



# Cassia County Board of Commissioners

Commissioner Chambers

1459 Overland Ave.

Burley, ID 83318

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

**Board Chairman:**

Dennis Crane

**Phone:** (208) 878-7302

**Fax:** (208) 878-9109

**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, March 3, 2014

The Board of Cassia County Commissioners met in regular session on Monday, March 3, 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
	Other:	Jay Lenkersdorfer, The News Journal

1) 9:14 AM AMENDMENT TO AGENDA

**9:14 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE DISCUSSION OF ADDING TO THE AGENDA THE CHECKING OF CULVERTS IN ALMO LATER TODAY. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

a) The Board desires to check culverts in Almo following agenda items today. That need just came up and was too late to place on the agenda.

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, DISCUSS POSSIBLE JOB DESCRIPTION CHANGES

a) 9:05 AM CALENDAR

- i) Commissioner Kunau was asked to fill in for Commissioner Christensen, who will be out of town, at Joint Juvenile and Joint Jail meetings that will be held on March 11, 2014, in Rupert.
- ii) A CAT Board meeting for Commissioner Christensen will be held on Thursday, March 6, 2014, in Boise.
- iii) A Region IV Development Meeting for Commissioner Kunau will be held on Thursday, March 6, 2014, at the Idaho Department of Labor building in Twin Falls.

**CASSIA COUNTY COMMISSION**

**REGULAR SESSION**

**Monday, March 3, 2014**

**1 | Page**

- iv) Consolidated Election Day is March 11, 2014, and the polls will be open from 8:00 a.m. to 8:00 p.m.
- v) The Cassia East and West Soil Conservation District will have their awards banquet at 6:00 p.m. Thursday, March 6, 2014, at the Burley Best Western.
- b) 9:05 AM           CORRESPONDENCE
  - i) Idaho Power invitation to a forum on economic development
  - ii) Idaho Department of Lands 2013 Annual Report
  - iii) LHTAC 20<sup>th</sup> Anniversary will be held in Idaho Falls on June 13, 2014
- c) 9:13 AM           PERSONNEL
  - i) Review of time card of Fairgrounds Supervisor Cory Parish.
  - ii) Comp time is being used this time of the year for Parish.

**9:13 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE SAID PERSONNEL TIME CARD REQUEST AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- iii) Change of Status
  - (1) CASSIA COUNTY SHERIFF'S OFFICE
    - (a) Increase in rate of pay for Brynn A. Reusze for Intermediate POST certification

**9:33 AM**

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

- (2) MINI-CASSIA CRIMINAL JUSTICE CENTER
  - (a) Hiring of Andrew Lawrence Burns as well as his meeting of physical fitness requirements.

**1:04 PM**

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

- d) 10:22 AM           APPROVAL OF MINUTES

**10:39 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM FEBRUARY 10, 2014. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

**10:22 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE MINUTES OF THE BOARD FROM FEBRUARY 24, 2014. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- e) 9:14 AM           CSI RESIDENCY APPLICATIONS
  - i) The Board reviewed six CSI Residency applications; five for 2013-2014; and one high school dual credit for 2013-2014

**9:14 AM**

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

- f) 10:55AM           COUNTY PAYABLES

CURRENT EXPENSES	104	\$1,984.54
INDIGENT FUND	105	\$2,200.00
DISTRICT COURT FUND	106	\$202.45
COUNTY ROAD & BRIDGE FUND	107	\$2,213.84
COMMUNITY COLLEGE FUND	113	\$4,100.00
REVALUATION FUND	114	\$312.70
911 COMMUNICATIONS FUND	115	\$1,655.00
COUNTY ELECTION FUND	116	\$7,418.97
JUSTICE FUND	130	\$1,960.52
PHYSICAL FACILITIES FUND	144	\$1,031.95
	<b>TOTAL</b>	<b>\$23,079.97</b>

