



Cassia County Board of Commissioners

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

Board Members:

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

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Monday, April 27, 2015

9:00 AM

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

THOSE PRESENT:

County Commissioners:

Dennis Crane, Chairman
Prosecuting Attorney:
Doug Abenroth

Paul Christensen
Administrator:
Kerry D. McMurray

Bob Kunau
Clerk of the Board:
Joseph W. Larsen

Others:

Ruthe Hobbs, Citizen
Patty Justesen, Treasurer
Craig Rinehart, Coroner
Casey Anderson, Citizen
(Anderson is a Burley City Councilman)
Darwin Johnson, MCCJC
Dwight Davis, Assessor

Joel Packham, Extension Office
Amber Prewitt, Adult Probation
George Warrell, Undersheriff
Linda Montgomery, SCPHD Chair
Heather Evans, Deputy Auditor
Carrie Merrell, Deputy Auditor
Theresa Forthun, Senior Deputy Clerk
Christopher Reid, Zions Bank

Todd Barney, Zions Bank
Dennis Byington, Public Defender
Scott Arnell, SPCHD
Lisa Klamm, SCPHD
Rene LeBlanc, SCPHD
Adria Masoner, SCPHD
Jay Heward, Sheriff

1) 9:01 AM MOTION AND ORDER TO AMEND AGENDA

9:01 AM

MOTION: PAUL CHRISTENSEN, MEMBER, MOVED THAT THIS GOVERNING BODY, PURSUANT TO IDAHO CODE § 67-2343, AMEND THE AGENDA FOR THIS MEETING AS FOLLOWS:

- a) To include the budget presentation of the South Central Public Health District (SCPHD) that had been scheduled for 10:15 a.m. for a half hour.
- b) To include discussion of Open Meeting Law and agenda issues.

GOOD FAITH REASON ITEM WAS NOT INCLUDED IN POSTED AGENDA:

- a) SCPHD approved request for 10:15 a.m. was not preserved in the calendar due to a computer glitch.
- b) Notification of complaint of purported violations of Open Meeting Law and agenda issues came after publication of the agenda.

DENNIS CRANE, CHAIR	YES
PAUL CHRISTENSEN, MEMBER	YES
BOB KUNAU, MEMBER	YES

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UNSCHEDULED AGENDA ITEMS

2) 9:00 AM CALL TO ORDER, PLEDGE OF ALLEGIANCE, PRAYER

9:04 AM CONVENE EXECUTIVE SESSION

MOTION: PAUL CHRISTENSEN, MEMBER, MOVES THAT THE BOARD, PURSUANT TO IDAHO CODE § 67-2345(1)(b), CONVENE IN EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTERS REGARDING EVALUATIONS OF AN EMPLOYEE AND A COMPLAINT AGAINST A PUBLIC OFFICER AND VOTE TO DO SO BY ROLL CALL.

DENNIS CRANE, CHAIR	YES
PAUL CHRISTENSEN, MEMBER	YES
BOB KUNAU, MEMBER	YES

THE BOARD ADJOURNED THE EXECUTIVE SESSION AT 9:38 AM.

3) 9:38 AM REVIEW CALENDARS AND MEETINGS

- a) Joint Public Defender meeting at 7:30 a.m. Tuesday, April 28th in the Commission Chambers
- b) Joint Jail and Justice meeting at 8:00 a.m. Tuesday, April 28th in the Commission Chambers
- c) Informational conference call regarding the Sage Grouse project at 10:00 a.m. Tuesday, April 28th
- d) Invitation to attend seminary graduation at 7:00 p.m. Wednesday, May 20th at the Burley LDS West Stake Center
- e) Idaho Association of Commissioners and Clerks Conference June 9th through June 11th in Coeur d'Alene
- f) Bankruptcy hearing scheduled for today for Abenroth for a medical indigent lawsuit withdrew their objection and the hearing went away. The County will receive some funds on that bankruptcy distribution.
- g) A hearing scheduled this afternoon for Abenroth regarding Sircomm has been continued.
- h) An IPPA Conference for Abenroth will be held from May 4th through May 6th. A deputy prosecutor will be present for Board meetings on that Monday.

4) 9:38 AM REVIEW CORRESPONDENCE

- a) Ian Thomas from the State Public Defender Task Force will meet tomorrow with the Joint Public Defender group to promote joint defense operations as a model for the state.
- b) A March 2015 Draft General Management Plan/Environmental Impact Statement book from the National Park Service, U.S. Department of the Interior, Idaho Department of Parks and Recreation; copies of which will be in the Administration Department and the Auditor's Office. In conjunction with that, Commissioner Christensen asked that a time be scheduled for Wallace Keck to be scheduled to meet with the Board regarding climate change and grazing.
- c) Abenroth received an email from Larsen containing a certified mailing of a letter from citizen Casey Anderson addressing open meeting concerns. A statement in the letter stated that if concerns were not resolved, the next step would be litigation. Abenroth stated it was important to acknowledge that correspondence. In Abenroth's view, the matter would fall under potential litigation, so an executive session would be appropriate to discuss specifics at the appropriate time.

5) 9:41 AM PERSONNEL MATTERS

- a) CHANGE OF STATUS
 - i) SHERIFF'S OFFICE
 - (1) Voluntary resignation of Deputy Clark Ward
 - ii) MINI-CASSIA CRIMINAL JUSTICE CENTER (MCCJC)
 - (1) New part time hire of Charles E. Maxwell, Jr. as a hospital guard. Commissioner Christensen inquired if Maxwell was POST certified. MCCJC Director Darwin Johnson thought he was

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weapons certified but did not know if he was currently POST certified. The Board determined to table this approval for further information.

iii) ADULT MISDEMEANOR PROBATION

- (1) Transfer of dispatcher Jennifer Buffi from the Sheriff's Office to Adult Misdemeanor Probation with a reduction in rate of pay to coincide with job description and established rates of pay.

