



# Cassia County Board of Commissioners

Cassia County Courthouse  
Commission Chambers  
1459 Overland Ave. – Room 206  
Burley, ID 83318  
[www.CassiaCounty.org](http://www.CassiaCounty.org)

## Board Members:

Chairman Dennis Crane (District #3) ~ [dcrane@cassiacounty.org](mailto:dcrane@cassiacounty.org)  
Paul Christensen (District #1) ~ [pchristensen@cassiacounty.org](mailto:pchristensen@cassiacounty.org)  
Bob Kunau (District #2) ~ [bob.kunau@cassiacounty.org](mailto:bob.kunau@cassiacounty.org)

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Monday, November 17, 2014

9:00 AM

The Board of Cassia County Commissioners met this day in regular session in the Commission Chambers of the Cassia County Courthouse.

## THOSE PRESENT:

### County Commissioners:

Dennis Crane, Chairman

Paul Christensen

Bob Kunau

### Prosecuting Attorney:

### Administrator:

### Clerk of the Board:

Doug Abenroth

Kerry D. McMurray

Joseph W. Larsen

### Others:

Ruthe Hobbs

Heather Evans, Auditor's Office

- a) 9:05 AM CALENDAR
  - i) Department Head Training at 12:00 p.m. today following Board Meeting
  - ii) Idaho Cancer Policy Agenda meeting will be held from 9:30 a.m. to 2:00 p.m. Tuesday, November 18<sup>th</sup> at the Herrett Center at the College of Southern Idaho campus.
  - iii) Burley Airport Project Start Meeting conducted by GDA Engineers to be held at 5:30 p.m. Tuesday, November 18<sup>th</sup> at the Burley Inn
  - iv) Public hearing for the Board of Commissioners at 7:00 p.m. Wednesday, November 19<sup>th</sup> to consider a petition for a zoning change
  - v) South Central Community Action Meeting on Thursday, November 20<sup>th</sup> for Commissioner Kunau
  - vi) IAC Initiation and Continuing Education Training on Thursday and Friday in Twin Falls for elected officials
- b) 9:05 AM CORRESPONDENCE
  - i) Thank you note from the Fair Board for the Board's assistance during the County Fair
  - ii) Email from Judge Hodges regarding panic buttons and Courtroom 3 visibility concerns. Resolution of the issues will be addressed during buildings and grounds matter discussions.
- c) 9:08 AM PERSONNEL
  - i) The Board reviewed an Administrative Benefits Report listing County employees with 35 plus hours to their Comp bank. 38 employees were listed with eight employees who exceeded 50 hours.
  - ii) The Board determined to address specifically one employee of concern.

**CASSIA COUNTY COMMISSION**

**REGULAR SESSION**

**Monday, November 17, 2014**

**1 | Page**

d) 9:32 AM APPROVAL OF MINUTES

9:32 AM

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

e) 9:09 AM JUNIOR COLLEGE RESIDENCY APPLICATIONS

i) The Board reviewed two CSI Junior College Residency Applications; one high school dual credit application and one non-dual credit application.

9:09 AM

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

f) 10:27 AM COUNTY PAYABLES

CURRENT EXPENSES	104	\$21,992.23
INDIGENT FUND	105	\$4,026.00
DISTRICT COURT FUND	106	\$358.50
COUNTY ROADS & BRIDGES FUND	107	\$2,880.38
COMMUNITY COLLEGE FUND	113	\$500.00
REVALUATION FUND	114	\$471.42
COUNTY SNOWMOBILE FUND	118	\$134.90
ASSESSOR TRUST FUND	123	\$119.70
JUSTICE FUND	130	\$45,015.23
ADULT MISDEMEANOR PROBATION	149	\$2,609.81
	<b>TOTAL</b>	<b>\$78,108.17</b>

10:27 AM

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED NOVEMBER 14, 2014. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

g) 9:17 AM COUNTY ROAD AND BRIDGE

i) Commissioner Crane reported that things were going well with Road and Bridge.

h) 9:18 AM BUILDING AND GROUNDS MATTERS

i) McMurray reported that panic buttons had been repaired and were in good working order

ii) A riser has been installed at the witness stand in Courtroom 3 in the Cassia County Judicial Center (CCJC) to improve visibility of the judge to the witness.

iii) McMurray is working with contractor Dennis Wilcox to locate windows for the doors in the Juvenile Probation office. They will get a timeframe of that installation later.

i) 11:08 AM DISCUSS HEARING PROCESS AND STANDARDS RELATIVE TO AMENDMENT OF ZONING ORDINANCES

i) It was pointed out that Board members can talk individually to constituents.

ii) Abenroth said it would be a violation of open meeting laws If the majority of the Board were discussing the situation out of a posted Board meeting.

iii) The original Planning and Zoning Commission determination was to recommend amendment of a zoning ordinance to allow a waste transfer station as petitioned by the City of Burley with the stipulation of requirement of a conditional use permit issued by the Board.

