



Cassia County Board of Commissioners

Cassia County Courthouse
Commission Chambers
1459 Overland Ave. – Room 206
Burley, ID 83318
www.cassiacounty.org

Board Chairman:
Dennis Crane

Phone: (208) 878-7302
Fax: (208) 878-9109

Board Members:

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

Monday, October 6, 2014

The Board of Cassia County Commissioners met in regular session on Monday, October 6, 2014, at 9:00 a.m. in the Commission 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:	Doug Abenroth
	County Administrator:	Kerry D. McMurray
	Others:	Carrie Merrell, Auditor's Office
	Patty Justesen, Treasurer	Ruthe Hobbs
	Mike Matthews, Sen. Risch's office	Tom Blanchard, Idaho Historical Society
	Laurie Welch – Times News/Voice	Steve Barrett – Century Farms & Ranches
	Gary Farwell	Louise Farwell
	Carla Haney	Kevin L. Broadhead
	Shanna Farwell	Mike Farwell
	Lisa Funk	Mike West

1) 9:03 AM AMENDMENT TO AGENDA

- a) Larsen indicated that a time sensitive amendment for corrections to the levy reports required by the State Tax Commission was inadvertently left off the agenda.

9:04 AM

MOTION: COMMISSIONER KUNAU MOVED TO ADD DISCUSSION OF TIME SENSITIVE LEVY AMENDMENTS TO THE AGENDA AS IT WAS INADVERTANTLY LEFT OFF. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- i) Deputy Auditor Carrie Merrell presented minor changes that needed to be made to L-1 and L-2 levy request sheets
- (1) Adding back of partial increment value to correct the City of Burley bond levy. That was necessitated due to an incorrect formula included in the State's downloaded worksheet which required a manual override.

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- (2) Total tax replacement did not balance with Power County on the American Falls School #381. The Supplement #1 replacement amount was coordinated with the Power County Auditor to balance tax replacement.
- (3) An incorrect non-exempt levy rate was used on the L-2 worksheet for the Raft River Fire District. That correction was coordinated with the district attorney Bill Parsons.
- (4) Personal property replacement amount of \$67 was not included on the L-2 worksheet for the Albion Highway District. That was added so it would reflect a deducted amount from the L-2 worksheet.

9:14 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE L-1 AND L-2 LEVY AMENDMENTS AS PRESENTED BY THE AUDITOR’S OFFICE. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- b) Commissioner Christensen said information just came in regarding issues of notification for a proposed zoning change and requested it be added to the agenda.

11:50 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO ADD DISCUSSION OF NOTIFICATION OF RESIDENTS TO ADJOINING AREAS PROPOSED FOR ZONING CHANGES. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- (1) Commissioner Christensen discussed with the Board concerns of some County residents about notification to them of a proposed commercial zoning change near some residential areas.
- (2) The Board discussed County industrial commercial zoning code.
- (3) Abenroth indicated that when the code was written it didn’t take into consideration that there would be residents in an industrial commercial zone.
- (4) Abenroth further stated that notice could legally be sent to whoever the County decided to but expressed concern about setting a precedence by doing such.

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) No Board Meeting will be held on Monday, October 13th as Columbus Day is a holiday.
- ii) Joint Juvenile Probation Meeting at 7:30 a.m. Tuesday, October 13th in Rupert. Commissioner Kunau will attend as Commissioner Christensen will be unable to.
- iii) Joint Jail Meeting at 8:00 a.m. Tuesday, October 13th in Rupert. Commissioner Kunau will attend this meeting as well.
- iv) 5th Judicial District Drug Court Graduation at 6:30 p.m. Oct 15th at the CSI Fine Arts Auditorium in Twin Falls
- v) Annual Fall Dinner of Wood River Resource Conservation and Development on October 23rd at 5:30 p.m. for the social hour and at 6:30 p.m. for dinner
- vi) Commissioner Christensen reported that a meeting will be held in Bannock County on October 8th for their engineers and County Commissioners regarding solid waste disposal in their area. Christensen will be in attendance at that meeting on behalf of our solid waste district.