9:46 AM

MOTION: PAUL CHRISTENSEN, MEMBER, MOVED TO APPROVE TWO CHANGE OF STATUS REQUESTS AS PRESENTED. BOB KUNAU, MEMBER, SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- iv) Following verification by Johnson during Department Head Meeting, it was determined that Maxwell was weapon certified and it would be acceptable to consider him as a part time employee of the MCCJC as presented earlier.

9:58 AM

MOTION: PAUL CHRISTENSEN, MEMBER, MOVED TO APPROVE A CHANGE OF STATUS REQUEST FOR A JAIL DEPUTY AS PRESENTED AND EXPLAINED. BOB KUNAU, MEMBER, SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

6) 10:25 AM BUDGET PRESENTATION OF SCPHD (*amended to the agenda*)

- a) Linda Montgomery, Board Chairman of the SCPHD introduced those present representing SCPHD. Each staff member present provided an update of their work and involvement with public health in Cassia County.
- b) Rene LeBlanc, Board Secretary and Director of SCPHD presented the budget proposal for FY2016.
- i) LeBlanc said an overall 3% increase in county funding was requested. They provided a detailed FY2016 Budget Proposal broken down by the eight counties in the SCPHD. Total contributions are divided using proportions of county population (70%) and property market value proportions (30%).
- ii) A summary of expenditures and revenues, a data dictionary – project cost accounts, community relations, and county rankings of return on investment for services delivered were provided to the Board. The total monetary benefit to Cassia County was presented as \$789,931 as compared to the total requested Cassia County contribution of \$120,776.00.
- iii) Cassia County's proposed total contribution for FY2016 to SCPHD was \$120,776.00. That is a 3% or \$3,615.00 increase from FY2015, which was \$117,161.00.
- iv) The new Mini-Cassia Health Department building in Heyburn is scheduled for completion about October 1, 2015.

11:01 AM

MOTION: PAUL CHRISTENSEN, MEMBER, MOVED TO APPROVE AND SIGN TO GIVE ROBERT KUNAU, MEMBER, THE PROXY VOTE OF CHAIRMAN CRANE FOR THE SCPHD BUDGET HEARING TO BE HELD ON MAY 20, 2015. BOB KUNAU, MEMBER, SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- v) Commissioner Kunau will attend the SCPHD budget hearing to vote on behalf of Cassia County.

7) 11:01 AM REVIEW JUNIOR COLLEGE CERTIFICATE OF RESIDENCY RECOMMENDATIONS FOR APPROVAL

- i) The Board reviewed seven junior college Certificate of Residency applications
- (1) College of Southern Idaho non-high school dual credit approvals: 6
- (2) College of Southern Idaho denials: 1
- ii) Chairman Crane explained the denial was due to the student reaching maximum statutory funding.

11:02 AM

MOTION: PAUL CHRISTENSEN, MEMBER, MOVED TO APPROVE SIX JUNIOR COLLEGE RESIDENCY APPLICATIONS AS PRESENTED. BOB KUNAU, MEMBER, SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 8) 11:06 AM COUNTY ROAD AND BRIDGE DEPARTMENT MATTERS
 - a) Chairman Crane visited with Road and Bridge Supervisor Sam Adams this morning.
 - b) They had received moisture over the weekend and have been busy working on grading of roads.
 - c) There is a meeting this afternoon that McMurray will facilitate with an engineer regarding installation of a fuel tank that will be purchased.
- 9) 11:07 AM BUILDINGS AND GROUNDS MATTERS – McMurray reported buildings and ground matters were discussed previously in Department Head Meeting
- 10) 11:07 AM GATEWAY TRANSMISSION LINE MATTERS – No matters to be discussed
- 11) 11:09 AM INDIGENT MATTERS

11:09 AM CONVENE EXECUTIVE SESSION

MOTION: BOB KUNAU, MEMBER, MOVED THAT THE BOARD, PURSUANT TO IDAHO CODE § 67-2345(1)(d), CONVENE IN EXECUTIVE SESSION TO CONSIDER MEDICAL INDIGENT MATTERS THAT ARE EXEMPT FROM PUBLIC DISCLOSURE AND VOTE TO DO SO BY ROLL CALL.

DENNIS CRANE, CHAIR	YES
PAUL CHRISTENSEN, MEMBER	YES
BOB KUNAU, MEMBER	YES

Welfare Director Susan Keck presented the following cases for review and approval of the Board:

- a) Case Presentation: 2015025
- b) Certificate of Denial: 2015021
- c) Notice of Lien: 2015005, 2015014, 2015015, 2015034
- d) Release of Medically Indigent Lien: 2015005, 2015014, 2015015
- e) Medical Records/Utilization Management Review: 2015025

11:17 AM

MOTION: PAUL CHRISTENSEN, MEMBER, MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED.

