



# Cassia County Board of Commissioners

*Commissioner Chambers*

*1459 Overland Ave.*

*Burley, ID 83318*

[www.cassiacounty.org](http://www.cassiacounty.org)

**Board Chairman:**

*Dennis Crane*

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**Board Members:**

*Paul Christensen (District #1) ~ [pchristensen@cassiacounty.org](mailto:pchristensen@cassiacounty.org)*

*Bob Kunau (District #2) ~ [bob.kunau@cassiacounty.org](mailto:bob.kunau@cassiacounty.org)*

*Dennis Crane (District #3) ~ [dcrane@cassiacounty.org](mailto:dcrane@cassiacounty.org)*

Monday, April 28, 2014

The Board of Cassia County Commissioners met in regular session on Monday, April 28, 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:	Spencer McClain Jay Heward, Sheriff George Warrell, Undersheriff

1) 9:01 AM AMENDMENT TO AGENDA

**9:02 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO ADD DISCUSSION OF CAFO ANIMAL RESTRICTIONS AND THE JACKSON AREA HERD DISTRICT FOLLOWUP AS INFORMATION CAME IN AFTER THE AGENDA WAS POSTED ON BOTH MATTERS. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- a) Confined Animal Feeding Operation (CAFO) MEETING DISCUSSION
  - i) Chairman Crane talked to David Funk regarding CAFO requirements and Funk's recommendation was to increase the County animal unit limitation from two to five units per acre to not be as restrictive.
  - ii) The only two dairy landowners that this involves currently are David Funk and Brent Funk.
  - iii) McMurray said that the two animal units per acre limitation arose from University of Idaho information. It seems to work well as it prevents concentrated groups of animals placed next to each other, providing some buffer area between CAFOs.
  - iv) It was pointed out that each county has their own philosophy on limitations and procedures.
  - v) Commissioner Christensen expressed that to keep good air quality we should keep the limitation as it currently is at two animal units per acre.

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- vi) Commissioner Kunau recommended getting copies of CAFO agreements from Jerome, Gooding, and Twin Falls Counties. Commissioner Christensen asked McMurray to talk to Jerome and Gooding County's Planning and Zoning to get more detail.
- b) HERD DISTRICT DISCUSSION
  - i) Barrus followed up on contacting Herd District Committee members as requested by the Board at their last meeting to set up a meeting on June 2, 2014. Tom Geary cannot be at the meeting as he will be out of town. Lex Godfrey could be there later in the afternoon. He was never able to talk to Paul Marchant. Rick Wrigley accepted the invitation to serve on that Committee.
  - ii) The Board determined to go ahead and meet at 3:00 p.m. Monday, June 2, 2014, and provide information to Tom Geary.
- 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) DARE graduation for 5<sup>th</sup> graders will be held at 7:00 p.m. Thursday, May 1, 2014, at the King Fine Arts Center
    - ii) Southern Idaho Solid Waste District luncheon to celebrate their 20<sup>th</sup> Anniversary will be on Tuesday, May 20, 2014, in Twin Falls.
    - iii) Cassia Regional Medical Center will have their board meeting on Wednesday, April 30, 2014
    - iv) Employee Benefits Executive Committee will be held at 10:00 a.m. Thursday, May 1, 2014 to discuss employee insurance matters
    - v) Special South Central Community Action meeting will be held in Twin Falls on April 29, 2014.
    - vi) Cassia Republican Central Committee meeting will be held at 8:00 p.m. Tuesday, April 29, 2014, in the Commissioner Chambers
    - vii) Primary Election Day will be Tuesday, May 20, 2014; polls open from 8:00 a.m. to 8:00 p.m. on that day
    - viii) Larsen asked that discussion of the FY2015 budget be placed on the agenda each week until the budget hearing in August.
  - b) 9:05 AM CORRESPONDENCE
    - i) Thank you card from Linda Cutler to the Board following her retirement
    - ii) 2013 Selected Facts and Figures brochure from the Idaho Transportation District
    - iii) A letter from the Idaho Emergency Communications Commission (IECC) soliciting a letter of recommendation for someone to serve on the Next Generation 9-1-1 task force
  - c) 10:26AM PERSONNEL
    - i) CHANGE OF STATUS
      - (1) MINI-CASSIA CRIMINAL JUSTICE CENTER
        - (a) Increase in rate of pay for Jason Loveless for POST Level III Certification
        - (b) Hiring of Alyssa Marie Hall as a Detention Deputy plus fitness benefit for meeting prescribed requirements.

