



Cassia County Board of Commissioners

Commissioner Chambers

1459 Overland Ave.

Burley, ID 83318

www.cassiacounty.org

Board Chairman:

Dennis Crane

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Board Members:

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

Tuesday, January 21, 2014

The Board of Cassia County Commissioners met in special session on Tuesday, January 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:	(Attached)

- 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, ELK DEPREDATION MEETING WITH OTHER ENTITIES
 - a) 9:05 AM CALENDAR
 - i) INEL solicitation for Board member that must be in by January 31, 2014. That will be included on next week's agenda.
 - ii) Public Defender Meeting at 7:30 a.m. Tuesday, January 28, 2014
 - iii) Joint Justice Meeting at 8:00 a.m. Tuesday, January 28, 2014
 - iv) Southern Idaho Development Meeting at 12:00 p.m. Thursday, January 30, 2014, for Commissioner Kunau. This is the local arm of the Southern Idaho Economic Development Organization (SIEDO).
 - v) Cassia Central Republican Committee Meeting at 7:00 p.m. Thursday, January 23, 2014
 - vi) Meeting in Elko, Nevada, for discussing Elk Depredation issues with adjoining counties in Idaho, Nevada, and Utah, to be held on February 20, 2014
 - vii) South Central Community Action Board Meeting at 11:30 a.m. Thursday, January 23, 2014, for Commissioner Kunau
 - viii) Idaho Meth Project presentation at 8:45 a.m. Thursday, January 23, 2014, at the Burley Junior High and Friday, January 24, 2014, at the Burley High School

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- b) 9:05 AM CORRESPONDENCE
 - i) Letter to different entities regarding an Elk Depredation Meeting to be held in Elko County on February 20, 2014
 - ii) Secretary of State Candidate Phil McGrane will have a meet and greet at 11:30 a.m. Saturday, January 25, 2015, at Morey’s Steak House.
 - iii) Barrus presented a memorandum regarding procedures for validation highway or public right-of-way under Idaho Code 40-203A.
- c) 9:23 AM PERSONNEL
 - i) CHANGE OF STATUS
 - (1) MINI-CASSIA CRIMINAL JUSTICE CENTER
 - (a) Designation of Timothy Little as a part time U.S. Marshal Transport Officer
 - (b) Designation of Collin Widmier as a part time U.S. Marshal Transport Officer
 - (c) Designation of Sheldon Wilkinson as a part time U.S. Marshal Transport Officer
 - (d) Designation of Dennis Dexter as a part time U.S. Marshal Transport Officer
 - (e) Designation of Martin Okelberry as a part time Lobby Cleaner
 - ii) Employee Time Sheet for Cory Parish was reviewed by the Board

9:24 AM

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

- d) 9:27 AM APPROVAL OF MINUTES

9:27 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM JANUARY 13, 2014. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- e) 9:17 AM CSI RESIDENCY APPLICATIONS
 - i) The Board reviewed 11 CSI Residency applications, nine adults and two high school dual credit applications.

9:17 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE 11 CSI RESIDENCY APPLICATIONS AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- f) 10:36AM COUNTY PAYABLES

CURRENT EXPENSE FUND	104	\$19,424.78
DISTRICT COURT FUND	106	\$1,040.98
COUNTY ROAD & BRIDGE FUND	107	\$781.02
WEED & PEST FUND	108	\$3,143.60
CASSIA FAIR FUND	111	\$47,750.00
REVALUATION FUND	114	\$1,061.29
JUSTICE FUND	130	\$14,342.49
NARCOTICS SEIZED ASSETS FUND	134	\$252.80
PHYSICAL FACILITIES FUND	144	\$999.10
ADULT MISDEMEANOR PROBATION	149	\$9,478.79

