



Cassia County Board of Commissioners

Commissioner Chambers

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Burley, ID 83318

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

Monday, October 28, 2013

The Board of Cassia County Commissioners met in regular session on Monday, October 28, 2013, at 9:00 a.m. in the Commissioner Chambers of the Cassia County Courthouse. Commissioner Christensen reported that he would be late to today's meeting. He arrived at 10:00 a.m.

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:	Department Heads Jay Lenkersdorfer, The News Journal Craig Rinehart, Coroner Patty Justesen, Treasurer Gordon Edwards, Weed Control Dwight Davis, Assessor Chris Jensen, CCSO Grace Wittman, Extension Office

1) 9:03 AM AMENDMENT TO AGENDA

- a) Information was confirmed after posting of the agenda for today's meeting from the State Tax Commissioner regarding amendments to the County 2013 L-1 and L-2 calculations that need approval of the Board.

9:03 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE ADDING TO THE AGENDA DISCUSSION OF AMENDED L-1 AND L-2'S AS INFORMATION CAME IN AFTER POSTING OF THE AGENDA. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- b) Larsen explained that changes with personal property tax exemptions that are new this year created complications and errors with L-1's and L-2's of some taxing districts.

9:33 AM

CASSIA COUNTY COMMISSION

REGULAR SESSION

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MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE AMENDMENTS TO TAXING DISTRICT L-1'S AND L-2'S AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

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, EXTENSION OFFICE, NOVEMBER 15, 2013 ELECTION

a) 9:05 AM CALENDAR

- i) Idaho Institute of Court Management (IICM) for deputy court clerks will be held this week in Boise at the Riverside Hotel.
- ii) CAT Board meeting by phone on Tuesday, October 29, 2013, at 4:30 p.m. for Commissioner Christensen
- iii) Solid Waste Board meeting at 10:00 a.m. Wednesday, October 30, 2013, for Commissioner Christensen
- iv) A funeral for Rudy Bonadiman, the father-in-law of Judge Rick Bollar will be held on Wednesday, October 30, 2013, in Rupert.

b) 9:05 AM CORRESPONDENCE

- i) A forum dialogue for conversations about healthcare reform will be held at the Capital Ballroom of the Marriott City Center Hotel in Salt Lake City, UT on November 8, 2013.

c) 9:05 AM PERSONNEL

i) CHANGE OF STATUS

(1) MINI-CASSIA CRIMINAL JUSTICE CENTER

(a) Increase in rate of pay for Senior Detention Deputy David Luke Wells for pay grade equalization

(2) EXTENSION OFFICE

(a) Temporary employment request for Krista Gammon as a part time office assistant

(3) HISTORICAL SOCIETY AND MUSEUM

(a) Hiring of Jolynn Gummow as a museum curator

9:05 AM

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

d) 10:21 AM APPROVAL OF MINUTES

10:22 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE MINUTES OF THE BOARD FROM OCTOBER 24, 2013. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

e) 9:03 AM CSI RESIDENCY APPLICATIONS

- i) The Board reviewed four CSI Residency applications; three 2013-2014 high school dual credit and one 2013-2014 for CSI.

9:03 AM

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

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f) 10:24 AM	COUNTY PAYABLES		
	CURRENT EXPENSE FUND	104	\$72,724.09
	SOCIAL SERVICES	105	\$1,366.20
	DISTRICT COURT FUND	106	\$1,028.69
	COUNTY ROAD & BRIDGE FUND	107	\$259.99
	REVALUATION FUND	114	\$42.92
	911 COMMUNICATIONS FUND	115	\$3,830.00
	COUNTY ELECTION FUND	116	\$2,909.00
	JUSTICE FUND	130	\$12,307.07
	PHYSICAL FACILITIES FUND	144	\$24,192.00
	ADULT MISDEMEANOR PROBATION	149	\$4,451.26
		TOTAL	\$123,111.22

10:24 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE COUNTY PAYABLES DATED OCTOBER 25, 2013. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

g) 9:06 AM BUILDING AND GROUNDS MATTERS

i) The Board reviewed a quote from Office Depot for three office desk sets in the amount of \$3,800.00. Labor, delivery and installation totaled \$600.00. The quote totaled \$4,400.00.