- 12) 11:21 AM CONTRACT MATTERS TO WHICH COUNTY IS A PARTY
 - a) LAW ENFORCEMENT – To be addressed as a specific agenda item later in the meeting
 - b) WEED – No matters today
 - c) FAIRGROUNDS – No matters today
- 13) 11:21 AM GRANT APPLICATION MATTERS – No matters today
- 14) 11:21 AM BOARD OF EQUALIZATION – No matters today
- 15) 11:21 AM REVIEW PROPOSED LAW ENFORCEMENT AGREEMENT
 - a) McMurray compared an agreement provided by City of Burley attorney Dave Shirley to the existing agreement. There are changes other than the dates of the agreement and the amount of money. More than anything, there were format changes. There is what McMurray characterized as good changes as well.
 - b) McMurray provided a copy of proposed changes that were redlined.
 - c) Item No. 13 under Audits and Inspection, the current language provides for those records to be subject to audit, review, or inspections by the County or the City during the terms of this agreement. The proposed change of the City of Burley was that the County be stricken and replaced with the Cassia

County Sheriff's Office. McMurray's concern was that this is an agreement between the City and County and not the Cassia County Sheriff's Office and the City. He felt that change is not appropriate by nature of the agreement.

- d) Other changes seem to be with fine tuning and making the agreement better as to how agreement is operated.
 - e) The only monetary agreement change is to address the 2% increase as presented by the Law Enforcement Committee and accepted by the City and County.
 - f) Abenroth said the original draft was forwarded to him and he subsequently forwarded it to Mr. McMurray as he is the holder of the contracts.
 - g) Chairman Crane asked who recommended the change from the County to the Cassia County Sheriff's Office that was presented. McMurray said that was what was sent to the County and he imagined the City suggested that change.
 - h) Commissioner Christensen said this is their first look at the contract and it would be subject to their consent and approval as well. Abenroth acknowledged that is the case and the City can propose changes and the County can agree to them or not. Commissioner Christensen asked Abenroth if he agreed with McMurray. Abenroth stated that changing it to the Sheriff's Office was probably not the right articulation of who the parties are to the contract.
 - i) Chairman Crane said his thought is that we keep the contract provisions between the County Commissioners and the City Council. Abenroth said he could talk to Mr. Shirley about making that change in language to their proposed contract for him to present that to the City Council.
 - j) Commissioner Christensen asked for Abenroth to be provided a copy of the original contract for his review.
 - k) McMurray said they have not received further reports back from the Bill Parsons and the Law Enforcement Committee.
- 16) 11:27 AM DISCUSS GARY B. HARPER'S REQUEST TO VACATE PORTION OF IDAHOME TOWNSHIP THAT EXISTS ON HIS PROPERTY
- a) A letter from Gary B. Harper was read for the record requesting that the portion of the Idahome Township that exists on his property be vacated.
 - b) Davis stated he had no problem with the request as it is a mess.
 - c) Abenroth advised that Harper go to the highway district and address the problem. He concurred that the statute allows vacation of roads of the Idahome Township.
 - i) Idaho Code 50-1306(A) was provided by Davis and he suggested it be reviewed. The highway does need to be notified. Harper referred to Idaho Code 50-1317 in his letter. Abenroth said Harper should send a letter to the highway district as well and that it likely should have been provided to them as well. Chairman Crane asked Abenroth if he would contact Harper and send a copy of the request to the Raft River Highway District as well. Abenroth said he would contact Harper and advise him to send a copy of his request also to the Raft River Highway District. He will advise the Highway District of the situation and felt they should be notified as well.
- 17) 11:34 AM REVIEW REQUEST FOR PURCHASE OF NEW CASSIA-1 SERVER
- a) McMurray said last week, and again this morning, they have had problems with the Cassia-1 server is failing. It is creating problems with the mapping folks as their maps are on that server. It freezes up and processes at a slow speed. Other departments are also affected. Ben Stephenson has said we are to the end of the life of that server and he suggests it be replaced at the cost of \$9,137.65 plus \$1,000 for two uninterrupted power supply units (UPS) totaling \$10,137.65 in costs.

- b) Davis posed a question whether it was put out for bids or if they had checked with others to see if it can be obtained cheaper. McMurray said they typically work through Stephenson's and they are within the procurement rules to do that. They have a situation where they are in worse shape week by week. McMurray said it could be put out to bid if they would like. Commissioner Christensen asked if they would get a convoluted system if they just put it out to bids where Stephenson's has a methodology. He asked for McMurray's feeling on that. Chairman Crane asked if what he was saying was that the server would not match. McMurray said he didn't know if the server had that much proprietary involvement. He said he would be happy to work with Mr. Davis's department to work up bid specs and get that out. Commissioner Christensen was concerned that would create a delay. Commissioner Kunau asked if Stephenson's were bidding the equipment at the lowest rate. McMurray said Ben Stephenson has been good to work with over the years. He shops items to get the best deal possible for the County. McMurray concurred that it doesn't hurt to go out and check for a competitive price.
- c) Commissioner Christensen asked Davis if he wanted them to take the time to take it out to bid. Davis said it was the Board's call on that. He further asked if they had the latitude with the demands of the server to take it out to bid. Davis said that would be a question for the IT person. Commissioner Kunau said we could put it out for bids to see but Stephenson's would likely provide the service. He wanted to know if the server is obtained from one place, would Stephenson's come in and install it. McMurray said the County pays Stephenson's a set amount for their service, so there is nothing different on his. It is just the cost of the server.
- d) Chairman Crane asked how much time is involved. McMurray said it could be put out for sealed competitive bids or quotes. Commissioner Christensen asked which would be timelier. McMurray said to get three quotes would be most timely. He then clarified that and said that actually to authorize what was presented would be most timely. He further stated that he doubted seriously they would beat that price but he would talk to Ben and see who some other folks are out there and maybe Larsen had some ideas on other folks who we could price it out with. Commissioner Christensen said he thought it would be a good idea to get quotes as we haven't done that in a long time. Commissioner Kunau said they saw what it did with the sewer repair project at the Public Defender's office the other day, referring to a bid coming in significantly lower for those services.
- e) Chairman Crane asked what it entails when the server is down. McMurray said five minutes down is about 20 hours of frustration for whoever wants to get on and do it is all. He said it is about five to ten minutes to get it re-started and back up. Larsen expressed concern that the Courts have a couple of years entry of data from court scans on that server. He said he really worries about that being compromised. He asked if we knew for certain that it is a failure of the server. McMurray said that is what Ben Stephenson is telling us. Larsen said he has had troubles with some of his records on that server just showing up missing for a time and only after refreshing several times do they appear back. Larsen said he can see the need if it is degrading, it has to be replaced. If there isn't a redundancy backup to that server, we could be in some deep trouble. He asked if we were replacing it with a similar, better, or newer server and what are their specifications. It would be nice to know that to make that type of decision.
- f) Chairman Crane asked for it to be put back on the agenda for next week and cross our fingers that it doesn't fail too many times. Abenroth asked who was currently on that server as he had received no complaints from his department. Putting it on next week's agenda will give McMurray a chance to look at the situation further.

