



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, September 9, 2013

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

THOSE PRESENT:

County Commissioners:

Dennis Crane, Chairman

Bob Kunau

Clerk of the Board:

Joseph W. Larsen

Prosecuting Attorney:

Al Barrus

County Administrator:

Kerry D. McMurray

Others:

Jay Lenkersdorfer, The News Journal

Jay Heward, CCSO

Darwin Johnson, MCCJC

Dwight Davis, Assessor

Amber Prewitt, Misdemeanor Probation

Patty Justesen, Treasurer

Craig Rinehart, Coroner

George Warrell, CCSO

Ruthe Hobbs

- 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, REVIEW FY2014 AND OTHER BUDGET ISSUES
 - a) 9:05 AM CALENDAR
 - i) Joint Juvenile Probation Meeting at 7:30 a.m. Tuesday, September 10, 2013, in Rupert
 - ii) Joint Jail Meeting at 8:15 a.m. Tuesday, September 10, 2013, in Rupert
 - iii) Political subdivision L-2 Certification by the Board on Monday, September 16, 2013
 - iv) Last day for the clerk of political subdivisions to provide candidates or languages for the November 2013 election is Friday, September 13, 2013

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- v) Last day for write-in candidates to declare candidacy or for withdrawal of any candidates for the November 2013 election is Friday, September 20, 2013
- vi) IAC annual meeting in from September 23-27, 2013 at The Boise Center on the Grove
- b) 9:05 AM CORRESPONDENCE
 - i) SEIDO meeting at 11:00 a.m. Thursday, September 12, 2013, at the CSI Center for Commissioner Kunau
 - ii) RC&D meeting at 11:00 a.m. Friday, September 13, 2013, at Twin Falls County West for Commissioner Kunau
 - iii) Mid Snake Water Commission dinner with legislators on Thursday, September 19, 2013, in Jerome
 - iv) Fair Board meeting Tuesday, September 10, 2013, for Chairman Crane
 - v) City of Rocks 25th Anniversary Celebration to be held on Saturday, September 14, 2013. There will be a formal ceremony from 10:00 to 11:00 a.m. There will also be exhibit booths, a musical concert, and a party at Castle Rocks.
 - vi) The Board met with department heads to review the employee picnic Tuesday, September 10, 2013, at the Masonic Lodge Hall. It will be catered by JB's.
 - vii) Cassia County Judicial Center (CCJC) Open house and tours has been tentatively planned for Friday, September 20, 2013, from 4:00 to 7:00 p.m. Chairman Crane asked department heads present who might want to be hosts for the open house.
- c) 11:27 AM PERSONNEL
 - i) CHANGE OF STATUS
 - (1) MINI-CASSIA CRIMINAL JUSTICE CENTER
 - (a) Nicole Jeneath Stewart – Promotion from Detention Deputy to Senior Detention Deputy with increase in rate of pay.
 - (b) Jacob John Hirsch – Promotion from Senior Detention Deputy to Corporal with increase in rate of pay.

11:28 AM

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

- d) 11:07 AM APPROVAL OF MINUTES

11:07 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM AUGUST 26, 2013. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

12:12 PM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM A SPECIAL MEETING ON AUGUST 29, 2013. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- e) 9:54 AM CSI RESIDENCY APPLICATIONS
 - i) The Board reviewed 46 CSI Residency applications; one CSI for spring 2013, three CSI 2013-2014 high school dual credit, 46 CSI for 2013-2014, and two CWI for 2013-2014.

9:54 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE 46 CSI RESIDENCY APPLICATIONS AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

f) 11:35 AM	COUNTY PAYABLES		
	Cassia County Sheriff's Office Payables		
	911 COMMUNICATIONS FUND	115	\$3,331.23
	JUSTICE FUND	130	\$7,608.09
	**DRUG TASK FORCE	136	\$0.00
	D.A.R.E TRUST	137	\$90.50
		TOTAL	\$11,029.82

**Drug Task Force requests for payment in the amount of \$256.04 was not approved by the Board as it exceeded the FY2013 budgeted fund amount and did not receive prior approval as required.

Other Cassia County Payables

CURRENT EXPENSES	104	\$21,665.23
INDIGENT FUND	105	\$1,094.50
DISTRICT COURT FUND	106	\$1,092.81
COUNTY ROADS & BRIDGES FUND	107	\$1,242.43
WEED & PEST FUND	108	\$10,398.76
REVALUATION FUND	114	\$39.20
COUNTY ELECTION FUND	116	\$1,647.08
COUNTY BOAT LICENSE FUND	117	\$2,067.06
ASSESSOR TRUST FUND	123	\$90.69
JUSTICE FUND	130	\$31,758.50
COURT RESTITUTION FUND	139	\$147.00
PHYSICAL FACILITIES FUND	144	\$315.63
ADULT MISDEMEANOR PROBATION	149	\$3,201.91
	TOTAL	\$74,760.80