9:07 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE PURCHASE OF OFFICE DESKS WITH OFFICE DEPOT TOTALING \$4,400.00. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

ii) Larsen suggested and the Board discussed the purchase of a return on the Court Reporter's desk in Courtroom 1 and Courtroom 2.

iii) McMurray reported on the near completion of Public Defender office and that they will move into that office soon. The Board will stop by and look at that office later today.

iv) Scott Wendell from LCA Architects has provided a proposal for drains at the front entry way that the Board will need to consider.

v) Furniture from the courthouse that is no longer being used will be provided for the Public Defender office. Public Defender Dennis Byington offered to sell his some of his furniture. McMurray suggested pursuing the purchase of Byington's legal size filing cabinets for his offering price of \$175.00 where new similar ones would cost \$250.00 plus. Two dozen brown padded chairs remain from the old Juvenile courtroom. McMurray recommended using those as side and waiting room chairs at the Public Defender's office.

vi) Commissioner Kunau discussed the rain gutter solution presented by LCA Architects.

h) 9:11 AM GATEWAY MATTERS

i) BLM apparently is going to just disregard the County's position on the Gateway West alternate route. Attorney Doug Balfour suggested that we prepare to defend our position. Chairman Crane reported that Speaker of the House Scott Bedke is going to talk to the Attorney General's office. Chairman Crane will follow up on that.

ii) Chairman Carne stressed the importance of a follow up meeting with adjoining states and counties prior to Christmas.

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- i) 9:14 AM NOVEMBER 5, 2013 ELECTION MATTERS
 - i) Mail in absentee ballot application requests must be completed by 5:00 p.m. Wednesday, October 30, 2013.
 - ii) Absentee in-person voting must take place prior to 5:00 p.m. Friday, November 1, 2013.
 - iii) The second and final publication for the November 5, 2013, election will be published by Thursday, October 31, 2013.
 - iv) Election Day is Tuesday, November 5, 2013, for City Elections involving Burley, Declo, Malta, Albion, and Oakley as well as the City of Burley Street Levy election.
- 3) 9:16 AM DISCUSS SMOKING POLICY
 - a) Commissioner Kunau read the proposed Resolution No. 2013-22.
 - b) It included no smoking within 20 feet of County building for electronic and tobacco cigarettes.
 - c) Barrus indicated there is no provision to remedy violators.
 - d) Non-County employees could be asked to be removed from the premises. The Board discussed and determined to add that to the policy.
 - e) Adria Masoner indicated that signage regarding the policy could be provided. Commissioner The Board concurred that would be in good taste. McMurray will contact Masoner.

11:14 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE RESOLUTION NO. 2013-22, A NO SMOKING POLICY WITHIN 20 FEET OF COUNTY BUILDINGS. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 4) 9:24 AM DISCUSS ACCEPTANCE OF 1998 CHEVROLET TRUCK FROM THE STATE OF IDAHO
 - a) A 1998 Chevrolet half ton truck is being disposed of by the City of Rocks National Reserve and they are willing to transfer ownership to the County Road and Bridge.
 - b) McMurray provided a picture of the vehicle.
 - c) A one ton truck currently owned by the County Road and Bridge can be auctioned as surplus and this tuck would take its place.
 - d) A fuel pump repair is apparently needed.
 - e) A proposed letter from the County was read by Commissioner Kunau. Idaho Parks and Recreation is providing the vehicle "as is, where is" at no cost.
 - f) A ten calendar day notice of selling of surplus County property precludes selling the existing surplus vehicle at an auction referred to by Commissioner Kunau.

9:28 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO ACCEPT DELIVERY AND TITLE OF THE CITY OF ROCKS TRUCK AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 5) 9:30 AM REVIEW AND EXECUTE PERSONAL SERVICES CONTRACT WITH VETERAN'S SERVICE OFFICER (VSO)
 - a) Barrus indicated that changes with the VSO contract were to be in compliance with IRS regulations for Independent contractors. Language changes as well as the elimination of the exhibit list met with the approval of Minidoka County who had already signed the agreement.

