



Cassia County Board of Commissioners

Commissioner Chambers

1459 Overland Ave.

Burley, ID 83318

www.cassiacyoung.org

Board Chairman:

Dennis Crane

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

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

Monday, April 21, 2014

The Board of Cassia County Commissioners met in regular session on Monday, April 21, 2014, 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
	Others:	Ruthe Hobbs Jay Lenkersdorfer, The News Journal Jay Heward, Sheriff George Warrell, Undersheriff Darwin Johnson, MCCJC Doug Pickett Patty Justesen, Treasurer Todd Quast, GIS/Mapper Brent Funk David Funk Laurie Welch, The Times News
	South Central Public Health District:	Jeff Pierson, Scott Arnell, Adria Masoner, Rene LeBlanc, and Linda Montgomery

- 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) Joint Public Defender Meeting at 7:30 a.m. Tuesday, April 22, 2014, in Burley
 - ii) Joint Jail Meeting at 8:00 a.m. Tuesday, April 22, 2014, in Burley

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- iii) DARE graduation for 5th graders will be held at 7:00 p.m. Thursday, May 1, 2014, at the King Fine Arts Center
 - iv) DL Evans Corporate office open house and ribbon cutting from 4:00 to 6:00 p.m. Friday, April 25, 2014, with ribbon cutting at 4:30 p.m.
 - v) Drug Court graduation at 6:30 p.m. on Wednesday, April 23, 2014, at the CSI Fine Arts Auditorium
 - vi) CAT Board meeting Tuesday afternoon, April 22, 2014 in Boise for Commissioner Christensen
 - vii) Idaho Association of Counties (IAC) Board meeting April 23-24, 2014, in Boise for Commissioner Christensen
 - viii) South Central Community Action meeting on Thursday, April 24, 2014, in Twin Falls for Commissioner Kunau
 - ix) Mid-Snake Resource Conservation and Development (RC&D) on Friday, April 25, 2014, in Twin Falls for Commissioner Kunau
- b) 9:05 AM CORRESPONDENCE
- i) E-mail from the State of Idaho regarding the Mormon Cricket and what type of bait can be used for eradication
 - ii) A Burley Development Authority (BDA) letter from Larry Roberts was received about holding a meeting to discuss transfer of powers from Cassia County to BDA for the Urban Renewal (UR) area for McCain's. The County representatives can attend that meeting at 12:00 p.m. Friday, April 25, 2014.
 - iii) Letters from the Idaho Transportation Department requesting notification by April 24, 2014, if there is any tax obligations due from RailCo-LLC or Pavement Markings Northwest, Inc.
- c) 9:14 AM PERSONNEL
- i) CHANGE OF STATUS
 - (1) SHERIFF'S OFFICE
 - (a) Hiring of Joshua B. Crockett as a Deputy Patrolman
 - (b) Promotion of Chris Weber from Patrolman to Senior Patrolman with an increase in rate of pay
 - (c) Promotion of Michael Akers from Patrolman to Senior Patrolman with an increase in rate of pay
 - (d) Promotion of Brian K. Hunsaker from Patrolman to Senior Patrolman with an increase in rate of pay
 - (e) Promotion of Brynn Reusze from Patrolman to Senior Patrolperson with an increase in rate of pay
 - (f) Promotion of Antonio Bernad from Patrolman to Senior Patrolman with an increase in rate of pay
 - (2) MINI-CASSIA CRIMINAL JUSTICE CENTER (MCCJC)
 - (a) Hiring of Sonia Rico as a Detention Deputy with ratings for physical fitness and bilingual language/interpreter
 - (3) FAIR AND RODEO
 - (a) The Board reviewed the final Employee Time Sheet of Cory Parish

9:17 AM

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

(4) Chairman Crane asked MCCJC supervisor Darwin Johnson if McWork could help with grounds maintenance at the fairgrounds following the voluntary resignation of Cory Parish last week.

d) 12:10 PM APPROVAL OF MINUTES

12:10 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE MINUTES OF THE BOARD FROM APRIL 14, 2014. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

e) 9:12 AM JUNIOR COLLEGE RESIDENCY APPLICATIONS

i) The Board reviewed seven Junior College Residency Applications; six adult CSI applications and one high school dual credit application.