11:38 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED SEPTEMBER 9, 2013 AS PRESENTED EXCLUDING DRUG TASK FORCE SUBMISSIONS EXCEEDING THE FY2013 BUDGET TOTALS. CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- g) 9:55 AM COUNTY ROAD AND BRIDGE
 - i) Chairman Crane reported that things were going well with Road and Bridge.
- h) 9:56 AM BUILDING AND GROUNDS MATTERS
 - i) McMurray reported that doors behind the judge's bench in Courtroom #1 and #2 in the CCJC will be changed at the expense of LCA Architects. The cost will be approximately \$700.
 - ii) A bid from Kloepper Concrete for seal coating of the parking lot at the CCJC was discussed. They would be able to complete that by Friday, September 20, 2013.
 - iii) Painting of the curb around the CCJC parking lot a different color than yellow was discussed.
 - iv) Concrete planters were discussed for possible use near the entry and exit doors. The cost would be about \$100 each from Memorial Monuments.
 - v) The Board discussed placement of parking barriers at the former south entrance of the parking lot at the CCJC.
- i) 10:02 AM GATEWAY MATTERS

- i) Chairman Crane reported on his attendance at a meeting at the Bureau.
 - ii) The Board discussed coordination of efforts with Planning and Zoning in all Counties affected by Gateway West. Dan Chadwick to meet with those Counties at 5:30 p.m. on September 25, 2013, during the annual IAC meeting in Boise.
 - iii) Legislative representatives Cameron, Bedke and Wood have been invited as well as Mr. Chatburn from Governor Otter's office.
 - iv) Barrus will check to see if a representative from the Attorney General's office would be present.
- j) 10:14 AM REVIEW FY2014 AND OTHER BUDGET ISSUES
- i) Discussion of some minor changes in the FY2014 budget will be reviewed by Larsen, Barrus, and McMurray.
- 2) 9:23 AM DISCUSS DIAMONDFIELD JACK BOOKS
- a) Chairman Crane requested that the County purchase a box of the Diamondfield Jack books written by former Representative Max Black to have available in the County.
 - b) It was determined to sell them for \$12 each.
- 3) 9:15 AM DISCUSSION OF VETERANS SERVICE OFFICER (VSO) CONTRACT AND COSTS
- a) Minidoka County provided a fax/copy machine and requested that Cassia County provide the cost for installing the line-share device.
 - b) Barrus reviewed with the Board a revised Personal Services Contract with Independent Contractor for the Boards from both Minidoka and Cassia Counties to approve. The ongoing contract is with Georgianna Greenwell and was revised to clarify provisions making clear the agreement is for contractor services.
 - c) Two copies of the contract were prepared where it is a joint agreement with both Minidoka County and Cassia County.

9:31 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE JOINT VSO CONTRACT AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

9:31 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE PAYING THE COSTS OF INSTALLTION OF THE FAX/COPY MACHINE FOR THE VSO THAT WAS PROVIDED BY MINIDOKA COUNTY. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 4) 9:32 AM STARR CORPORATION RE-EXTENDED CONDITIONS
- a) McMurray went over Requests for Proposals for extended conditions with the construction of the CCJC. The RFP signed by the County, Starr Construction, and LCA Architects indicated that there would be 0 days added to Starr Construction's completion date for work relating to truss repairs and changes in the IT room. The County holds the position and are asking for liquidated damages of \$11,000 (\$500 per day according to the contract) from Starr Construction.
 - b) Jason Derricott from Starr Construction provided information and indicated that he felt it was the understanding from discussion in a meeting that there would be an extension of time to complete the additional work. Minutes from the meeting were included with the exhibits.
 - c) Chairman Crane suggested that the matter be taken under advisement.
 - d) Concerns regarding the shunt trip was also discussed.
 - e) Roof leaks during the last couple of storms were discussed. The roof manufacturer will conduct a walk through to sign off as acceptable the installation of the roof.

- f) The Board is still exploring remedies with LCA Architects water drainage directly on the walkway of the north and south entrance and exit. Commissioner Kunau indicated that the County was not satisfied with LCA's original suggestion.

5) 9:45 AM ES&S AGREEMENTS FOR VOTING EQUIPMENT AND SOFTWARE

- a) Larsen reported on the negotiations that have taken place in the past several months in between Hart Intercivic and ES&S for polling place location tabulators to replace our current central tabulator that is nearing the end of its useful life.
- b) Approval was requested to purchase 18 digital scan DS200 polling place tabulators and associated services, trade-in allowance on the County's M650 central tabulator, and shipping that totals \$101,140.00.
- c) Approval was also requested to purchase 18 ExpressPoll 5000 electronic poll books along with associated equipment, services, and shipping that totals \$38,207.80.

9:48 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE DS200 POLLING PLACE TABULATORS AT \$101,140.00 AND EXPRESSPOLL 5000 EQUIPMENT AT \$38,207.80 AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

6) 10:15 AM MCCA REPORT/WINSTON INOUE

- a) Inouye reviewed with the Board his Executive Summary for the 2nd Quarter of 2013.
- b) He has been working with the City of Rupert as well as the City of Burley for a potential project that could bring 150 to 200 jobs to the area.
- c) He reported on the Idaho Freight Advisory Committee formed through the Idaho Transportation Department to assist with those issues which relate to economic growth potential.