**CASSIA COUNTY COMMISSION  
REGULAR SESSION**

**Monday, November 17, 2014**

**2 | Page**

- iv) McMurray and Abenroth concurred that consideration is to allow any waste transfer station at any industrial commercial zoned area in the County.
  - v) Planning and Zoning administrator McMurray will lay out the use of land rather than consideration just for this particular petition of the City of Burley.
- 2) 9:17 AM APPROVE THANE TEETER ON SNOWMOBILE ADVISORY COMMITTEE
- a) Commissioner Kunau indicated that Teeter is interested in serving and is the only one qualified.
  - b) The term would be for four years.
  - c) McMurray will prepare a letter to be sent to Teeter to that effect.
  - d) There are members of the Advisory Committee from Minidoka, Power, and Cassia Counties.

**9:17 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE APPOINTMENT OF THANE TEETER TO THE SNOWMOBILE ADVISORY COMMITTEE. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 3) 9:18 AM REQUEST FOR WAIVER AT OAKLEY TRANSFER STATION RESTROOMS
- a) McMurray explained to the Board this is in regards to the previously approved construction of a building at the transfer station in Oakley.
  - b) The contractor and Southern Idaho Solid Waste Director Josh Bartlome indicated those fees should be waived.
  - c) Building Inspector Dave Zanone indicated that the cost would have been somewhere between \$100 and \$200.

**9:19 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO WAIVE BUILDING FEES FOR THE BUILDING TO BE CONSTRUCTED AT THE OAKLEY WASTE TRANSFER STATION. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 4) 9:20 AM REVIEW COMMENT LETTER TO EPA ON WATERS OF US DEFINITION
- a) On behalf of the Board, a comment letter was prepared by McMurray to the Environmental Protection Agency and the US Army Corps of Engineers regarding proposed revisions to definitions of waters of the United States.
  - b) It is the position of the Board that the proposed language in summary is a federal takeover of state's rights regarding water and water rights.
  - c) The deadline for comment was last week and it had to be sent in.
  - d) The letter that was sent which approval needed to be ratified by the Board was read by Commissioner Kunau.

**9:23 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO RATIFY APPROVAL OF A LETTER TO THE EPA AS READ AND PREVIOUSLY SENT AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 5) 9:30 am REVIEW AND EXECUTE LETTER TO IDAHO DEPARTMENT OF WATER RESOURCES REGARDING BEAR RIVER BASIN ADJUDICATION PUBLIC MEETINGS
- a) A letter regarding the Bear River Basin Adjudication Meetings was sent out late.
  - b) The Board asked McMurray to prepare a letter asking for a report back and to give more lead time to allow for a representative to be there.
  - c) The proposed letter was read by McMurray.

9:29 AM

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SEND THE PROPOSED LETTER AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

6) 9:40 AM REVIEW IDAHO PUBLIC UTILITIES COMMISSION NOTICES OF APPLICATION

- a) Commissioner Kunau reviewed the following IPUC Cases: INT-G-14-02, IPC-E-14-26, IPC-E-14-27, IPC-E-14-28, IPC-E-14-29, IPC-E-14-30, IPC-3-14-31, IPC-E-14-32, IPC-E-14-33, IPC-E-14-34, IPC-E-14-35, and IPC-E-14-36.
- b) It was reported that none of the matters affect Cassia County.

7) 9:45 AM AUDITOR'S OFFICE MATTERS

- a) Larsen read a memo proposed to be sent to department heads regarding annual inventory reporting from the Auditor's office.
- b) He desired the input of the Board and approval of enhanced inventory accountability to protect County assets as well as employees.