9:12 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE SEVEN JUNIOR COLLEGE RESIDENCY APPLICATIONS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

f) 12:09 PM COUNTY PAYABLES

CURRENT EXPENSES	104	\$4,921.06
INDIGENT FUND	105	\$175.55
DISTRICT COURT FUND	106	\$510.47
COUNTY ELECTION FUND	116	\$1,021.28
ASSESSOR TRUST FUND	123	\$400.38
JUSTICE FUND	130	\$30,775.10
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$300.00
PHYSICAL FACILITIES FUND	144	\$1,930.70
ADULT MISDEMEANOR PROBATION	149	\$2,349.06
	TOTAL	\$42,383.60

12:09 PM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED APRIL 21, 2014. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

g) 9:21 AM COUNTY ROAD AND BRIDGE

i) Snow fences have all been taken down now.
ii) They are currently working on cattle guards.

h) 10:05 AM BUILDING AND GROUNDS MATTERS

i) The floor where the Commissioner's dais area in their new chambers is completed. A ramp will be built on the south side of that area and carpeting will follow. Once completed, the Board will move their chambers to that area.
ii) The Administrative Office relocated to the former Magistrate Court area this past Thursday and Friday.
iii) R.B. Higgins is putting together a quote for the downstairs Extension office area where the Administration office was located.
iv) Flag poles have been moved at the Cassia County Judicial Center (CCJC) but there is a dent in one pole that needs to be addressed.

- i) 9:21 AM GATEWAY MATTERS (no matters)
- 2) 9:22 AM BOARD OF EQUALIZATION (BOE) (no matters)
- 3) 9:23 AM REVIEW AND EXECUTE ADDENDUM WITH SAFRAN FINGERPRINT MACHINE MAINTENANCE AGREEMENT
 - a) The annual maintenance agreement with Safran in the amount of \$6,042.00 has been budgeted for and is the same amount as has been for the past two years according to MCCJC supervisor, Darwin Johnson.

9:23 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE ANNUAL RENEWAL OF THE 9/5 MAINTENANCE AGREEMENT ADDENDUM WITH SAFRAN FOR THE FINGERPRINT EQUIPMENT AT THE MCCJC. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 4) 9:15 AM MCCJC PHARMACEUTICAL BID OPENING
 - a) Two bids were received for the MCCJC Pharmaceuticals. The process had been delayed a week to give bidders an opportunity to respond. The two respondents included:
 - i) Westwood Pharmacy from Richmond, Virginia
 - ii) Diamond Pharmacy Services from Indiana, Pennsylvania
 - b) McMurray indicated that the two proposals would now need to be reviewed to determine if they meet the requirements of the request for bids. Bids will be reviewed by jail personnel and discussed at a later Board meeting.
- 5) 9:39 AM TAX DEED HEARING ON THOMAS L. VAUGHAN AND DEBBIE VAUGHAN PROPERTY
 - a) The Board went on the record at 9:39 a.m. Chairman Crane asked those present to introduce themselves and turned the meeting over to Prosecutor Barrus to conduct the hearing.
 - b) Those present included the Board, the Administrator, the Prosecutor, the Clerk, and the Treasurer.
 - c) Treasurer Justesen presented an Affidavit of Compliance certifying full adherence to the provisions of Idaho Code 63-1005.
 - d) A Tax Deed was prepared and signed by Treasurer Justesen for Parcel Number RPBB001106022A and was verified and signed by Recorder Larsen.
 - e) Barrus noted that the tax deed parcel has serious environmental issues and that point needs to be made clear at the time of the tax deed sale. He also requested that the sale documents include a copy of the environmental report on the commercial property.

9:44 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND ORDER THE TAX DEED SALE OF PARCEL NUMBER RPBB001106022A AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- f) The date of the tax deed sale was set for 10:00 a.m. Monday, June 2, 2014, as part of the regularly scheduled Board meeting.
- 6) 9:46 AM FLAG COMMITTEE RAVEN/SAGE GROUSE ISSUE
 - a) Commissioner Gerber from Elko County made a presentation to the FLAG Committee in regards to the issue of depredation of ravens. FLAG Chairman Doug Pickett briefed the Board on Gerber's presentation regarding the study and impact on Sage Grouse eggs from ravens.
 - b) Todd Black, a former professor at Utah State University and now a conservation officer is conducting a study with placement of poisoned eggs during Sage Grouse nesting for Elko County that only affects where ravens perch.

