indigent Lien: 2013050 and 2013079

11:22 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 11:23 AM.

12) 11:23 AM CONSIDER AND DECIDE REQUEST CONCERNING HOMEOWNERS EXEMPTION FOR RPBB0010420040A

a) Justesen presented details of the situation regarding the elimination of homeowner's exemption for parcel RPBB0010420040A.

b) She felt the taxpayer needed to take responsibility for the amount of \$292.68 that he had requested to be cancelled.

c) Conclusions of law and finding of facts to be completed by Barrus.

d) A notice will be sent out to Parson regarding the decision.

11:25 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO DENY HOMEOWNER'S EXEMPTION ON PARCEL RPBB0010420040A. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

13) 11:30 AM BLM/USFS

a) SCOTT NANNENGA – FOREST SERVICE RANGER

i. Christmas tree tags went on sale Friday and are available on local Forest Service ground except for Magic Mountain and Pomerelle Ski areas. 1400 to 1600 tags are sold each year.

ii. Nannenga followed up on the questioning of the existence of a back road access to Kelsaw Road in the Black Pine area. He confirmed a back road access to the Kelsaw Road did exist.

iii. A Travel Management Plan decision should be coming out in the next couple of weeks. There is now an objection process where people can express concerns. After that, when a decision is made the only appeal is through the courts.

iv. Black Pine issuance of grazing permits was appealed by Western Watershed. They are currently going through the appeal review process.

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- b) MIKE COURTNEY – BLM DIRECTOR
 - i. Courtney reported that large cottonwood galleries are the kind of habitat where you find the yellow billed cuckoo. Impacts would be negligible for our area.
 - ii. The Sage Grouse EIS came out. A public meeting on the EIS will be held on January 14, 2014. Alternatives D & E are co-preferred alternatives.
 - iii. The Gateway West’s final decision has been identified for routing for segments 1 through 7 and 10. They are deferring their decision on segments 8 and 9.
 - iv. The Gateway West Transmission Project is scheduled for phased completion between 2019 and 2023.
 - v. A decision was issued last week regarding climbing issues at Castle Rock. Free climbs are permissible but staging areas will not be allowed for protection of cultural resources.
- 14) 11:50 AM TRAVEL TO JUVENILE DETENTION CENTER IN MINIDOKA COUNTY FOR A REVIEW AND LUNCH WITH STAFF AND DETAINEES.
 - a) The Board met with the Minidoka County Commissioners and had lunch with them at the Juvenile Detention Center.
 - b) A tour of the facility included inspection of holding cells, group gathering areas, the recreational area, the education room, and the booking area of the facility.
- 15) 1:10 AM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board