9:31 AM

MOTION: COMMISSIONER KUNAU MOVED TO ACCEPT AND SIGN THE VSO AGREEMENT WITH INDEPENDENT CONTRACTOR GEORGIANNA GREENWELL AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 6) 9:42 AM DISCUSS COURT SECURITY TIME CLOCK

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- a) Larsen indicated that he had discussed the documentation of time cards for court security personnel with Sheriff Heward. Former jail employees, Shippen and Hammond were already accustomed to clocking in and had not when transferred to the Cassia County Judicial Center (CCJC). Heward concurred that it would be appropriate if it worked better for the Auditor's office to have all CCJC security personnel clock in.
 - b) Undersheriff George Warrell concurred to proceed in that manner.
- 7) 9:45 AM DEPARTMENT HEAD MEETING/STATEMENT OF TREASURER'S CASH
- a) GEORGE WARRELL – SHERIFF'S OFFICE
 - i) Warrell reported that they are back to being fully staffed with two new patrol officers that have been hired.
 - ii) They have POST dates set for two corporals.
 - iii) Deputy Potter will be going to POST and Deputy Hammond is going to POST for certification.
 - iv) Two detectives will be attending Prison Rape Elimination Act (PREA) training for investigators.
 - b) PATTY JUSTESEN – TREASURER
 - i) Justesen presented the Treasurer's Statement of Cash for the month of September for review of the Board.
 - ii) They are beginning work with the upcoming tax drive.
 - iii) Tax notices will be printed on or before November 15, 2013.
 - iv) There was a new code area annexed into the City of Burley in June. Pre-calculations indicate that there will be a 70% increase with involved properties due to City levies. It will involve a few properties north of 5th street and some near Park Place. Concerns regarding increased taxes will be referred to the City of Burley for explanation.
 - v) District IV Elected Official meeting will be held at 1:30 p.m. Thursday, November 7, 2013. It will be sponsored by Cassia County and will be held at Courtroom 3 in the CCJC. Commissioners will meet at noon prior to that meeting. Commissioner Christensen will make notifications.
 - c) DWIGHT DAVIS – ASSESSOR
 - i) Davis reported that they are busy revaluations and transient properties.
 - ii) An Agricultural valuation class was hosted at extension office. 20 people from across the State attended for two days.
 - d) JOE LARSEN – CLERK
 - i) Larsen reported on the annual IICM training in Boise for deputy clerks.
 - ii) They are still moving court records from the courthouse to the CCJC.
 - iii) A recent Regional Welfare meeting made it clear that there will not be cutbacks with County obligations for social services. It will necessitate getting additional help in the Clerk's office as Deputy Clerk Susan Keck is currently filling two full time responsibilities with Elections and Social Services.
 - e) AL BARRUS – PROSECUTING ATTORNEY
 - i) McCord Larsen is up and running and doing a great job as a deputy prosecutor.
 - f) KERRY MCMURRAY – ADMINISTRATOR
 - i) McMurray presented September report from the Building Department. There were 22 building permits totaling \$16,847.72 in fees and three manufactured home permits totaling \$587.45 in fees.
 - ii) The Public Defender's office will move computers and phones on Wednesday.

- iii) They are still in the planning stages for the use of the courthouse with all the moves that will take place. Prioritization will be detailed for those changes.
 - g) AMBER PREWITT – ADULT MISDEMEANOR PROBATION
 - i) Not present
 - h) DARWIN JOHNSON – MINI-CASSIA CRIMINAL JUSTICE CENTER
 - i) Johnson reported on maintenance issues. They had to put a new floor drain in the kitchen.
 - ii) Their new maintenance person has been taking care of a lot of repair needs. A pump circulator needs to be replaced that will cost \$2,100.00. The kitchen floor repair job will cost between \$4,000.00 and \$6,000.00 as they had to cut a large piece of concrete and go further than they thought they would have to.
 - iii) Numbers are steady but they are down staff members. Two went to work for the Cassia County Sheriff's Office (CCSO) and others have quit. They currently need to fill four positions.
 - iv) Arraignment video equipment at the MCCJC needs to be replaced. It will cost \$7,200.00 to replace from the company where it was originally purchased from. PMT's cost will be \$4,500. They will be checking with other companies as well.
 - i) GORDON EDWARDS – WEED AND PEST CONTROL
 - i) Edwards reported that they are doing inventory and mapping of 2012 wildfires. There are a lot of weeds that are affecting farmland adjoining the wildfires. He also indicated that they are not getting much cooperation from BLM and the U.S. Forest Service. Some money has been carried over to help. However, roads are being closed that makes it difficult to access.
 - ii) The Kelsaw Road on Black Pine has been closed. The USFS brought in a caterpillar and tore the road up. He indicated that it could have fixed it but instead, they bulldozed the road and destroyed it. It now is a six mile walk in to treat the weeds.
 - iii) They have applied ground sterilant at the shed in Almo and at the fairgrounds. They have the gun range and the Heglar area left to do as well as fall applications on roadways and at the landfill. They have roadside reseeding to do in the Almo area where shoulder work has been done near the park.
 - iv) Where cedar tree removal has taken place on Gem Sage Mountain, weeds need to be cleaned. They have to be selective where it is applied.
 - j) CRAIG RINEHART – CORONER
 - i) Rinehart reported that this month has been quiet.
 - ii) Autopsy agreement with Ada County received back.
 - iii) Rod Draper just got back from death investigation class for child death.
 - k) GRACE WITTMAN – EXTENSION OFFICE
 - i) Wittman reported that they are currently involved with Extension office reporting to the Federal Government and the University of Idaho.
 - ii) They currently have one employee out with a medical situation.
 - iii) Extension Agent Joel Packham has classes with Magic Valley Farm Management coming up.
 - iv) Wittman will begin a new email nutrition class. Others in the State are having success. Cooking 101 classes started last month. Teen parents come to their office for lessons.
 - v) A 4H food curriculum created by Wittman will be used nationwide.
 - vi) Rosie Davids is at State-wide 4H training this week. Restarted the Blue Cross Grant with Cassia High School. They will continue to work with those students after grant is completed.
- 8) 10:30 AM DISCUSS AMENDMENTS TO FOOD AND BEVERAGE POLICY AT CASSIA COUNTY JUDICIAL CENTER