**10:55 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE COUNTY PAYABLES DATED MARCH 3, 2014. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- g) 9:14 AM COUNTY ROAD AND BRIDGE
  - i) The Road and Bridge crew has been grading this week.
- h) 9:14 AM BUILDING AND GROUNDS MATTERS
  - i) A letter was received from Scott Wendell at LCA Architects regarding the flag pole issue at the Cassia County Judicial Center (CCJC).
  - ii) They talked of replacing the flag pole on the north end of the CCJC with a higher pole.
  - iii) The Board will look at the building and review the suggestion.
- i) 9:18 AM DISCUSS POSSIBLE JOB DESCRIPTION CHANGES
  - i) The Board is looking at the prospects of making two positions with the Fairgrounds staff; one for office work and one for grounds.
- 3) 9:19 AM LAW ENFORCEMENT SURPLUS VEHICLES
  - a) The Board discussed the approval of purchasing two vehicles and only replacing one.
  - b) Sheriff Heward discussed the vehicles he was replacing.
  - c) A vehicle they procured from a drug situation will be scrapped as it was used for methamphetamine production.
  - d) Commissioner Christensen asked if the vehicle they plan to keep as a spare would increase their inventory. Sheriff Heward indicated that it wouldn't.
  - e) Sheriff Heward presented a letter regarding purchases for items for the new vehicles which includes two rifles; one during FY2014 and one during FY2015.
- 4) 9:05 AM DELIBERATE ON RESOLUTION NO. 2014-003 REGARDING CASSIA COUNTY SHERIFF'S OFFICE VEHICLE SURPLUS DECLARATION
  - a) An inventory list of certain Cassia County Sheriff's Office vehicles and Drug Task Force seized vehicles as surplus property are part of this resolution.
  - b) Said resolution was read by Commissioner Kunau.

**9:24 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE RESOLUTION NO. 2014-003, WHICH LISTS SHERIFF'S OFFICE AND DRUG TASK FORCE SEIZURE VEHICLES DESIGNATED AS SURPLUS.**

**COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

**9:27 AM EXECUTIVE SESSION**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(A). 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 9:33 AM.**

5) 9:10 AM BOARD OF EQUALIZATION (BOE)

a) There was no BOE today.

6) 9:20 AM DELIBERATE ON IDAHO JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM WAIVER OF ALLOCATION TO MINIDOKA COUNTY

a) McMurray indicated that it is an annual practice to waive the Block Grant in favor of Minidoka County where they take care of Juvenile Probation.

b) The amount of the grant is down \$700.00 from last year to \$2,500 this year.

c) The waiver needs to be signed and dated.

9:35 AM

Commissioner Paul Christensen left the meeting for a time.

**9:35 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE A WAIVER OF THE BLOCK GRANT IN FAVOR OF MINIDOKA COUNTY FOR THE JOINT JUVENILE PROBATION DEPARTMENT. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

7) 9:36 AM REVIEW VETERAN SERVICE OFFICER (VSO) FEBRUARY 2014 REPORT

a) The Board reviewed the VSO report for February 2014 as presented.

8) 9:38 AM REVIEW SOUTHERN IDAHO TOURISM INFORMATION AND REQUEST FOR FUNDING

a) The County paid \$700.00 last year as reported by McMurray.

b) The Board held to that amount on the FY2014 budget and will approve \$700.00 to be paid to Southern Idaho Tourism.

**9:40 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE PAYMENT OF \$700.00 AS BUDGETED FOR FY2014. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

9) 9:41 AM EXECUTE LETTER REGARDING SELECTION OF DOUG PICKETT FOR REPRESENTATIVE ON THE ANIMAL DAMAGE CONTROL BOARD

a) The Board already approved Pickett's selection.

b) All that is needed is a signature of the Chairman of the Board regarding that appointment to be sent to Pickett. A copy will be sent to the Idaho Wool Growers Association.

9:43 AM

Commissioner Paul Christensen returned to the meeting.

**9:44 AM EXECUTIVE SESSION**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(A). COMMISSIONER KUNAU SECONDED THE MOTION. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE, COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE. BARRUS DISCUSSED DURING THIS OPEN MEETING EXECUTIVE SESSION, A**

***CASSIA COUNTY COMMISSION***

***REGULAR SESSION***

***Monday, March 3, 2014***

**4 | Page**

**LAWSUIT AGAINST THE COUNTY ASSESSOR DWIGHT DAVIS FROM CITIZEN JOHN HOREJS. THIS HAD PREVIOUSLY BEEN DISMISSED ON A SMALL CLAIMS PROCEEDING BY JUDGE ROBINSON. THE BOARD RETURNED TO REGULAR SESSION AT 9:46 AM.**

10) 9:47 AM DELIBERATE ON BURLEY LIONS SPUDMAN TRIATHLON SPECIAL EVENT RESOURCE REQUEST

- a) McMurray indicated that all prima facie information had been provided with the request from the Burley Lions Club.
- b) The Administration office sent out a letter of costs to the Lions Club to get approval.
- c) \$150.00 per hour is billed for boat-related services and \$50.00 per hour per patrol car according to a resolution of the Board. That will be an estimated cost of \$1500.00 on cars and boats as the boats would be on the water from approximately 7:00 to 12:00 p.m.