- c) Putting in place an MOU, wildlife services could place the poison eggs to help defray costs to the County with a similar program to what Elko County has implemented.
 - d) Pickett indicated that a resolution would be needed to declare ravens a nuisance to the Sage Grouse population. They would also need to petition that ravens be removed from the Migratory Bird Act. The FLAG Board unanimously passed to put into place the resolution and do the petitions as Elko County has done.
 - e) McMurray indicated that influences specific to Idaho rather than Nevada should be reflected in the resolution from information that could be provided by the Weed and Pest Department.
 - f) It has been proven that this process has increased the Sage Grouse population. Data in our area needs to be collected and then that information needs to get out according to Pickett.
 - g) Pickett indicated that ranchers on the Goose Creek drainage are in favor of participating and County Mapper Todd Quast was asked to work with Pickett in creating a map for the project.
 - h) Chairman Crane expressed appreciation for the cooperation of Box Elder County and Elko County which has been very helpful. Elko County will provide the initial poison eggs for the project.
 - i) Pickett said another meeting outlining the implementation of the pilot program will be scheduled to involve those who haven't been able to attend.
- 7) 10:30 AM CONCEALED WEAPONS CLASS DISCUSSION
- a) A citizen called expressing concern that the Sheriff's office is conducting a concealed weapons class which is competition with his private business.
 - b) Sheriff Heward said they have had two classes and they plan to conduct two more classes. The Idaho Sheriff's Association has determined that getting as many people qualified as possible is important. Minidoka County Sheriff Eric Snarr is also conducting classes.
 - c) Heward indicated that there is a cost of \$338.00 per class for time of instructors and that training fits within the Sheriff's budget as a public service to the community. There are no costs at the gun range or classroom. Participants also bring their own firearms and ammunition
 - d) Chairman Crane indicated that the Board would give the concerned citizen an opportunity to meet with the Board if he so chooses.
 - e) McMurray's review of Idaho statute concerning concealed weapons permits indicated that recipients of that permit must have training. The statute authorizes training be done by instructors that are certified by the National Rifle Association or by the Idaho Peace Officers Standards and Training Council. It may include law enforcement officers with appropriate certification.
- 8) 10:45 AM CAFO ORDINANCE CONCERNS
- a) Brent Funk from Magic Milk Dairy, Inc. presented to the Board his concerns with his business's CAFO requirements where they are located near the border of the County.
 - b) He expressed that Cassia County restrictions are tougher than any other county in Idaho regarding animal units. He compared our requirements with Twin Falls, Jerome, and Minidoka Counties. He felt the County was stepping out of their jurisdictional bounds.
 - c) The procedure for change was to have a petition filed for a change of ordinance with Planning and Zoning, who would then hold a public hearing and make recommendations to be presented to the Board of County Commissioners. The Board would then hold another public hearing on the matter.
 - d) It was pointed out that nutrient management plan requirements do not belong to the County, but rather the State.

- e) Funk indicated that the restrictions discourage and cripple the industry. Christensen pointed out that a balance needs to be maintained with other agricultural needs.
- f) David Funk indicated that the free market should dictate the matter rather than restrictions as currently in Cassia County.

9) 11:12 AM INDIGENT MATTERS

11:12 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) Case Presentation: 2014026, 2014015
- b) Certificate of Denial: 2014018, 2014029
- c) Certificate of Approval: 2014021, 2014037

11:27 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 11:28 AM.

10) 11:28 AM SOUTH CENTRAL PUBLIC HEALTH DEPARTMENT (SCPHD) – BUDGET PROPOSAL

- a) Linda Montgomery, the Board of Health Chair of the SCPHD introduced the Board. They discussed the approval of appointment of a representative on their Board from Cassia County's. Don Clark has been serving on that Board.
- b) Rene LeBlanc presented the budget proposal which included a 3% increase for FY2015. That increase is due to employee insurance cost increases. They have attempted to reduce expenditures through attrition as they have done in the past and they are down in personnel.
- c) Adria Masoner presented benefits of services of the SCPHD prevention programs she is working with. This past year their focus was with smoking cessation. Help was provided to the Cassia County Fairgrounds in posting areas of "No Smoking." Masoner will visit with the Fair Board for ongoing desires to limit or eliminate smoking there. She will also continue working with the County for appropriate posting of "No Smoking" buffer zone areas.
- d) A free meeting with parents and children regarding communication about sex matters was recently held by Masoner. District 5 has the highest teenage pregnancy rate even though those numbers are decreasing.
- e) Heidi Cranney was hired to work with mobile food vendors which will include translation to Spanish.
- f) Scott Arnell works with land programs primarily dealing with food and septic issues. He indicated there are ten new septic employment installers that have been approved for this area.
- g) Linda Montgomery finalized the presentation to the Board by informing them as to how SCPHD disseminates information from their Board meetings to the County.

12:30 PM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING EMPLOYEE MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(B). COMMISSIONER KUNAU SECONDED THE MOTION. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE,

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**COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE
AFFIRMATIVE. THE BOARD RETURNED TO REGULAR SESSION AT 4:50 PM.**

11) 4:50 PM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board