18) 11:42 AM COUNTY ROAD AND BRIDGE REQUEST FOR HIRING SEASONAL HELP

- a) Chairman Crane explained that with the departure of employees of Road and Bridge, they are just down to supervisor Sam Adams and as previously approved, they are looking for a part time employee.
- b) They have had two applications for that part time position come in before the listing deadline. One was a felon and lied on his application so he wasn't considered. The other was a retired person that didn't understand this job was in Almo. Chairman Crane called him and advised him of that and he wasn't interested.
- c) They would like to consider a seasonal employee that would help to keep benefit costs down but also gives him a five month period to work, have that person off, and then bring him back. Adams is requesting advertising for a seasonal employee. He asked the Board's feelings.
- d) Commissioner Kunau mentioned some required duties would make sense to have a full time individual in place. Chairman Crane asked if they were okay to proceed forward for a seasonal employee. Commissioners Kunau and Christensen agreed it would.

11:44 AM

MOTION: BOB KUNAU, MEMBER, MOVED TO ALLOW PURSUIT OF A SEASONAL EMPLOYEE FOR THE ROAD AND BRIDGE DEPARTMENT. PAUL CHRISTENSEN, MEMBER, SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 19) 11:54 AM RATIFY EXECUTION OF FEDERAL FINANCIAL REPORTS FOR FEDERAL GRANTS L 10 AC 20250 FOR THE WEED DEPARTMENT WITH BUREAU OF LAND MANAGEMENT (BLM)
- a) McMurray said a week ago there was a contract that was brought forward for the Board's approval that was not correct. Then there was another contract to bring in another \$72,000.00.
 - b) Chairman Crane signed those new contracts due to the need for that to be turned in timely to meet a deadline of the Weed Department to get that information in to the BLM. McMurray said ratification of that action was needed by the Board.

11:55 AM

MOTION: BOB KUNAU, MEMBER, MOVED TO RATIFY THE ACTION OF CHAIRMAN CRANE IN THE SIGNING OF BLM CONTRACTS AS PRESENTED TO MEET APPROPRIATE DEADLINES. PAUL CHRISTENSEN, MEMBER, SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 20) 11:56 AM REVIEW ZONING ORDINANCE AMENDMENT HEARING PROCESS
- a) McMurray said there is a time scheduled next week on some zoning amendments for the Board to process according to statute. The Board needs to evaluate each request to determine the nature and extent of a proposed zoning amendment and the effect on delivery of services by any public subdivision including school districts. Schools have been notified so they can bring in any relevant testimony. They must also consider the County's Comprehensive Plan.
 - b) The Board has the benefit of the Planning and Zoning report in making a decision. The amendment can be approved or denied with an explanation as to why. The other option is to review the Comprehensive Plan to see if it may need to be updated.
 - c) McMurray said he was providing the Board with a decision matrix to give the Board form as they study what has been done thus far as well as what may be brought forward during the hearing next week.
 - d) Abenroth said this is the same process followed when the Board considered the solid waste transfer station. The hearing is on Monday morning, May 4th at 9:30 a.m.
- 21) 11:58 AM IDAHO PUBLIC UTILITIES COMMISSION CASES:
- a) Review and comment of the following was provided by Commissioner Kunau
 - i) IPC-E-15-06 – An Errata to Order No. 33273 from April 14, 2015, which specified incorrect deadlines for comments by which Idaho Power could reply and correction of who the comments are to be mailed to.

ii) IPC-E-15-13 – Idaho Power’s application approval to provide electric service to J.R. Simplot Caldwell facility and accompanying rates that apply.

b) Commissioner Kunau recommended no action of the Board was necessary.

22) 11:58 AM REVIEW AND EXECUTE LETTER TO BLM REGARDING WALKER RANCH ENERGY, LLC GEOTHERMAL PROJECT

a) McMurray reminded the Board they received a letter from the BLM asking for comments. Given the nature of this is that part of it will be on private land, he is anticipating it will come forward before the County in the form of a Conditional Use Permit. Discussions with the developer indicate that is on its way.

b) The comment proposed to be offered by the Board has to do with the requirement of County approval on the development of the project. They are asking the BLM to apply the same considerations the County would under Idaho Code for a Conditional Use Permit. An attachment proposed to go with the letter to the BLM contains generally established criteria set forth by the County for them to review. The desire is for the BLM to look at it in similar fashion as the County is required to.