- a) Revisions to the CCJC Food, Snack, and Beverage Policy were discussed.
- b) An exception to the provision was given to judges in their chambers, the designated break room, and water in containers with lids by authorized court facility workers.
- c) An exemption for childcare, medical, or special needs shall be allowed.
- d) Pocket candy and mints will be allowed.
- e) Larsen said that a few employees expressed concerns that they would like to have other beverages at their work station so as not to have to leave to go to the break room but that everyone will comply with the policy as it is adopted.

10:33 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE FOOD, DRINK, AND BEVERAGE RESOLUTION NO 2013-023 AS AMENDED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

9) 10:45 AM DISCUSS VEHICLE USE POLICY

- a) The Board discussed the use of vehicles by patrol officers out of impact area of the City of Burley and for officer who live outside of the County.
- b) Undersheriff George Warrell talked about officers in the community like the policy of the Idaho State Police do. People show up at the homes of officers for help.
- c) Chairman Crane expressed concern about officers using vehicles for personal use. Crane followed the request of Deputy Chris Jensen and did let them know of a breach of the vehicle use policy.
- d) Chairman Crane felt the problem has been corrected but feels the policy should be completed. Crane has a list of officers and there are only three that live outside the impact area, Thompson, Akers, and Turner. Others that live in Rupert and Paul will park their vehicles.
- e) Chairman Kunau said that the original idea is the life of a car and keeping the costs in check. Warrell said he is looking at service, providing the best, and to be a part of the community.
- f) It was pointed out that this is based on today and things change. It needs to be based on standards and not people. Warrell indicated that they encourage officers to live in the County. They use resources wherever possible for domestic issues or DUI's.
- g) McMurray talked to ICRMP and indicated that there is a tax liability for driving vehicles home. It has to be oriented around the County' boundaries.
- h) Commissioner Christensen calculated costs for fuel for driving a certain amount of miles to and from work.
- i) Deputy Jensen said they are in service until they get home. If that is cut away they will have a problem filling needs. They have to ignore designation of "City Division" on patrol cars when they have to respond to calls where the problem is further out in the County.
- j) Commissioner Christensen said the policy could be tried and if it gets out of hand it can be reviewed and changed.
- k) The Board discussed detectives that live outside of the County. Commissioner Kunau felt that detectives that were on call would use vehicle only and others park vehicles at the CCSO. If on duty they should have car along with a supervising lieutenant.
- l) Deputy Jensen talked of the advantage to warm up a car at home over coming to work and warming up the car here and how it may not work. He said that vehicles that just sit here with their radio equipment can create a problem.
- m) The Board determined if anyone lives outside the county, they should leave the patrol car at the CCSO with the exception of leadership officers.

