



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

Monday, March 24, 2014

The Board of Cassia County Commissioners met in regular session on Monday, March 24, 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:	Department Heads & Elected Officials Ruthe Hobbs Jay Lenkersdorfer, The Weekly Mailer

- 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) Public Defender Meeting at 7:00 a.m. Tuesday, March 25, 2014
 - ii) Joint Jail Meeting at 8:00 a.m. Tuesday, March 25, 2014
 - iii) Veterans Service Meeting 7:00 p.m. Thursday, March 27, 2014
 - iv) On Friday, the Office of the Prosecuting Attorney will move to the courthouse
 - b) 9:05 AM CORRESPONDENCE
 - i) IHC invitation to discussion on Healthy Dialogues about healthcare reform in Salt Lake City, Utah, at 12:00 p.m. Tuesday, April 15, 2014
 - c) 9:10 AM PERSONNEL
 - i) CHANGE OF STATUS
 - (1) SHERIFF'S OFFICE
 - (a) Hiring of Michael Stephen Rose as a Patrolman
 - (b) Increase in rate of pay for David Evans Daniel Potter for completion of the POST academy and receipt of his Basic Certification.

CASSIA COUNTY COMMISSION

REGULAR SESSION

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- (c) Increase of rate of pay for Leo Fierro, Jr. for language/Interpreter services with the Spanish language.
- (d) Voluntary termination of Sergeant Patrolman Mark Merrill
- (e) Voluntary termination of Patrolman David Turner
- (2) MINI-CASSIA CRIMINAL JUSTICE CENTER
 - (a) Voluntary termination of Michael Stephen Rose as a Detention Deputy to assume responsibilities as a Deputy Patrolman in the Sheriff's department.
 - (b) Voluntary termination of Russell Carsner as a Detention Deputy.
- (3) PUBLIC DEFENDER'S OFFICE
 - (a) Hiring of Hyrum Turnbull Hibbert as a Deputy Public Defender

9:14 AM

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

- ii) 11:24 AM DELIBERATE APPROVAL OF A CHANGE ON THE SIGNATURE CARD AT DL EVANS BANK MONEY MARKET PUBLIC FUNDS WITH THE EXTENSION OFFICE.
 - (1) Current Signature card includes three employees who are no longer employed by Cassia County.
 - (2) The addition of Joel Packham, Robert Kunau, and Dena Jarolimek to the signature card was presented.

11:24 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE SAID CHANGE OF SIGNATURE CARDS AT D.L. EVANS BANK FOR THE EXTENSION OFFICE. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- d) 11:22 AM APPROVAL OF MINUTES

11:22 AM

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

11:22 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM MARCH 17, 2014. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- e) 9:16 AM JUNIOR COLLEGE RESIDENCY APPLICATIONS
 - i) The Board reviewed eleven Junior College Residency Applications; one 2013-2014 high school dual credit; one fall 2013; and nine spring 2014

9:16 AM

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

- f) 11:23 AM COUNTY PAYABLES

CURRENT EXPENSES	104	\$14,201.82
INDIGENT FUND	105	\$4,540.50
DISTRICT COURT FUND	106	\$3,095.51

COUNTY ROAD & BRIDGE FUND	107	\$2,204.77
911 COMMUNICATIONS FUND	115	\$115.79
COUNTY ELECTION FUND	116	\$2,163.29
ASSESSOR TRUST FUND	123	\$762.68
JUSTICE FUND	130	\$13,265.55
D.A.R.E TRUST	137	\$2,415.44
PHYSICAL FACILITIES FUND	144	\$3,101.16
ADULT MISDEMEANOR PROBATION	149	\$247.65
	TOTAL	\$46,114.16

11:23 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED MARCH 24, 2014. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- g) 9:23 AM BUILDING AND GROUNDS MATTERS
 - i) Courthouse remodeling is ongoing. The Prosecutor's office and the Auditor's office are nearing completion. Work will soon begin in the Recorder's office and the Treasurer's office.
 - ii) Work will begin on the 2nd floor to prepare the move of the Administration office and the Commissioners' Chambers.
- 2) 9:10 AM BOARD OF EQUALIZATION (BOE) None today
- 3) 9:41 AM DESIGNATE MAIL BALLOT PRECINCTS
 - a) Elections Deputy Hilaree Whitehead presented to the Board in accordance with Idaho Code 34-308 the designation of Mail Ballot Precincts for 2014 elections.
 - b) The Code requires that there be less than 125 registered voters in a precinct to qualify as a Mail Ballot Precinct.
 - c) Those Mail Ballot Precincts include Almo, Bridge, Elba, Heglar-Yale, Parsons, and Sublett.

9:44 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE MAIL BALLOT PRECINCTS FOR CASSIA COUNTY AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 4) 9:29 AM REVIEW AND SIGN PLAT FOR COUNTRY HILLS WEST SUBDIVISION
 - a) A new three lot subdivision for Country Hills West Subdivision was presented by McMurray to the Board.
 - b) McMurray indicated that all requirements of the ordinance have been met.
 - c) A few changes that were requested had been made.