12:00 PM

MOTION: PAUL CHRISTENSEN, MEMBER, MOVED TO APPROVE AND SEND THE PROPOSED LETTER TO THE BLM AS PRESENTED. BOB KUNAU, MEMBER, SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

23) 12:00 PM COPY MACHINE RENTALS FOR THE MCCJC

a) Two rental agreements from Xerox need to be approved and signed for the MCCJC.

b) It is for a Xerox 3615DN WorkCentre with a rental term of 60 months at \$42.44 per month with a cost per print copy of \$0.0189. Commissioner Kunau asked whether that is a competitive rate and McMurray said he thought there had been a change in that cost and it is actually cheaper than what the County has typically paid in the past and it covers more. Where this is under the State contract, it improves it even more. Two copies need to be signed.

12:02 AM

MOTION: PAUL CHRISTENSEN, MEMBER, MOVED TO ACCEPT AND SIGN THE COPIES OF THE CONTRACTUAL RENTAL AGREEMENT WITH XEROX AS PRESENTED. BOB KUNAU, MEMBER, SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

24) 12:02 PM DELIBERATE UPON CASSIA COUNTY ORDINANCE NUMBER 2015-04-01 AND SUMMARY REGARDING ADOPTION OF UPDATED BUILDING CODES

a) McMurray said they got looking at the original Ordinance No. 2015-03-01 and there were some items missing that needed to be in there. Fire code provisions were left out and they needed to be included there.

b) Ordinance No. 2015-04-01 repeals Ordinance No. 2015-03-01 and adopts the whole of what is needed as noted by the Idaho Building Division.

c) Accompanying this is a summary of the Ordinance that will be published instead of the whole Ordinance.

d) Commissioner Christensen asked McMurray about changes and what items in the International Code might be more than what is necessary in local code. McMurray explained considerations that take place to include only what affords safety and is in the best interest of us locally.

12:04 AM

MOTION: BOB KUNAU, MEMBER, MOVED TO APPROVE AND ADOPT ORDINANCE NUMBER 2015-04-01 REGARDING ADOPTION OF UPDATED BUILDING CODES AS PRESENTED. PAUL CHRISTENSEN, MEMBER, SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

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25) 12:06 PM AUDITOR'S OFFICE FY2016 BUDGET MATTERS

- a) Larsen reported some FY2016 budget matters were discussed previously in Department Head Meeting.
- b) He did need to know if he had the Board's approval to continue with pursuit of a contract with ToreUp for destruction of Clerk's Office documents as they need to know preparations for budget planning of that expense for FY2016.
- c) Abenroth had expressed concern with the verbiage of the contract and ToreUp seemed to have no concern with changing any of the verbiage to address those concerns.
- d) The Board agreed it would be okay to pursue that with ToreUp with proposed contractual verbiage changes to fall in line with addressing concerns brought forward by Abenroth.

12:07 PM CONVENE EXECUTIVE SESSION

MOTION: PAUL CHRISTENSEN, MEMBER, MOVES THAT THE BOARD, PURSUANT TO IDAHO CODE § 67-2345(1)(f), CONVENE IN EXECUTIVE SESSION TO COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY-LIKELY LITIGATION REGARDING OPEN MEETING LAWS AND VOTE TO DO SO BY ROLL CALL.

DENNIS CRANE, CHAIR	YES
PAUL CHRISTENSEN, MEMBER	YES
BOB KUNAU, MEMBER	YES

THE BOARD ADJOURNED THE EXECUTIVE SESSION AT 1:03 PM.

26) 1:04 PM REVIEW MINUTES FOR APPROVAL

1:04 PM

MOTION: PAUL CHRISTENSEN, MEMBER, MOVED TO APPROVE MINUTES OF THE BOARD FROM APRIL 20, 2015. BOB KUNAU, MEMBER, SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

27) 1:06 PM REVIEW COUNTY PAYABLES FOR APPROVAL (*attachment included*)

1:06 PM

MOTION: PAUL CHRISTENSEN, MEMBER, MOVED TO APPROVE COUNTY PAYABLES DATED APRIL 24, 2015. BOB KUNAU, MEMBER, SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

SCHEDULED AGENDA ITEMS

28) 9:47 AM DEPARTMENT HEAD MEETING

- a) JAY HEWARD – SHERIFF
 - i) Heward reported on statistics for arrests, citations, calls for service, and papers served throughout his department for March and April.
 - ii) They are down two officers and have been shuffling responsibilities to cover responsibilities.
 - iii) Currently they are operating with two less detectives than they have been. They moved Deputy Wayne Winder to services in the City of Burley to maintain contractual obligations there.
- b) PATTY JUSTESEN – TREASURER
 - i) Justesen reported expenditures in excess of revenues in the County. She further stated that we do see that occasionally, but if we continue, we will be in trouble.
 - ii) Second half tax reminders are being prepared currently.
 - iii) They are scheduling one tax deed hearing on May 18th.
- c) DWIGHT DAVIS – ASSESSOR
 - i) Davis stated there is no new BOE business.
 - ii) Property valuation notices will go out after Memorial Day.
 - iii) The Transportation Bill passed that will include a \$21.00 increase for car registrations, \$25.00 for all truck registrations and \$0.07 on all fuel taxes.