- b) 9:05 AM CORRESPONDENCE
 - i) Open House for the Oregon Trail Recreation Center from 11:30 a.m. to 4:00 p.m. Tuesday, October 7th with the Dedication at 4:00 p.m.
 - ii) A email from John Ellis expressing concerns regarding jury and security personnel and procedures at the Cassia County Judicial Center (CCJC)
 - iii) Invitation to a Pipeline Safety Meeting at 5:30 p.m. Wednesday, October 22nd at the LaQuinta Inn and Suites in Twin Falls
 - iv) Thank you card from the Auditor’s and Recorder’s office for the employee appreciation BBQ
 - v) Letter from the Acting Field Manager of the BLM Burley Field Office regarding the completion and posting on the internet of the Categorical Exclusion and Decision Record for the Agua Caliente 3D Seismic Survey.
- c) 9:34 AM PERSONNEL
 - i) CORRESPONDENCE
 - (1) Letter from Deputies Stephanie Lee Olson, Edna Popoca Guadarrama, and Andrew Lawrence Burns requesting retroactive increases in rate of pay to the date of receiving certification as detention deputies.
 - (2) Larsen indicated that there appeared to be sufficient balances with the FY2014 Mini-Cassia Criminal Justice Center (MCCJC) budget to cover those rate of pay increases if approved by the Board. The delay was to ascertain whether or not that would need to be paid with FY2015 available funds. End of year commitment of carryover balances from the MCCJC.
 - ii) CHANGE OF STATUS
 - (1) MCCJC
 - (a) Increase in rate of pay for Detention Deputy Andrew Lawrence Burns for meeting requirements for Level I Detention Certification
 - (b) Increase in rate of pay for Detention Deputy Edna Popoca Guadarrama for meeting requirements for Level I Detention Certification
 - (c) Increase in rate of pay for Detention Deputy Stephanie Lee Olsen for meeting requirements for Level I Detention Certification

9:38 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE SAID CHANGE OF STATUS REQUESTS AS PRESENTED RETROACTIVE TO POST CERTIFICATION DATE TO BE PAID OUT OF THE FY2014 BUDGET. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- d) 11:12 AM APPROVAL OF MINUTES

11:12 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE MINUTES OF THE BOARD FROM SEPTEMBER 29, 2014. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- e) 9:28 AM JUNIOR COLLEGE RESIDENCY APPLICATIONS
 - i) The Board reviewed 20 CSI Junior College Residency Applications; 15 high school dual credit and five non-dual credit applications.

9:28 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE 20 CSI JUNIOR COLLEGE RESIDENCY APPLICATIONS AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

f) 12:19 PM COUNTY PAYABLES

CURRENT EXPENSES	104	\$86,052.33
INDIGENT FUND	105	\$2,662.50
DISTRICT COURT FUND	106	\$1,211.53
CASSIA FAIR FUND	111	\$34,155.77
REVALUATION FUND	114	\$192.25
JUSTICE FUND	130	\$41,524.19
CASSIA DRUG TASK FORCE	136	\$926.60
PHYSICAL FACILITIES FUND	144	\$142.31
ADULT MISDEMEANOR PROBATION	149	\$685.39
	TOTAL	\$167,552.87

12:19 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED OCTOBER 6, 2014. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

g) 9:29 AM COUNTY ROAD AND BRIDGE

- i) The Board will travel to the Elba/Almo area following the completion of the time scheduled items of the agenda to talk with Road and Bridge Supervisor Sam Adams.
- ii) They will then get Adams' report and review culvert issues as well as the County shale pit.

h) 9:29 AM BUILDING AND GROUNDS MATTERS

- i) McMurray reported on sprinkler system issues at the Assessor's office.
- ii) Additionally, some locks at the Assessor's office do not have a key available. Some got locked which required those locks be changed to get access to those areas.
- iii) Assessor Davis expressed concern in an email to the Board that the lawn mowing was only partially completed. The County-contracted lawn care is provided by Bob Haynes. He was unable to complete the mowing due to rain and the sprinklers subsequently coming on. Grounds Supervisor Craig Munoz stayed late and completed mowing the lawn.
- iv) Mr. Davis expressed gratitude for the issue being resolved.