**10:26 AM**

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

d) 10:25 AM APPROVAL OF MINUTES

**10:25 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM APRIL 21, 2014. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- e) 10:25 AM JUNIOR COLLEGE RESIDENCY APPLICATIONS (no matters today)
- f) 11:43 AM COUNTY PAYABLES

CURRENT EXPENSES	104	\$13,091.72
INDIGENT FUND	105	\$193.46
DISTRICT COURT FUND	106	\$154.78
COUNTY ROADS & BRIDGES FUND	107	\$2,213.15
COMMUNITY COLLEGE FUND	113	\$125,900.00
911 COMMUNICATIONS FUND	115	\$375.00
COUNTY ELECTION FUND	116	\$1,575.00
JUSTICE FUND	130	\$26,031.15
PHYSICAL FACILITIES FUND	144	\$5,280.87
ADULT MISDEMEANOR PROBATION	149	\$4,188.32
	<b>TOTAL</b>	<b>\$179,003.45</b>

**11:43 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED APRIL 28, 2014. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- g) 10:27 AM COUNTY ROAD AND BRIDGE
  - i) Road and Bridge will work with the Oakley Highway District to gravel the Birch Creek Road and the City of Rocks road.
- h) 11:44 AM BUILDING AND GROUNDS MATTERS
  - i) Joel Packham submitted some drawings and descriptions of what the desires of the Extension office has for preparing to move to the basement of the Courthouse. That will be used as a basis for McMurray to work with.
  - ii) The Board discussed County furniture from the Weed and Pest Department.
  - iii) Larsen discussed with the Board inventory control through the Auditor’s office with the move and repurposing of office items.
  - iv) McMurray reported on the cost for electronic security locks the Prosecutor’s office and the Adult Misdemeanor Probation office which totaled \$13,877.00 for five doors. McMurray recommended using keys.
- i) 10:26 AM GATEWAY MATTERS (no matters)

**9:05 AM EXECUTIVE SESSION**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PENDING LITIGATION UNDER IDAHO CODE SECTION 67-2345(1)(B). COMMISSIONER KUNAU 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 9:11 AM.**

3) 9:13 AM BOARD OF EQUALIZATION (BOE) (no matters)

- 4) 9:13 AM DOMESTIC VIOLENCE COURT AND UPCOMING TRAINING
- a) Drug Violence Coordinator Kristy Rasmusson discussed free local training of court and law enforcement officers that will be condensed into two sessions in one day. She encouraged the involvement of those local officers.
  - b) Rasmusson expressed concern regarding the number of non-fatal strangulations that have occurred locally.
  - c) Sheriff Heward indicated that he didn't have sufficient funds in his budget to pay for overtime and backup to have his officers go to the training. He also said they have already had training in domestic violence and that the assessment tool is just another form to have to fill out that they had done in the past but had moved beyond that.
  - d) Heward further stated that officer training does include arrest procedures for domestic violence and that the CCSO has a no tolerance policy. If they need to be arrested, they will do that.
  - e) Barrus said that there is a new law regarding non-death strangulation and that they prosecute them hard.
  - f) Heward said the CCSO officers will arrest and charge non-death strangulation cases.
  - g) Rasmusson said the training has to be provided by the State of Idaho.
- 5) 9:31 AM DELIBERATE ON LIGHTING PURCHASE REQUEST FOR Mini-Cassia Criminal Justice Center (MCCJC)
- a) Johnson presented an email from MCCJC Maintenance Supervisor that four of eight lights in the recreation yard area of the jail had burned out ballasts or starters.
  - b) They desire to convert over to LED lights and there may be some programs with Bonneville Power that will help with the financial costs of changing all of their lighting.
  - c) Johnson indicated that there are sufficient funds in his overall "B" budget to take care of it, but the line item for repairs was depleted with needed kitchen equipment purchases.
  - d) Larsen requested that the costs be incurred in the appropriate line item even though it may be over what is budgeted as that helps with budgeting for subsequent years.

**9:38 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO ALLOW THE PURCHASE OF LED LIGHTS AT THE ESTIMATED COST AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 6) 9:39 AM DELIBERATE ON PHARMACEUTICAL BIDS AND PROCESS FOR MCCJC
- a) McMurray indicated that the current pharmaceutical provider for the MCCJC, Omnicare had called and had missed the opportunity to bid as the Request for Proposal (RFP) that they had reviewed detailed that they had until August to do so.
  - b) They desired to be involved in the bid process as they have provided that service for the past 10 years to the MCCJC. They had inadvertently received an earlier draft of the RFP from the County that included the August date. The approved RFP included changes for an earlier deadline date.
  - c) Barrus indicated that Omnicare could make an issue of not having an opportunity to bid under those circumstances if they desired to.
  - d) The pharmaceutical contract ends the end of September.