9:58 AM

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO ACCEPT AND SUPPORT ENHANCED INVENTORY ACCOUNTABILITY OF ALL COUNTY DEPARTMENTS AS PRESENTED BY AUDITOR LARSEN. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- c) Larsen reported to the Board that as Secretary-Treasurer of the Idaho Association of County Recorders and Clerks, he has been involved with user group meetings of the 35 counties who use Computer Arts for their Clerk's Financial Program and other Idaho local government systems.
- d) The Board had previously inquired if it would be appropriate to look at options to the current accounting process, specialty programming, and server system.
- e) Many concerns including the steep learning curve, lack of documentation and intuitiveness, limited one-on-one training, and web-based limitations of our current system spawned further investigation earlier this year by the Auditor's office.
- f) An informal meeting with Computer Arts Vice President, Mitch Cromwell was held with the Assessor, the Sheriff, the Auditor, and Commissioner Christensen in Moscow at the IAC Annual Meeting in September to get a brief overview of their process and integration.
- g) Another meeting was scheduled for a day for Larsen and Lead Auditor Heather Evans with Computer Arts CEO Shane Harris, Vice President Mitch Cromwell, and Service Manager/Product Manager Shelly Petersen to review the Clerk's Financial Software.
- h) Lead Auditor Evans was in awe with the intuitiveness, ease of use, integration, and functionality of the program. She detailed the web-based employee portal that would clearly benefit and streamline employee/Auditor's office interactions.
- i) It was pointed out that there are employer mandates in conjunction to the Affordable Care Act (ACA) for IRS detailed individual employee-reported payroll that include the Family Medical Leave Act and Worker's Compensation reporting. New reports will need to be generated to be compliant. To date, nothing has been proposed in payroll programming preparations to be compliant with the ACA.
- j) Larsen presented to the Board that he would like to conduct a cost-benefit analysis of our current system as compared with this potential alternative for the better long term interest of the County.

**10:22 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE LARSEN'S REQUEST TO CONDUCT A COST-BENEFIT ANALYSIS FOR THE CLERK'S FINANCIAL PROGRAM AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- k) The Board indicated that it would be important to discuss this with other involved departments of the County.
- 8) 10:22 AM REVIEW AND EXECUTE LETTER TO LAW ENFORCEMENT ADVISORY COMMITTEE
  - a) A billing was received from outside auditor Jeff Poulsen for services related to information requested from the Law Enforcement Advisory Committee.
  - b) The Board was concerned that services rendered had not been authorized by the Board.
  - c) The Board requested McMurray prepare a letter to the Law Enforcement Advisory Committee to that effect requesting that Commissioner Christensen be advised of the need and costs of further services from Poulsen.
  - d) The letter was read by Commissioner Kunau.

**10:23 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE AND SIGN A LETTER TO THE LAW ENFORCEMENT ADVISORY COMMITTEE. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 9) 9:59 AM REVIEW PROPOSED ROAD OBLITERATION BY MINIDOKA RANGER DISTRICT
  - a) McMurray explained maps and notes from a meeting on November 14, 2014, regarding non-system route obliterations that are planned for 2015 by the US Forest Service.
  - b) The Board determined to have McMurray write a letter to District Ranger Loren Poppert expressing concern the negative impact of road obliterations in Albion, the South Hills, and in Almo Park will likely have on weed control, grazing, firewood gathering, and recreational use on public lands.
  - c) They expressed a desire to have discussion with Poppert in next week's Board Meeting about not closing so many roads and routes on public land in the County.

**10:10 AM**

**MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE A LETTER PREPARED TO SEND TO DISTRICT RANGER LOREN POPPERT REGARDING CONCERNS OF US FOREST SERVICE ROAD CLOSURES IN THE COUNTY. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

10) 10:28 AM INDIGENT MATTERS

**10:28 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: 2014092
- b) Certificate of Denial: 2014088
- c) Certificate of Approval: 2014087
- d) Notice of Lien and Application for Medically Indigent Benefits: 2014105, 2013055
- e) Notice of Continuance of Hearing: 2014036
- f) Release of Medically Indigent Lien: 2011062
- g) Assignment to Collections: 207072, 2009128, 2011122, 2011140, 2011041, 2012061, 2013007, 2013022

***CASSIA COUNTY COMMISSION***

***REGULAR SESSION***

***Monday, November 17, 2014***

**5 | Page**

h) Medical Records/Utilization Management Review: 2014092

**10:46 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 10:46 AM.**

**10:47 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 10:52 AM.**

11) 11:40 AM ADJOURNMENT

APPROVED:

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

Dennis Crane, Chairman of the Board

ATTEST:

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

Joseph W. Larsen, Clerk of the Board