3) 9:14 AM APPROVAL FOR DISPERSAL OF CLAIM TO KEY BANK ON VAUGHAN TAX SALE

- a) Drafted Resolution No. 2014-027 for the distribution of excess tax deed sale proceeds to KeyBank National Association was reviewed by Abenroth.
- b) Treasurer Justesen pointed out an error in the parcel number in the description of the property in question which necessitated a change in the proposed resolution.
- c) Excess tax proceeds in the amount of \$40,395.33 exists on the tax deed sale of property located at 1106 Hansen Avenue in Burley, Parcel No. RPPBB01106022A.

9:19 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE RESOLUTION NO. 2014-027 AUTHORIZING DISTRIBUTION OF EXCESS TAX DEED PROCEEDS IN THE AMOUNT OF

\$40,395.33 TO KEYBANK NATIONAL ASSOCIATION. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 4) 9:15 AM DELIBERATE ON JUVENILE CORRECTION'S PROPOSED INTERAGENCY AGREEMENT WITH MINI-CASSIA CRIMINAL JUSTICE CENTER (MCCJC)
- a) McMurray discussed a proposed Interagency Agreement for Juvenile Staging Services with the Idaho Department of Juvenile Corrections (IDJC) and the MCCJC. Concern was expressed regarding liability for medical costs of juveniles who are being staged at the MCCJC. The IDJC approved placement of that provision in the agreement.
 - b) Provisions include the requirement for workers compensation in force covering work performed by agents and employees of the MCCJC. The Idaho Risk Management Program (ICRMP) will issue a Certificate of Insurance to meet that requirement.
 - c) The daily rate for staging juveniles at the MCCJC will be \$125.

9:25 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE AND ADOPT THE INTERAGENCY AGREEMENT FOR JUVENILE STAGING SERVICES BETWEEN THE IDJC AND THE MCCJC. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 5) 9:26 AM DELIBERATE ON LETTER OF REQUEST FOR EQUIPMENT FROM THE IDAHO TRANSPORTATION DEPARTMENT (ITD)
- a) This matter is a follow-up on a Road and Bridge matter brought to the Board last meeting for the potential acquisition of surplus ITD property.
 - b) A proposed letter to District 4 Engineer Devin O. Rigby was prepared and read by McMurray.
 - c) The request was for consideration of a 1992 Peerless belt loader item #T08508 to be transferred to the County under the agreement with the ITD for the 77 Spur.

9:28 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SIGN A REQUEST FOR EQUIPMENT WITH ITD AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 6) 9:30 AM REVIEW COUNTY BUILDING OFFICIAL'S ANNUAL REPORT
- a) McMurray went over the annual FY2014 Building Report as provided by Building Official Dave Zanone.
 - b) Building permits went down from 195 permits during FY2013 to 163 permits for FY2014.
 - c) Total fees went up from \$134,633.40 in FY2013 to \$194,273.34 in FY2014.
 - d) Valuations to the County of \$14,735,093.94 in FY2013 went up to \$27,453,702.34 in FY2014.
- 7) 9:40 AM REVIEW SEPTEMBER VETERANS' SERVICE OFFICER (VSO) REPORT
- a) The Board received the September VSO report by email from VSO Georgianna Greenwell.
 - b) The report was read by Commissioner Kunau.

- 8) 9:45 AM EXECUTIVE SESSION – PERSONNEL ISSUES

9:45 AM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING EMPLOYEE MATTERS 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 RECESSED THE EXECUTIVE SESSION AND RETURNED TO REGULAR SESSION AT 10:00 AM. THE BOARD WILL RECONVENE LATER IN THE DAY TO CONCLUDE THE EXECUTIVE SESSION.