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- d) JOE LARSEN – CLERK
 - i) Larsen said budget worksheet papers will be due in the next three weeks from departments for FY2016. A number of department heads were not in attendance to the budget training recently held. Information from that meeting has been provided to those not in attendance and we will also make the recording of that training and instructional meeting available to them.
 - ii) A consolidated election will be held on May 19th for a proposed City of Burley Library levy override and for two trustee positions for the Albion Highway District. We have received the ballots and early voting will begin next week.
- e) DOUG ABENROTH – PROSECUTING ATTORNEY
 - i) Abenroth said things are going well and they have been busy.
 - ii) He said the Sheriff's department is doing a good job with arrests.
 - iii) They are preparing to submit their budget requests for FY2016 to the Auditor's office.
- f) KERRY MC MURRAY – ADMINISTRATOR
 - i) McMurray reported on Planning and Zoning as well as providing the Board with a March building report.
 - ii) A new sewer line will be installed this coming Thursday and Friday at the Public Defender's Office. They will also be sealing holes and openings in the ceiling in the Assessor's office and following that with new insulations. They are also seeking funding assistance from the Governor's office and are waiting to hear back from them.
- g) AMBER PREWITT – ADULT MISDEMEANOR PROBATION
 - i) Not present
- h) DARWIN JOHNSON – MCCJC
 - i) Population numbers are down this week and last week. There are currently 138 incarcerated. Cassia County population is double that of Minidoka County. They are asking for more State holds.
 - ii) They desire to hire a new part time employee who is weapons certified with the Sheriff's office. That employee will be used at the hospital when needed with inmates when he is not working in his other job. He is involved with Search and Rescue. Abenroth felt that would be satisfactory.
 - iii) They MCCJC recently had their Idaho jail inspection. They fell short in a couple of areas. Four of the five walkthroughs did not pass, which is a concern. Johnson reported that some of the wands they use are not downloading appropriately and he had submitted a request with a cost just under \$1,500.00. \$795.00 of that is for support for the next three years. The balance of the cost is to change their downloader to an IP as currently the only place it is accessible is in the control room. Converting to IP protocol will facilitate Johnson and Deputy MCCJC Director Russ Rasmussen monitoring walkthroughs which they are currently not able to do. Commissioner Christensen asked what the life expectancy was for the new wands and Johnson said forever and the support is renewable. Chairman Crane said he had the paperwork there.

10:01 AM

MOTION: PAUL CHRISTENSEN, MEMBER, MOVED TO APPROVE PURCHASE OF THE IP GUARD DOWNLOADER AT THE COST OF \$1499.54 AS PRESENTED BY JOHNSON. BOB KUNAU, MEMBER, SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- i) GORDON EDWARDS – WEED AND PEST CONTROL
 - i) Edwards reported they are expecting a pretty long and dry summer.
 - ii) Inspections are currently being conducted with nurseries.
 - iii) They are working with spraying weeds in the Jackson area where BLM ground butts up against private land. There is a lot of Scotch Thistle in that area.

- iv) Sage Grouse populations are down in the Cottrell area.
- v) Wildfire is their number one priority and noxious weeds are their second priority this year.
- vi) They have provided five day notices to the State to take care of weeds at the top of Cottrell. They had agreed they would take care of those weeds. They are leaning on the State and who will send letters out to see that gets done.
- vii) They are also dealing with noxious weeds, such as White Top in the Raft River area. Reseeding will take place in that area as well.
- viii) Their bio-control project is going forward.
- ix) They are attempting to get City of Burley to put in a pre-emergent for puncture vine.
- x) Edwards addressed the Rainbow Ranch weed problem and financial assessment with Abenroth. The tax lien won't be able to be applied until August. Justesen said she needs a copy of that which Abenroth will provide.
- ii) CRAIG RINEHART – CORONER
 - i) Rinehart reported they have been busier than usual.
 - ii) They have had 42 cases so far this year which is an increase from last year.
- iii) JOEL PACKHAM – EXTENSION AGENT
 - i) Packham said their department is doing well and have nothing to report.
 - ii) They are currently working on their budget.
 - iii) He reported that dairy weigh-in will be this Friday. For the first time they have more dairy than swine.

10:08 AM ZIONS BANK DISCUSSION REGARDING CREDIT CARDS AND OTHER MATTERS

- i) Christopher Reid reported to the Board that they have been working for about a year now on consolidating commercial credit cards that the County currently offers. He explained that the issuance of commercial credit cards would allow more control over credit card usage and reporting information. It allows that purchases be for their intended uses only.
- j) Since Zions Bank began discussing the credit card issuance and reporting, regulations they have to adhere to have changed. An application has already been signed by the Commissioners in the past six months or so. Because it is a short term credit facility, another short term credit application needs to be signed indicating that there is credit attached to this. Reid came to field any questions the Commissioners might have.
- k) Johnson expressed concern in the MCCJC receiving billings in a timely fashion. By the time they get their billings, they are being assessed a late fee. Chairman Crane asked Larsen to field that concern. Larsen said the way that was originally set up, it had some of that function bypassing the Auditor's Office and it wasn't conducive in avoiding those late fees. We have worked towards having that generally coming to the Auditor's Office so it can be monitored month by month. Individual billings would then make it to each department in a timely basis instead of a delayed basis. That process has been dialogued about with Zions Bank and attendant changes to make that process be timely taken care of. The Auditor's Office recognized that was an issue and that is why it has been addressed with Zions Bank again. With the Auditor's Office receiving those billings going forward, it will curtail delays as they have occurred from occurring any longer. Larsen informed Johnson that once these agreements are signed, it will facilitate them receiving their billings in a timely fashion from the Auditor's Office.
- l) Reid also said departments will have real time access to charges through an online portal by logging in and seeing the individuals each department has jurisdiction over and also access to billing statements online too.