**9:43 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO EXTEND THE SUBMISSION DEADLINE FOR OMICARE TO GIVE THEM A COUPLE OF WEEKS TO PROVIDE A COMPLETED RFP TO THE COUNTY AS THEY HAVE REQUESTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 7) 9:43 AM DELIBERATE ON RESOLUTION NO. 2014-08 REGARDING DESTRUCTION OF SEMI-PERMANENT MAGISTRATE COURT RECORDS
- a) Barrus reviewed the resolution and concurred with the proposed resolution for destruction of semi-permanent court records from the courts.

**9:44 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE RESOLUTION NO. 2014-08 AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 8) 9:45 AM DEPARTMENT HEAD MEETING
- a) JAY HEWARD – SHERIFF
- i) Heward reported on statistics services provided by the CCSO.
  - ii) Deputy Sheriff Bret Wood has retired.
  - iii) Two deputies are currently in training, two employees are out on maternity leave, and one deputy is doing light duty with a shoulder injury.
- b) LISA HEISEL – TREASURER’S OFFICE
- i) Treasurer Justesen was not able to be in attendance as she is on vacation.
  - ii) Their office will have 2<sup>nd</sup> payment tax notices ready to mail by May 9<sup>th</sup> and they will mail them out on May 16<sup>th</sup>.
  - iii) They have one warrant of distraint out and one tax deed sale scheduled.
  - iv) 85% of water district fees have now been paid.
  - v) Heisel presented the April 2014 Statement of Treasurer’s Cash as well as an Urban Renewal financial report.
- c) DWIGHT DAVIS – ASSESSOR
- i) Davis reported that they are currently 3 to 5 percent below their budget.
  - ii) The deadline for Homeowner’s Exemption has now passed.
  - iii) Revaluation and assessment notices should be complete and will be mailed out after Memorial Day.
- d) JOE LARSEN – CLERK
- i) Larsen reported on the upcoming May 20, 2014, Primary Election. Early voting will begin at the courthouse a week from today.
  - ii) Budgeting for FY2015 has begun.
- e) AL BARRUS – PROSECUTING ATTORNEY
- i) Barrus reported on some big trials that are coming up including a murder trial in July.
  - ii) Their office has now finished the move into the courthouse.
- f) KERRY MCMURRAY – ADMINISTRATOR
- i) McMurray provided the Board with the March 2014 Building Report which included four Agricultural Siting Permits and 10 Building Permits.
  - ii) There will be a Planning and Zoning hearing on May 15<sup>th</sup> on ordinance amendments. One is in regard to an acre of ground dedicated for each dwelling. Another includes performance requirements of siting for overhead transmission lines.
  - iii) Their office has concluded their move to the second floor this past week.
  - iv) Building will take place this week in the room that has been designated as the new Commissioner Chambers and hopefully will be ready soon for the move.
  - v) Work will soon begin for the Extension office on the basement level of the courthouse.
- g) AMBER PREWITT – ADULT MISDEMEANOR PROBATION

- i) Newly hired probation officer, Angel Barboza is coming along well with his training. He will take on his own probation clientele soon.
  - ii) An audit report was received from Greg Orlando from Coeur d'Alene on Adult Misdemeanor Probation procedures. That had been precipitated from a complaint regarding drug testing procedures. Some small adjustments have been made but according to Orlando, the program is working fine.
- h) DARWIN JOHNSON – MINI-CASSIA CRIMINAL JUSTICE CENTER
- i) Total inmate population at the jail is currently 159 which 71 of them are paying clients.
  - ii) Johnson is negotiating currently with ICE in Salt Lake City, Utah for an increase in pay for their holds. Current they are proposing \$75.00 per day and the U.S. Marshall's pay \$67.00.
- i) GORDON EDWARDS – WEED AND PEST CONTROL
- i) Edwards has met with Box Elder County regarding the Naf road and problems with weeds that are coming off private land.
  - ii) They have met with road districts regarding weed problems and working out times to take care of issues.
  - iii) Weed and Pest has worked also with the City of Burley to take care of puncture vine issues.
  - iv) They are meeting with the US Forest Service and BLM regarding access to their areas.
  - v) Scotch Thistle is a real problem this year.
  - vi) They are working on data requirements for Fish and Wildlife. They will receive \$5,000.00 from them for weed treatment on the Idaho border.
  - vii) The spray crew will be out working in the next few weeks.
  - viii) Boat registrations needs to be discussed registering boats for the regatta. The State should provide that from the Department of Agriculture according to Edwards.
- j) CRAIG RINEHART – CORONER
- i) Things have not been busy of late in the Coroner's office.
- k) JOEL PACKHAM – EXTENSION AGENT
- i) The Extension office has just finished their Quickbooks class.
  - ii) 4H weigh-ins are ready to go and numbers are up with 4H livestock. Dairymen have been a great support. The final date for registration is May 17, 2014.
  - iii) Their office is getting ready to move to the Courthouse.
  - iv) Packham indicated that frost has not affected crops so far.
  - v) Packham made the Board aware of a viral disease that has been found with some pigs where there is nothing yet available to combat the ailment. They are trying to not co-mingle those affected with other pigs.
  - vi) Packham complimented the Fair Board on their professionalism.
- l) CHAIRMAN DENNIS CRANE
- i) Some changes have taken place with the Fair and Rodeo Board with job descriptions for a grounds keeper and a part time secretary.
  - ii) Chairman Crane indicated that Caitlin Holt was hired as Fair secretary.
  - iii) Groundskeeper Cory Parish resigned his position.
- 9) 10:30 AM DELIBERATE ON REQUEST FOR MEMBERS TO SERVE ON NEXT GENERATION 911 TASKFORCE
- a) CCSO's Dispatch Supervisor Deanne Taylor and GIS/Mapper Todd Quast were recommended as good candidates to recommend serving on that committee.
  - b) McMurray prepared a letter to that end at the Board's request.