- 9) 10:00 AM IDAHO CENTURY FARM AWARD TO GARY FARWELL BY IDAHO STATE HISTORICAL SOCIETY
- a) Tom Blanchard from the Historical Society presented a Century Farm designation to the family of Gary Farwell from the Heglar area.
 - b) That designation is for farms who have had 100 years of family ownership of at least 40 acres.
 - c) Mike Matthews from Senator Risch's office provided a congratulatory letter to Farwell.
 - d) Farwell presented a brief history of the moving of their family to homestead in the Heglar area.
- 10) 10:15 AM DELIBERATE ON LETTER CONCERNING CONSTRUCTION OF COUNTY BUILDINGS
- a) The Board requested McMurray to propose a letter of response to Ken Harper from Nu-Vu Glass which was read by Commissioner Christensen.

10:37 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO ACCEPT AND SIGN A PROPOSED RESPONSE LETTER TO KEN HARPER FROM NU-VU GLASS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- b) It was recommended by the Board to have McMurray prepare a letter to local newspapers expressing appreciation for those businesses who participated in the construction projects of the County.

10:37 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE MCMURRAY PREPARING A LETTER TO LOCAL NEWSPAPERS EXPRESSING APPRECAITION FOR THOSE WHO PARTICIPATED IN RECENT CONSTRUCTION PROJECTS IN CASSIA COUNTY. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

11) 10:25 AM DELIBERATE ON RESOLUTION NO. 2014-026 SETTING PROTOCOL FOR INSTALLATION OF WALL HANGINGS AT THE CCJC

- a) A proposed resolution establishing protocol for wall hangings at the CCJC was read by Commissioner Kunau.
- b) Concerns expressed by Larsen regarding protocol for who should be responsible and liable for wall hangings at the CCJC resulted in the proposed resolution. He expressed where renovation at other County properties had taken place that the same concerns would be appropriate there as well for both wall hangings and for the food and drink policy already in force at the CCJC.
- c) The Board indicated they would take that concern into consideration.

10:49 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE RESOLUTION NO. 2104-026 ESTABLISHING PROTOCOL FOR WALL HANGINGS AT THE CCJC. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

12) 11:12 AM INDIGENT MATTERS

11:12 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: 2014077, 2014079, 2014082, 2014090, 2014091
- b) Certificate of Denial: 2014075, 2014076, 2014083, 2014081, 2014085
- c) Certificate of Approval: 2014089

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- d) Notice of Lien and Application for Medically Indigent Benefits: 2014090, 2014091
- e) Release of Medically Indigent Lien: 2014066
- f) Medical Records/Utilization Management Review: 2014077, 2014090, 2014091

11:40 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 11:22 AM.

13) 11:22 AM EXECUTIVE SESSION – PERSONNEL ISSUES

11:22 AM EXECUTIVE SESSION – THE BOARD RECONVENED IN AN EXECUTIVE SESSION FROM AN EARLIER RECESSED EXECUTIVE SESSION REGARDING EMPLOYEE MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(B). THE BOARD RETURNED TO REGULAR SESSION AT 11:40 AM.

11:40 AM

MOTION: COMMISSIONER KUNAU MOVED TO PAY A ROAD AND BRIDGE BULK FUEL PURCHASE THAT OCCURRED IN SEPTEMBER OUT OF FISCAL YEAR 2014'S BUDGET. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

11:41 AM

MOTION: COMMISSIONER KUNAU MOVED TO REDUCE ROAD AND BRIDGE'S FISCAL YEAR 2015 BUDGET IN THE AMOUNT OF A BULK FUEL PURCHASE FROM SEPTEMBER. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

14) 11:45 AM ADJOURNMENT

15) 11:56 AM Chairman Crane, Commissioner Kunau, and McMurray travelled to the Elba/Almo area to review culvert and road issues as well as the new underground power line that work has begun on.

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board