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TOTAL \$98,274.85

10:36 AM

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

- g) 9:10 AM COUNTY ROAD AND BRIDGE
 - i) Things are going fine with Road and Bridge
- h) 9:11 AM BUILDING AND GROUNDS MATTERS
 - i) There will be wall construction that will take place soon in the Auditor's Office and in the proposed area of where the Prosecutor's Office will be located in the Courthouse.
- 2) 9:10 AM BOARD OF EQUALIZATION
 - a) No Board of Equalization today.
- 3) 9:10 AM REVIEW AMOUNT OF APPROVED TAX CANCELLATION ON PARCEL NO RP10S22E262386A
 - a) Treasurer Justesen provided a letter to the Board requesting to cancel \$271.74 for 2013 taxes on the referred to parcel for the taxpayer having not received full homeowner's exemption.
 - b) This reflects a credit for 2012 and 2011 that was approved by the Board on January 13, 2014.
 - c) The property owners are Thane D. and Monica J. Koyle

9:13 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE CANCELLATION OF 2013 TAXES ON THE REFERRED TO PARCEL IN THE AMOUNT OF \$271.74. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- d) Assessor Davis indicated that their office would reduce the assessed value of the said parcel to \$64,919 for 2014 to make up the difference that Koyle's were shorted in 2011 and 2012. In 2014 the property will be re-appraised for appropriate re-valuation.
- 4) 9:18 AM BANKING AND AUDIT PROCEDURE REQUEST FROM THE MINI-CASSIA CRIMINAL JUSTICE CENTER (MCCJC)
 - a) MCCJC Director Darwin Johnson and financial secretary Ann Harper presented to the Board their desire to establish a bank account with Zions Bank to replace their current non-commissary financial accounting through software they plan discontinuing the use of.
 - b) Larsen indicated that the Auditor's Office just completed an internal audit of the MCCJC and recommended that action to appropriately track the funds.

9:22 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE SETTING UP THE ACCOUNT WITH ZIONS BANK AS PRESENTED FOR THE MCCJC. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 5) 9:32 AM REVIEW AND EXECUTE KOYLE'S KORNER SUBDIVISION PLAT
 - a) A fifth lot was desired to be developed which necessitate the Koyle's Korner subdivision plat as presented to the Board for approval.
 - b) One letter was received from noticed nearby residents. No items enumerated in the letter had effect on the establishment of a subdivision.
 - c) The appropriate administrative process was completed which met the criteria to be approved.
 - d) All other approvals had been completed except the Board's approval.

9:35 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE KOYLE'S KORNER SUBDIVISION AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 6) 9:40 AM DELIBERATE ON CONTRACT FOR GRAVEL CRUSHING PROJECT
- a) The gravel crushing project is a joint venture between the County and the Oakley Highway District for 17,000 tons of crushed gravel for the cost of \$79,050.00
 - b) Gale Limm Construction was the successful bidder and will be the contractor for the crushed gravel.
 - c) The agreement was signed by the Oakley Highway District, Gale Limm Construction, and now needs approval from the Board on behalf of the County.

9:41 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE AND SIGN THE CONTRACT WITH GALE LIMM CONSTRUCTION FOR GRAVEL CRUSHING AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

9:42 AM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING CONSULTATION PERTAINING TO A POTENTIAL LEGAL CONTROVERSY UNDER IDAHO CODE SECTION 67-2345(1)(F). 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 9:50 AM.

- 7) 10:00 AM DELIBERATE ON SOUTH CENTRAL COMMUNITY ACTION PARTNERSHIP'S (SCCAP) NOTIFICATION OF INTENT TO APPLY FOR FEDERAL ASSISTANCE – MUTUAL SELF-HELP HOUSING PROGRAM
- a) The SCCAP has applied for a Mutual Self-Help Housing Program which is to help low income people to build homes.
 - b) A new group is being applied for 21 new homes, seven to an area and some are hopeful to be located in our area if this grant is approved.
 - c) Commissioner Kunau discussed some of the issues with previous projects.