**10:35 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO RECOMMEND QUAST AND TAYLOR TO SERVE ON THE NEXT GENERATION 911 FOR THAT POSITION. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

10) 10:40 AM DELIBERATE ON APPOINTMENT TO BOARD OF HEALTH

- a) Suggestions were made for potential candidates to serve on that committee.
- b) The matter was tabled for future consideration.

11) 10:39 AM REVIEW HOWELL CANYON ROAD MAINTENANCE REPORT – MARCH 2014

- a) The Board reviewed the March 2014 Howell Canyon Road Maintenance Report which included:
  - i) Snow removal expenses.
  - ii) Maintenance expenses.
  - iii) U.S. Bank Howell Canyon check register.
  - iv) State Treasurer’s Howell Canyon check register.

12) 10:50 AM REVIEW IPUC CASE NO. IPC-E-14-05 NOTICE OF APPLICATIONS

- a) The Board reviewed IPUC Case No. IPC-E-14-05, a filing of Idaho Power Company to notice of a modified procedure for cost adjustment for electric power rates.

13) 11:10 AM INDIGENT MATTERS

**11:10 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) Case Presentation: 2014038
- b) Certificate of Denial: 2014025, 2014027, 2014033
- c) Certificate of Approval: 2014039
- d) Notice of Lien and Application for Medically Indigent Benefits: 2014038

**11:31 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 11:31 AM.**

14) 11:20 AM EXECUTE LETTER OF SUPPORT FOR LIFE RUN AMBULANCE GRANT REQUEST

- a) Commissioner Kunau read a letter from Life Run Ambulance regarding a request for support for securing grant money.
- b) The Board reviewed a proposed letter to that effect.

**11:22 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE AND SEND THE PROPOSED LETTER OF SUPPORT FOR LIFE RUN AMBULANCE’S GRANT REQUEST. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

15) 11:25 AM DELIBERATE ON NEW APPLICATION FOR BOARD OF GUARDIANS

- a) Barrus presented an email from Laura Twiss regarding a new application for the Board of Community Guardians to replace Kay Moore, who resigned recently.
- b) The new applicant is Lori Johnson, who is a registered dietician at Minidoka Memorial Hospital.

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**11:32 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE APPLICATION OF LORI JOHNSON TO THE BOARD OF COMMUNITY GUARDIANS. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

16) 11:30 AM BLM/USFS

a) SCOTT NANNENGA – FOREST SERVICE RANGER

- i) Nannenga talked with Weston Hawkes from Oakley regarding a cooperative road agreement within the Oakley Highway District in counting miles of roads.
- ii) A lawsuit from Western Watershed regarding the Forest Service’s travel plan has been ongoing for ten years. He reported that the environment report regarding that issue has been completed.
- iii) Nannenga is retiring on May 30, 2014, and this will be his last meeting representing the US Forest Service. There will be an acting Forest Service Ranger to take his place until the middle of July or the first of August when a permanent ranger will be appointed. He expressed appreciation for working with the Board. Nannenga will relocate to Boise following his retirement.

b) L. SUZANN HENRIKSON, PH.D. – BLM ARCHAEOLOGIST

- i) Hendrickson briefed the Board that Mike Courtney will serve as temporary manager and that Jim Tharp will be acting field manager.
- ii) Henrikson reported on an outbreak of cutworms in the southwest corner of the Shoshone Basin. An investigation will proceed to see what the outcome could be regarding vegetation.

17) 11:45 PM ADJOURNMENT

APPROVED:

/s/ \_\_\_\_\_

Dennis Crane, Chairman of the Board

ATTEST:

/s/ \_\_\_\_\_

Joseph W. Larsen, Clerk of the Board