- m) Larsen stated that was one of the beauties of this program when first introduced. We could see the inherent benefit to the County Auditor and departments as well. The problems have had to do with where the rights and privileges have been. We are in the process right now in changing those accesses so each department does have access to their information instead of just one or two individuals. This will also facilitate that the bill gets paid on time and avoid late fees that have been incurred in the past.
- n) Larsen said Abenroth had mentioned a few weeks ago concerns with distribution of numerous credit cards in the County as being problematic. Larsen said he now certainly agrees with Abenroth's characterization when a large number of credit cards are issued to employees. A feasible solution was presented by Reid with the issuance of a ghost card rather than a number of cards being issued. Reid explained by concept where purchases can be authorized without the use of plastic. Internet and phone purchases are where it is commonly used by a lot of businesses and municipalities. It is also given to a vendor for recurring purchases. The ghost card setup does not include plastic. Once requested, it can be closed out or carried forward as needed and approved. That eliminated having extra plastic cards floating around. Departments can increase or decrease monetary limits to meet their needs and deter dilemmas created for safety and security with lost cards. Disabling a ghost card allows that to happen at the department level allowing the County to determine what is needed with credit cards.
- o) Chairman Crane asked if we are doing that now or if it is a proposal. Larsen said it is more in terms of another option in lieu of multitudes of credit cards being issued. He said he only has one card in the Clerk's Office which is used for Elections four times a year as well as the Court purchases when needed which the ghost card would work perfectly for. He felt it was a perfect option to issue a ghost card for those purchases he oversees rather than issuing additional credit cards. Larsen also felt it would be a viable solution for other departments as well in lieu of multitudes of cards being issued.
- p) Chairman Crane asked for feedback from other departments about the ghost card concept. Heward said it might not be a bad idea. Some vendors do have their Key Bank credit card information on file for purchases. Packham asked what the difference is between vendors having information with the card that they carry versus the ghost card concept. Chairman Crane said that is one thing he is confused about also. Packham said that all they have is the numbers and are using those numbers. He didn't see why they would need anything more than that.
- q) Reid stated that departments can do what they feel works best, but for safety and security purposed, if a person's specific credit card gets compromised, that shuts down the credit card for the entire department with the usage of just a single credit card. It may work fine now, but if something were to happen with fraud on that card, the card must be shut down and it would require you to wait the time to have a new card issued. With a ghost card, you are seeing the purchases in real time when logging on to the portal. It also facilitates issuing a vendor with an approved ghost card number. If any credit card should be compromised, it doesn't shut down the whole department's use of the single card.
- r) Abenroth asked about the cost for the use of ghost cards. Reid said there is no cost for the use of any plastic or ghost cards issued. It's just another avenue to pay. Abenroth said he expressed concern with the use of 20 or 30 credit cards and how that would be monitored. Using the number on a single credit card to fraudulently apply to something else is what we are trying to prevent. His primary concern is the potential for misappropriation of funds. Barney said individual transactions can be coded. A general card is coded to accept anything. A ghost card can be used for only a

particular type of product or vendor. If it was criminally compromised and someone tries to use it to purchase gasoline, it will not work. It's just an extra level of protection.

- s) Larsen said the reason it was attractive in the first place was that it does provide that level of oversight that Mr. Abenroth is talking about. That is the Auditor's Office primary concern. Right now we are not on a purchase order basis in the County. Today we have over \$50,000.00 worth of bills to be paid. When the Board sees a number of credit card purchases that hasn't had this kind of scrutiny to it along the way, purchases that have already been made have to be approved. It is after the fact that it is scrutinized. This allows or makes department heads scrutinize purchases ahead of those purchases which is more responsible. It is primarily to facilitate appropriate authorization of purchases by departments as well as minimizing safety and security issues. The purview of the Auditor's Office is for financial oversight and looking out to prevent misuse. Questionable purchases will be referred to the Board showing that we are trying to be diligent in our responsibility. This is designed to curtail misuse prior to the purchase and before it gets to the Board for approval.
- t) Larsen said a ghost card issuance by his department for elections can be specific for rental trucks that are needed up to four times a year for elections. It could limit the usage for that and gasoline purchases specifically. It actually accomplishes what Abenroth has expressed concern regarding credit card purchases.
- u) The Board determined to have McMurray to place this on the agenda for next week.

29) 11:45 AM UNITED STATES FOREST SERVICE (USFS)/BUREAU OF LAND MANAGEMENT (BLM) REPORT

a) LOREN POPPERT – USFS DISTRICT RANGER

i) Not present

b) SUZANNE HENRIKSON – BLM ACTING FIELD MANAGER

i) Suzanne Henrikson from the Burley Field Office of the BLM was present representing Amanda Dobson who was unable to be there as she is in training.

ii) Henrikson reported that a new field manager will be appointed soon.

iii) The Milner project is going forward and they should be done paving this week. Information on specifics for funding will possibly be in by next week regarding other projects in the Milner area. They would like to have a campground manager if they can.

iv) BLM is working with grazing permittees regarding current scarce water sources. They will possibly implement a moving rotation.

v) They are also working with a family in the Malta area that has personal equipment stored on BLM ground to rectify that problem.

30) 11:52 AM AGENDA ISSUES (*amended to the agenda*)

a) Commissioner Christensen brought up that we have some time issues with the agenda. He asked Casey Anderson if he was going to continue to attend, if he would like the Board to schedule a specific time to talk about certain items.

b) Anderson talked about specific items with no time allotted presents difficulty for anybody to attend the meeting anticipating when it would be talked about.

c) Commissioner Christensen said there are some agenda items that they don't know the specifics of what would be talked about and the minutes reflect those specifics.

d) Anderson talked of agenda items regarding contracts and stated it is vague about the specifics of the times when that will be discussed. Commissioner Christensen said again that if he would desire a specific time that he would like to discuss a particular item, it could be scheduled with a specific time. He further stated that generally the public does not attend and the Board doesn't know the direction the discussion

is going to go, so he felt the Board could make it available for specific items that he would like to discuss at a specific time.