9:30 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE SUBDIVISION PLAT FOR COUNTRY HILLS WEST SUBDIVISION AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 5) 9:33 AM DELIBERATE ON APPLICATION FOR FEDERAL ASSISTANCE FOR WEED DEPARTMENT
 - a) The Board discussed provisions of an Application for Federal Assistance with the BLM for the Weed Department.

9:33 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE APPLICATION FOR FEDERAL ASSISTANCE FOR THE WEED DEPARTMENT AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 6) 9:33 AM DELIBERATE ON NOTICE TO COMPLY AND ORDER CREATING AREA FOR EXTERMINATION OF NOXIOUS WEEDS
- a) The Board discussed an Order Creating Area and Notice to Comply with Order for Extermination of Noxious Weeds.

9:33 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE AN ORDER CREATING AREA AND A NOTICE TO COMPLY WITH ORDER FOR EXTERMINATION OF NOXIOUS WEEDS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 7) 9:45 AM DEPARTMENT HEAD MEETING
- a) JAY HEWARD – SHERIFF
 - i) Heward reported on activity and citations written in the Sheriff’s office.
 - ii) Three personnel have departed their employment from the Sheriff’s office.
 - iii) Two employees were transferred from the jail to patrol; Josh Crockett and Michael Rose.
 - b) LISA HEISEL – TREASURER
 - i) Heisel reported today as Treasurer Justesen was out of town.
 - ii) Things are slow and they are moving files.
 - iii) Heisel presented the Statement of Treasurer’s cash for the Board’s review.
 - c) DWIGHT DAVIS – ASSESSOR
 - i) Davis reported that he is under budget in Revaluation and the Assessors’ budget.
 - ii) Their office has received half of the industrial reports back for 2014. Additional reports will be in this week.
 - iii) Several have not signed up for Circuit Breaker and for Homeowner’s Exemption.
 - d) JOE LARSEN – CLERK
 - i) Larsen asked if Lead Auditor Heather Evans could be present to do a six month review of the budget during Department Head Meeting next month.
 - ii) Larsen reported on all his budgets and indicated that things are in line with their overall budgets.
 - e) AL BARRUS – PROSECUTING ATTORNEY
 - i) Barrus reported the Prosecuting Attorney budget as being in line as well.
 - ii) His office will be moving this coming Thursday and Friday.
 - f) KERRY MCMURRAY – ADMINISTRATOR
 - i) McMurray went over the progress of the carpeting of the courthouse.
 - ii) They are working towards moving the Administration office to the 2nd floor by the end of April.
 - iii) Downstairs remodeling will then begin to include electrical and sewer for the Extension office in the basement.
 - iv) McMurray discussed with the group a solution for internal mail distribution. Sheriff Heward has a cabinet that can be looked at to use for that purpose.

- v) Planning and Zoning met last week and dealt with the BDA in terms of the County's Comprehensive Plan. It was determined that they do comply for the McCain's project if they obtain a Conditional Use Permit.
- vi) There will be a Planning and Zoning hearing regarding amendments on a County ordinance for transmission line projects.
- vii) The building department and the mapping department are working steady.
- viii) Ongoing construction projects with the Cassia County Judicial Center and Courthouse is over budget but will be remedied when the budget is opened and funds transferred from the past fiscal year according to Idaho Statute.
- ix) Other line items reflect seasonal purchases that will be in line by the end of the fiscal year.
- x) Road and Bridge is 3 to 4 percent over their budget for FY2014.
- g) AMBER PREWITT – ADULT MISDEMEANOR PROBATION
 - i) Prewitt is currently down one probation officer. They have conducted two interviews so far and those haven't resulted in a hire. They have one more interview remaining.
 - ii) They are short a male probation officer and are trying to fill that position with a male.
 - iii) Their financials are off for this fiscal year. Prewitt will work with Auditor's office regarding shortfalls of income.
- h) DARWIN JOHNSON – MINI-CASSIA CRIMINAL JUSTICE CENTER
 - i) Not present.
- i) GORDON EDWARDS – WEED AND PEST CONTROL
 - i) Started applying ground sterilant and have completed a number of locations as well as some identified hot spots.
 - ii) They will be holding several CWMA meetings within the next month.
 - iii) Edwards is also inventorying all burns that have occurred.
 - iv) They have received \$76,733.00 grant from the BLM that is to be spent by September 30, 2014. They will use \$25,000.00 in the Cottrell and Jackson areas. The rest will be used in the Goose Creek area. Everything they do has to be mapped and recorded.
 - v) They are also well within their budget for expenditures but have just started their busy time.
- j) CRAIG RINEHART – CORONER
 - i) Things have been slow.
 - ii) Their expenditures are well within their budget.
- k) JOEL PACKHAM – EXTENSION AGENT
 - i) The Extension office has just finished estate planning classes.
 - ii) Home food preservation classes will start next week.
 - iii) They also have just had their beef weigh-in for 4-H.
 - iv) Their budget is where it should be fiscal year to date.
 - v) They are preparing for their move to the Courthouse the first of June.
 - vi) Temporary employee Dena Jarolimek who has worked with the Extension office for years has been hired to replace the retiring Linda Cutler.
- l) COMMISSIONER CHRISTENSEN
 - i) Commissioner Christensen asked about where each department head is with comp time.
 - ii) The Adult Misdemeanor Probation department is accumulating comp time because they are down an employee.