10:07 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO REVIEW AND COMMENT AS REQUESTED FOR THE PROJECT DETAILING THAT IT HAS NO ADVERSE EFFECTS TO THE COUNTY. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 8) 10:10 AM REVIEW NOVEMBER AND DECEMBER 2013 CONFLICT PUBLIC DEFENDER REPORTS
- a) Barrus reported that there has been no interest expressed thus far from attorneys regarding a second level public defender contract. Larsen will provide the Board with month by month expenditures for FY2014 assigned second level public defenders.
 - b) The Board reviewed the contracted conflict public defender reports for both November and December 2013 from attorney Clayne Zollinger.
- 9) 10:13 AM REVIEW BURLEY HIGHWAY DISTRICT DECEMBER 2013 REPORT
- a) The Board reviewed the December 2013 report from the Burley Highway District that included snow removal expenses per month, maintenance expenses per month, and the U.S. Bank and State Treasurer's check registers.

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10) 10:22 AM INDIGENT MATTERS

10:22 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: 201404
- b) Settlement Request: 2011083

10:27 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO ACCEPT THE SETTLEMENT REQUEST ON CASE NO. 2011083 AS PRESENTED BY SOCIAL SERVICES DIRECTOR SUSAN KECK. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- c) Notice of Lien: 2014004
- d) Release of Lien: 200095, 206025
- e) Medical Records/Utilization Management Review: 2014004, 2013007

10:30 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 10:33 AM.

11) 11:04 AM CASSIA COUNTY GATEWAY TASKFORCE MEETING – ROOM 206

- a) Chairman Crane talked about the need for continuing on with efforts regarding the concerns to the County, its residents, and agricultural interest with the Gateway West Transmission Line.
- b) Chairman Crane turned the time over to Gateway West Task Force Chairman Brent Stoker.
- c) Gateway West Task Force Chairman Brent Stoker conducted the meeting.
 - i) Stoker talked of the misconception that the BLM's decision is final.
 - ii) Discussion of local land use planning factors have not even begun yet.
 - iii) Strategies were discussed with involvement of the Planning and Zoning Commissioner and the Board of County Commissioners.
 - iv) A State Code includes the Local Land Use Participation Act (LLUPA) for local authority.
 - v) Political and judicial processes are in place. We want to take advantage of the judicial process under LLUPA.
 - vi) Western Watershed has issues that will likely last for some time which will likely delay the process.
 - vii) Two to five years from now, the power companies will come forward and request permits. At that time counties need to make a stand with LLUPA, FERQ, and/or IPUC Federal regulatory entities. It then begins a constitutional issue with the State of Idaho.
 - viii) We need to know the issues and support them. There will be power lines. It is just how they will be done and where they will be placed.
 - ix) Standards will be adopted into ordinances as a performance standard that would protect that.
 - x) There is a high probability that they will have to bury the power lines. McMurray was sent to study the underground power lines. Most is underground power lines are being advanced in

Europe. However, five to ten years, underground power lines in the U.S. will be a very viable option. A corridor such as down the freeway could be a viable location for underground burial of power lines.

- xi) Barrus pointed out that the Board of County Commissioners cannot be involved with discussions of what needs to be done.
 - xii) McMurray discussed with those present that industry performance standards that need to be met have been derived from BPA's own publications. This will benefit those farmers, landowners, and homeowners that already exist who need assurances of safety.
 - xiii) Stoker talked of the necessity for financial support to ever prevail in the courts.
 - xiv) Chairman Crane made a point that dedication of all County taxpayer funds isn't prudent.
 - xv) Doug Pickett pointed out that this is primarily a financial necessity of stakeholders who will be affected by the proposed power line placement.
 - xvi) Pickett felt that timing is probably what forced BLM to not include underground power in the Environmental Impact Study (IES).
 - xvii) Joyce Ward felt the County Commissioners should support individual property rights with financial support.
 - xviii) Crane talked of getting other counties together at the upcoming Idaho Association of Counties meeting in Boise the first week of February. The Task Force can meet after that.
- 12) 11:52 PM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board