**9:52 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE REQUEST FOR SERVICES AS PRESENTED BY THE BURLEY LIONS CLUB FOR THE SPUDMAN TRIATHLON ON JULY 26, 2014. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

11) 10:03 AM INDIGENT MATTERS

**10:03 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: 2014009, 2014010
- b) Certificate of Approval: 2014023
- c) Notice of Continuance of Hearing: 2013075, 2013083, 2013092, 2013094, 2013098
- d) Release of Medically Indigent Lien: 2014017, 2014018, 2014019, 2014020, 2014021, 2014022
- e) Order of Reimbursement: 2013007
- f) Release of Medically Indigent Lien: 206075, 2012125
- g) Certificate of Approval for Additional Treatment: 2013055, 2013054, 2013088
- h) Determination of Decision Held in Suspension: 2014005
- i) Medical Records/Utilization Management Review: 2014005

**9:23 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 9:23 AM.**

12) 9:58 AM DELIBERATE AND EXECUTE RESOLUTION NO. 2014-004 REGARDING RECORDS DESTRUCTION FOR THE MISDEMEANOR PROBATION OFFICE

- a) Resolution No. 2014-004 was reviewed by Barrus and prepared according to the request of Amber Prewitt from Adult Misdemeanor Probation.

**9:59 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE RESOLUTION NO. 2014-004 FOR RECORD DESTRUCTION OF ADULT MISDEMEANOR PROBATION RECORDS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 13) 9:59 AM DISCUSSION OF MISDEMEANOR PROBATION DRUG TESTING PROCEDURES
- a) A letter from Ron Kelsey was received by Barrus complaining about in-house drug testing, declaring it unconstitutional.
  - b) Barrus discussed it with McMurray and found that other misdemeanor probation offices follow the same procedures. Greg Orlando from Coeur d'Alene has set up many drug testing situations. Barrus contacted him and he is willing to review our procedures at no cost as long as he has no out-of-pocket expenses in doing that service.
  - c) Barrus read a letter to Orlando detailing procedures followed by Adult Misdemeanor Probation. Barrus desires approval of the Board to reimburse Orlando for any out of pocket expenses incurred.
  - d) Those expenses, if any, should be shared by both Counties where it is a joint venture according to McMurray.

**10:02 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE REIMBURSEMENT OF ANY OUT OF POCKET EXPENSES INCURRED BY GREG ORLANDO FROM COEUR D'ALENE TO REVIEW THE JOINT ADULT MISDEMEANOR PROBATION PROCEDURES. THAT COST WOULD BE SHARED EQUALLY WITH MINIDOKA COUNTY, UPON THEIR APPROVAL, TO ACCOMPLISH THIS REVIEW. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 14) 10:23 AM DISCUSS PAPERWORK SUBMITTED FOR BURLEY DEVELOPMENT AUTHORITY IN PREPARATION FOR THEIR PRESENTATION ON MARCH 10, 2014

- a) A packet was received from the Burley Development Authority; a portion of which was read by Barrus. The reasoning behind that property being utilized for their desires was enumerated by the Authority.
- b) The plan is set up for 20 years from the effective date.
- c) They are expecting the County to sign the packet.
- d) A Burley City Council Meeting that will be held tomorrow night will include a resolution to declare the property a deteriorated area.
- e) Commissioner Christensen indicated the desire for a date certain when the property is added back to the County tax rolls.
- f) Barrus took a copy of the paperwork to Assessor Davis so he is aware of the situation.

- 15) 10:58 AM INDIGENT MATTER: LIEN RELEASE REQUEST

- a) Upon notification of Land Title and Escrow to the Social Services office, the buyer has decided to not go through with the transaction and is no longer requesting a release of lien.

**10:59 AM EXECUTIVE SESSION**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(A). 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 12:45 AM.**

- 16) 1:05 PM ADJOURNMENT

APPROVED:

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

Dennis Crane, Chairman of the Board

ATTEST:

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

Joseph W. Larsen, Clerk of the Board