7) 10:30 AM REVIEW AND APPROVE TAXING DISTRICTS L-2 EXTENSION

- a) Requests were submitted from the Sublett Cemetery, the View Cemetery, and the Cassia School District to extend their deadlines until next Board Meeting for L-2 approvals as allowed by statute.
- b) Considerable issues have come up with changes in the personal property tax exemption at the State Tax Commission level.

10:32 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE REQUEST AS PRESENTED FOR L-2 EXTENSIONS. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

8) 10:33 AM EXECUTIVE SESSION – EVALUATION OR COMPLAINT AGAINST PUBLIC EMPLOYEE

10:33 AM EXECUTIVE SESSION

MOTION: COMMISSIONER KUNAU MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING EVALUATION OR COMPLAINT AGAINST A PUBLIC EMPLOYEE UNDER IDAHO CODE SECTION 67-2345(1)(B). CHAIRMAN CRANE SECONDED THE MOTION. 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 10:59 AM.

9) 11:00 AM REVIEW PROPOSED LAW ENFORCEMENT AGREEMENT WITH THE CITY OF BURLEY

- a) Agreement amendments were made by Barrus and reviewed by McMurray.
- b) City of Burley attorney David Shirley desires to look over the contract before any action is taken.
- c) McMurray explained the changes as follows:
 - i) The agreement will expire on September 30, 2015 unless renewed.

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- ii) Some language was eliminated that does not apply any more.
- iii) The number of patrol officers was reduced from 15 to 14.
- iv) In the future, negotiations would begin in March and the contract is to be in place by July 15, 2015. In the event the contract agreement is not in place by that date, both parties can then make plans for changes effectuated by the non-renewal of the contract.

10) 11:13 AM INDIGENT MATTERS

11:13 AM EXECUTIVE SESSION

MOTION: COMMISSIONER KUNAU 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 KUNAU VOTING IN THE AFFIRMATIVE.

Welfare Director Susan Keck presented the following:

- a) Certificate of Denial on Case #2013054, #2013055, #2013057, and #2013059
- b) Notice of Lien and Application for Medically Indigent Benefits on Case #2013072
- c) Order of Dismissal on Case #2012109 and #2013027
- d) Notice of Continuance of Hearing on Case #2011057, #2012126, #2012127, and #2013007
- e) Release of Medically Indigent Lien on Case #2012109, #2013027, and #2013053

11:25 AM

MOTION: COMMISSIONER KUNAU 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 11:26 AM.

11) 11:08 AM REVIEW PATHOLOGY SERVICES AGREEMENT WITH ADA COUNTY

- a) The Board reviewed An Agreement for Pathology Services Between Cassia County and Ada County
- b) Cost includes \$1,350.00 per autopsy plus toxicology at cost and X-rays according Ada County's Set fee schedule.
- c) There will be an \$800 charge for each inspection plus the same toxicology and X-ray expenses.
- d) There will also be a \$110 charge for each body that comes into the Ada County Coroner's Office.
- e) A body left over 24 hours at their facility will incur a charge of \$65 per day.
- f) If a body is released directly to a mortuary, there will be a \$50 handling fee.

11:12 AM

MOTION: COMMISSIONER KUNAU MOVED TO ACCEPT AND SIGN THE PATHOLOGY AGREEMENT WITH ADA COUNTY AS PRESENTED AND DISCUSSED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

12) 11:28 AM REVIEW AND EXECUTE BUSINESS ASSOCIATE AGREEMENT WITH MBA

- a) McMurray explained to the Board the MBA Benefit Administrators, Inc. Form Business Associate Addendum Minimum Legal Requirement (revised as of April 3, 2013) between Cassia County and business associate Bowen Insurance Group.
- b) The nature of the Administrative Services Agreement is for HIPAA requirements and confidentiality assurance.

11:29 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SIGN THE ADMINISTRATIVE SERVICES AGREEMENT AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

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- 13) 11:30 AM ADMINISTRATOR REVIEW WITH BOARD OF COUNTY COMMISSIONERS USE OF COURTHOUSE
- a) The Board discussed the use of the new CCJC and it was determined by the Board that non-court related requests for facility use would take place at the current courthouse.
 - b) It was also determined by the Board that if any use of the CCJC was approved by the Board it would include the requestor's responsibility for security costs associated with the use.
- 14) 12:10 PM WORKING LUNCH AT ANGELA'S RESTAURANT INCLUDED PREPARATIONS FOR A REVIEW WITH THE ROAD AND BRIDGE DEPARTMENT
- 15) 2:15 PM ROAD AND BRIDGE FALL WORK REVIEW
- a) The Board travelled to Almo to conduct a Road and Bridge Fall Review.
 - b) The Board discussed with Road and Bridge supervisor Sam Adams a required reduction in the FY2014 budget reflected by the loss of grant money for magnesium chloride treatment of roads.
 - c) Adams went over items of concern with the FY2014 budget and his plan for fall work.
- 16) 4:55 PM ADJOURNMENT

APPROVED:

/s/_____

Dennis Crane, Chairman of the Board

ATTEST:

/s/_____

Joseph W. Larsen, Clerk of the Board