- iii) The Weed and Pest department is just starting their work year and were encouraged to continue to decrease comp time levels. An Extension office employee is working to use accumulated comp time in May.
- 8) 10:30 AM BURLEY DEVELOPMENT AUTHORITY (BDA) URD 4 (MCCAIN'S) ADOPT TRANSFER OF POWERS ORDINANCE, APPROVAL OF TRANSFER OF POWERS AGREEMENT, AND RESOLUTION GRANTING CONSENT
 - a) Discussion with the BDA did not take place as they were not present as planned for.
- 9) 11:20 AM VETERANS' BOARD MATTERS – BOARD MEMBERSHIP
 - a) The Veterans Board desires to add an alternate to the Board as Gary McCall has resigned.

11:21 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE ADDITION OF ALEJANDRO "ALEX" MARTINEZ AS A MEMBER OF THE VETERANS ADVISORY BOARD. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

10:38 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 11:10 AM.

10) 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: 2014016, 2014015
- b) Medical Records/Utilization Management Review: 201416, 2014015

11:18 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED BY CLERK LARSEN. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 11:19 AM.

11) 11:15 AM DELIBERATE ON DOMESTIC VIOLENCE MEMORANDUM OF UNDERSTANDING (MOU) AND ASSOCIATED DOCUMENTS – CONSIDER EXECUTION OF MEMORANDUM AGREEMENT

- a) Barrus reviewed the MOU as presented and recommended the Board to approve it.

11:21 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE DOMESTIC VIOLENCE MOU AND ASSOCIATED DOCUMENTS AT THE RECOMMENDATION OF THE PROSECUTOR. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

12) 11:30 AM BLM/USFS REPORT

- a) SCOTT NANNENGA – FOREST SERVICE RANGER
 - i) Nannenga introduced Monte Williams, the Acting Forest Service Director.

- ii) Elko, Nevada Commissioner Gerber indicated that grazing has been cut in Nevada. Nannenga said that the real key to not having the Sage Grouse being listed as an endangered species is to have a coordinated plan between Fish and Game, getting the states and counties involved, and working close with the BLM. We are currently 18 months out for consideration of listing of the Sage Grouse as an endangered species.
 - iii) Chairman Crane stressed the need for involvement with other entities that did not take the opportunity to attend the last meeting.
 - iv) Nannenga reported on the replacement of a ski lift at Magic Mountain and the development of a beginner's area. That will require an Environmental Assessment.
 - v) The travel Plan with the Forest Service is about to come out. The deadline is May 9, 2014, to review any objections that may or have been filed. It is just an agreement to follow what has already been presented.
 - vi) South Heglar road will be used for the timber sale.
 - vii) The Forest Service owns an acre of property near the cemetery in Elba. The Small Tracts Act gives them an opportunity to sell Forest Service property. They desire to sell that property to an interested buyer as well as a small piece of ground near the Connor Junction. The person adjoining that property might have the most logical reasoning to purchase that property.
- b) JIM THARP – BLM ASSISTANT FIELD MAN
- i) Tharp reported on winter closures that opened on March 13, 2014.
 - ii) He also reported on the Battle Creek lawsuit with Western Watershed. The Gem Sage Mountain Agreement has a rider that has been used to renew a permit to avoid NEPA. One requirement is that no changes can be made with that rider. BLM has made improvements along the way and they are hopeful to have Judge Winmill review previous decisions. What Winmill has done in the Owyhees was characterized by Tharp as a mess. They have only talked about things that Western Watershed has said were bad years ago which includes things that have already been remedied according to Tharp.
 - iii) The Milner road should be paved this fall as well as the removal of cattle guards. The BLM has been working close with Mark Hobson to resolve cattle issues.
 - iv) Tharp reported that suspects have been identified, but things are hush right now regarding the destruction of Oregon Trail artifacts.
 - v) Discussion of a Raft River geothermal project was discussed. Tharp reported that the power plant proposed is on private ground but they want to drill on public ground. They have had six years to do that but for some reason never did drill. They will now need to come forward on a new proposal for drilling to drill on public ground. NEPA needs to be done to get that done at this point.
- 13) 11:58 AM DELIBERATE ON SAGE GROUSE ISSUES FORWARDED TO BOARD OF COUNTY COMMISSIONERS FROM FEDERAL LANDS ADVISORY GROUP COMMITTEE (FLAG)
- a) The Board discussed a resolution that Elko County Commissioners did regarding the Migratory Bird Act. More research needs to be done for the Board to do something similar.
 - b) Elko County has considered ravens as predators to the Sage Grouse and they have asked for the removal of ravens from protected status under the Migratory Bird Act.
 - c) They also approved a resolution regarding the elimination of ravens as predators. Most provisions are related specifically to Nevada and the Board would need to fine tune the Nevada resolutions to adapt them to our situation in Idaho.
- 14) 12:04 PM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board