- e) Anderson retorted that the way the agenda is now, someone may have to spend the entire day to get to the item of discussion that may concern them.
 - f) Chairman Crane said a lot of what has changed recently is because of his comments in the Law Enforcement Committee Meeting. Anderson said the last time that was on the agenda, Chairman Crane said they would discuss that in the next couple of weeks and it never appeared on the agenda in the next couple of weeks. In the Law Enforcement Committee Meeting, Chairman Crane said they had discussed the Law Enforcement Agreement. He asked in that meeting how that could have happened if it never appeared on the agenda. The response was that it was under contract matters. Chairman Crane said to answer Anderson's question, the changes have been made to the agenda to accommodate that but it is a work in progress. He further stated that what Commissioner Christensen had stated is that if he had specific items he wanted time specific, they would accommodate that. That has also been communicated to County department heads to do the same thing if an item is pertinent to them.
 - g) Anderson said he is interested in different things. Commissioner Christensen said if it is okay the way it is, they could continue on. Anderson said after the last change to the agenda, he just decided to take a half day off and come in a half hour early and work an extra hour a day and on Saturdays to make up the time. It seemed to him that this change was like saying if you didn't like the way it was, you're really not going to like this.
 - h) Chairman Crane said they are trying to make it good for everybody. He reiterated what Commissioner Christensen said in that the room is generally empty as it is today. If they have everything set out with a time, they spend the whole day getting to certain items. Commissioner Christensen said that could sometimes move them as much as an hour off the times of the agenda. He indicated on the City of Burley agenda, they don't put a specific time but they list specifically the items of discussion so the public knows sort of where during the meeting the item of concern will be addressed.
 - i) Commissioner Christensen said the reason they changed the agenda as it is now was to be more specific regarding the items that would be discussed. The Board agreed that they would all be willing to have him or any citizen request a specific time to discuss matters of the County to accommodate them.
- 2) 1:10 PM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman

CLERK OF THE BOARD:

/s/ _____

Joseph W. Larsen

ATTACHMENT:
COUNTY PAYABLES
4/27/2015

4/27/2015

COUNTY EXPENDITURES

	DEPARTMENT	FUND/DEPT	AMOUNT
104 Current Expense Fund	COUNTY COMMISSIONERS	104.401	\$0.00
	AUDITOR & RECORDER	104.402	\$0.00
	TREASURER	104.404	\$0.00
	ASSESSOR	104.405	\$403.55
	AGRICULTURAL EXTENSION	104.410	\$461.96
	COUNTY BUILDING	104.411	\$3,496.01
	JUDICIAL CENTER	104.412	\$781.38
	BOARD OF HEALTH	104.413	\$0.00
	PLANNING & ZONING	104.414	\$75.06
	GENERAL	104.415	\$0.00
	CIVIL DEFENSE	104.416	\$73.11
	COUNTY ELECTIONS	104.417	\$0.00
	COUNTY ADMINISTRATION	104.419	\$102.89
	VETERANS SERVICE OFFICER	104.421	\$0.00
CURRENT EXPENSE FUND TOTAL			\$5,393.96
Dedicated Funds	SOCIAL SERVICES	105.502	\$1,676.23
	CASSIA COUNTY COURTS	106.602	\$3,542.20
	COUNTY ROAD & BRIDGE	107.707	\$996.96
	WEED & PEST	108.708	\$0.00
	SOLID WASTE	109.709	\$0.00
	AMBULANCE SERVICE	110.710	\$0.00
	FAIR EXHIBITS	111.711	\$0.00
	HISTORICAL SOCIETY	112.712	\$0.00
	COMMUNITY COLLEGE	113.713	\$0.00
	REVALUATION	114.714	\$3,214.20
	9-1-1 COMMUNICATIONS	115.715	\$0.00
	CONSOLIDATED ELECTIONS	116.716	\$0.00
	COUNTY WATERWAYS	117.717	\$0.00
	COUNTY SNOWMOBILE	118.718	\$0.00
	ASSESSOR TRUST	123.323	\$30.50
	EMERGENCY MEDICAL SERVICE	133.733	\$0.00
	NARCOTICS SEIZED ASSETS	134.334	\$0.00
	CASSIA DRUG TASK FORCE	136.736	\$7.40
	D.A.R.E. TRUST	137.737	\$554.82
	PHYSICAL FACILITIES	144.744	\$953.28
	ADULT MISDEMEANOR PROBATION	149.749	\$511.54
	VIOLENT PREDATOR ACCOUNT	150.750	\$0.00
	BOX ELDER COUNTY BOOKMOBILE	151.751	\$0.00
	WIDOW BENEFIT TRUST	198.798	\$0.00
DEDICATED FUNDS TOTAL			\$11,487.13
130 Justice Fund	JUSTICE FUND	130.330	\$0.00
	CLERK OF THE DISTRICT COURT	130.803	\$0.00
	CONFLICT PUBLIC DEFENDER	130.804	\$2,018.50
	JUVENILE JUSTICE	130.805	\$0.00
	PROSECUTING ATTORNEY	130.807	\$0.00
	PUBLIC DEFENDER	130.808	\$224.65
	CORONER	130.809	\$1,640.00
	LAW ENFORCEMENT BUILDING	130.812	\$1,173.64
	SHERIFF - PATROL	130.821	\$11,049.15
	SHERIFF - INVESTIGATIONS	130.822	\$672.33
	SHERIFF - DISPATCH	130.823	\$0.00
	SHERIFF - ADMINISTRATION	130.824	\$529.50
	M-C CRIMINAL JUSTICE CENTER	130.827	\$15,815.18
	M-C JUVENILE DETENTION CENTER	130.828	\$0.00
JUSTICE FUND TOTAL			\$33,122.95
TOTAL EXPENDITURES			\$50,004.04