10) 11:02 AM INDIGENT MATTERS

11:02 AM EXECUTIVE SESSION

MOTION: COMMISSIONER KUNAU MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING MEDICAL INDIGENT MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(D). COMMISSIONER CHRISTENSEN 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: 2013082
- b) Release of Medically Indigent Lien: 2013062

11:06 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 11:09 AM.

- c) Keck reported to the Board that welfare services will continue for 18 to 24 months under the current State program. Only 20 to 30 cases will be absorbed and the balance will be handled by the County. Undocumented immigrants are not covered as well. Medicaid will unlikely expand during this session in the election year and may not happen well into 2015.
- d) There will be increased responsibility to hand out material to people that walk through the door as well as to all those on case load.
- e) Additional time for welfare department caseloads went up by 8%. Denials were up a lot, but processing is still needed and takes considerable time.
- f) We had five PCIP cases but have been advised against paying the insurance premium.

11) 11:10 AM DISCUSS BUILDING RENOVATION AT COURTHOUSE AND PRIORITY LIST

- a) McMurray discussed changes in the area where the clerks were where the Prosecutor's offices would be located. It would cost about \$4,180.00 to create two offices. That does include electrical and data drop. Drawings were provided.
- b) Skaggs furniture is working on a bid for carpeting. McMurray estimated that it would cost about \$36,000 to \$38,000 to do the remodeling.
- c) Treasurer Justesen asked about doing the remodeling in stages and that there is a need to consider the money the County has. Bank balances are at a comfortable level. As of the October 25th, \$1,320,878 in checks had been issued. There were \$230,000 in outstanding checks. Two investments that matured that have not been reinvested. She suggested waiting until the first of the year after the tax drive when money is more available.
- d) Barrus and Edwards talked about the Extension office issues and when classes are taking place, it would be difficult to make a move after the first of the year. Al said that any time except December would be a problem according to Extension 4H coordinator Rosie Davids.
- e) It was discussed the amount of time it would take the Extension office to prepare for a move to the courthouse. The former juvenile courtroom was also discussed as a potential kitchen area.
- f) Larsen talked about the storage room under the Adult Misdemeanor Probation office where the Election Automark equipment is stored. It is inconvenient, dangerous, and not secure there.

12) 11:35 AM BLM/USFS

- a) SCOTT NANNENGA – FOREST SERVICE RANGER
 - i) Fuels program was shut down in the area of the cabins and will carry forward next spring.
 - ii) Appeal period for the allotment expires today. Western watershed might appeal.

- iii) A concern of a continued non-compliance for grazing in the Oakley area may necessitate further action.
 - iv) Nannenga reported that there may not be habitat for the yellow billed cuckoo bird. Commissioner Christensen indicated that they have been listed as endangered species. There is a possibility that there may be habitat in the Raft River area.
 - v) Gordon Edwards addressed Kelsaw Road where it has been bulldozed and ripped up. He said it had been open for 100 years. He indicated that they would not be able to do any treatment this spring. Nannenga indicated that it only was closed for public safety. Edwards said that water bars have been ripped with the dozer. Nannenga said it should be opened in two to three years. Edwards said that Scotch Thistle, Nap Weed, and Hounds Tongue is feeding down into private land. Nannenga hadn't looked at the issue but said it is a "Catch 22" of having someone killed on the road or the weed problem. He said he did not have an answer but will not invest \$10,000 to have the road blow out again. Nannenga will check with his range people. Barrus asked him to get back with Gordon.
 - vi) Budget issues are a concern of what they will be doing for FY2014.
 - vii) SRS funding will have a lag time and that is 50% of what has been used by the USFS to treat noxious weeds.
- b) MIKE COURTNEY – BLM DIRECTOR
- i) Courtney discussed the Battle Creek lawsuit regarding the renewal of 20 grazing permits that they weren't able to get to them in a timely fashion.
 - ii) The response to Governor Otter's appeal on Gateway West is in the hands of the Feds. That should take place late this week or early next week along with a Federal Register notice.
 - iii) Castle Rocks climbing area notice should be completed by November 1, 2013.
- 13) 12:00 PM WORKING LUNCH AT THE WAYSIDE CAFÉ WHERE DISCUSSION CONTINUES OF DIFFERENT SCENARIOS FOR PLACEMENT IN THE COURTHOUSE.
- 14) 2:15 PM ADJOURNMENT

APPROVED:

/s/_____

Dennis Crane, Chairman of the Board

ATTEST:

/s/_____

Joseph W. Larsen, Clerk of the Board