



Cassia County Board of Commissioners

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

Board Members:

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

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

Monday, February 23, 2015

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:

Laurie Welch, Times News/Voice

Jay Heward, Sheriff

George Warrell, Undersheriff

Patty Justesen, Treasurer

Craig Rinehart, Coroner

L. Suzann Henrikson, BLM

Jay Lenkersdorfer, Weekly Mailer

Joel Packham, Extension Office

Karl Fuelling, US Forest Service

Hilaree Whitehead, Election Clerk

Gordon Edwards, Weed Control

Paul Marchant, Fair Board

Susan Keck, Election Supervisor

Karen Dayley, Assessor's office

Dan Gammon, Fair Board

Darwin Johnson, Jail Director

Casey Anderson, Burley City Council

- 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, AUDITOR MATTERS.
 - a) 9:05 AM CALENDAR
 - i) Joint Public Defender meeting at 7:30 a.m. Tuesday, February 23, 2015
 - ii) Joint Justice meeting at 8:00 a.m. Tuesday, February 23, 2015
 - iii) Local Emergency Planning Committee (LAPC) meeting at 1:00 p.m. Tuesday, February 24th at Morey's Stake House. Commissioner Kunau will attend that meeting for Commissioner Christensen as he will be attending another meeting.
 - iv) SAUSA Meeting at 9:00 a.m. Tuesday, February 24th in Pocatello for Commissioner Christensen
 - v) Cassia Regional Medical Center Board meeting at 5:30 p.m. Tuesday, February 24th
 - vi) South Central Public Health Department Board meeting at 1:30 p.m. Wednesday, February 25th at the Twin Falls office for Commissioner Kunau
 - vii) Southern Idaho Solid Waste Board meeting at 9:00 a.m. Wednesday, February 25th
 - viii) Mid-Snake Resource Conservation and Development Council meeting at 11:00 a.m. Friday, February 27th in Twin Falls for Commissioner Kunau
 - ix) Mini-Cassia Republican Central Committee Lincoln Day Luncheon at 12:00 p.m. Saturday, February 28th at Morey's

CASSIA COUNTY COMMISSION

REGULAR SESSION

Monday, February 23, 2015

1 | Page

- x) DEQ grant meeting at 1:30 p.m. Wednesday, February 25th in the basement conference room of the Sheriff's office
- xi) Commissioner Christensen will be out of town from February 27th until March 4th.
- xii) Commissioner Kunau will be out of town Monday March 4th.
- xiii) There will be no regularly scheduled Board meeting on Monday, March 4th.
- xiv) Gateway West Task Force meeting on March 5th in Bannock County. Chairman Crane and McMurray will attend.

b) 9:05 AM CORRESPONDENCE

- i) Letter from Linden Bateman regarding the official designation of Idaho Day set this year for March 4th requesting the Board to issue a proclamation and press release recognizing that day
- ii) Thank you card from East and West Soil Conservation Districts for the Board allowing their use of the Commission Chambers
- iii) Invitation to the East Cassia, West Cassia, and Minidoka Soil & Water Conservation Districts Annual Awards Banquet at 6:30 p.m. Thursday, March 19th at the Burley Best Western
- iv) Information from NACo regarding the 2015 Western Interstate Region Conference in May in Hawaii
- v) Information from NACo regarding National County Government Month – April 2015
- vi) PMT Connection Newsletter for Winter 2015 announcing the retirement of PMT President and CEO Charlie Creason
- vii) Idaho Community Trees No. 73 Winter 2015 Newsletter
- viii) Invitation from the BLM to attend the installation ceremony for Michael Courtney as the BLM Twin Falls District Manager at 2:00 p.m. Wednesday, February 25th at the Rock Creek Guard Station in Kimberly
- ix) Chairman Crane presented a billing from Southern Idaho Tourism in the amount of \$825 that was received. Last year they were provided \$700. The Board discussed the amount to authorize.

10:38 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO MAINTAIN THE COUNTY'S CONTRIBUTION TO SOUTHERN IDAHO TOURISM AT THE HISTORICAL AMOUNT OF \$700. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- x) A Legislative Alert from the Idaho Association of Counties (IAC) on HB173 that would take away from counties 50% of first year tax revenues from new construction. McMurray was asked to draft a letter in opposition to be sent to District 27 legislators.
- xi) A Legislative Alert regarding the support of IAC for Medicaid expansion which would do away with most of the current county-funded program for medical indigency. Larsen and Social Services Director Susan Keck were asked to draft a letter of support for the Board to send to District 27 legislators.

c) 10:58 AM PERSONNEL

- i) CHANGE OF STATUS FROM THE MINI-CASSIA CRIMINAL JUSTICE CENTER
 - (a) Volunteer resignation of Detention Deputy Justin Higley effective February 28th

10:58 AM

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

d) 10:37 AM APPROVAL OF MINUTES

10:37 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM FEBRUARY 9, 2015. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- e) 10:37 AM JUNIOR COLLEGE RESIDENCY APPLICATIONS
 - i) The Board reviewed 57 Junior College Residency Applications:
 - i) Approvals – One high school dual credit from CWI, 33 high school dual credit from CSI, and 20 non-dual credit from CSI.
 - ii) Denials – Three from CSI.

10:37 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE CLERK’S OFFICE RECOMMENDATION OF APPROVAL OF 54 AND DENIAL OF THREE JUNIOR COLLEGE RESIDENCY APPLICATIONS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- f) 12:35 PM COUNTY PAYABLES

CURRENT EXPENSES	104	\$17,253.72
DISTRICT COURT FUND	106	\$730.44
COUNTY ROADS & BRIDGES FUND	107	\$673.76
WEED & PEST FUND	108	\$4,021.59
REVALUATION FUND	114	\$1,041.73
911 COMMUNICATIONS FUND	115	\$2,542.74
COUNTY ELECTION FUND	116	\$4,669.88
JUSTICE FUND	130	\$47,010.09
D.A.R.E TRUST	137	\$140.54
PHYSICAL FACILITIES FUND	144	\$1,505.63
CASSIA COUNTY BENEFITS TRUST	148	\$133,181.00
ADULT MISDEMEANOR PROBATION	149	\$11,495.64
	TOTAL	\$224,266.76

12:35 PM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE COUNTY PAYABLES DATED FEBRUARY 20, 2015. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- g) 12:13 AM COUNTY ROAD AND BRIDGE
 - i) Chairman Crane said that Road and Bridge personnel are grading and that the weather didn’t affect them adversely.
- h) 9:10 AM DISCUSS GATEWAY MEETING ON MARCH 5, 2015
 - i) The Board discussed their Gateway meeting in Pocatello coming up in a week.
- 2) 9:15 AM PUBLIC TESTING OF ELECTION EQUIPMENT
 - a) Elections Supervisor Susan Keck and Deputy Elections Clerk Hilaree Whitehead reported there would be two school elections held for the March 10th Consolidated Election:
 - i) Cassia County Joint School District #151 Special Obligation Bond
 - ii) American Falls Joint School District #381 Supplemental Levy
 - b) There are currently 8,803 registered voters eligible to vote with these two elections; 8,778 for the Cassia bond and 25 for the American Falls levy.
 - c) The election equipment testing today is with the ES&S DS200 voting tabulator from Burley Precinct No. 4 using both a traditional ballot style as well as the new ExpressVote ballot marking device. The Election Reporting Module will also test the results.
 - d) Tests included ballot markings in favor of, against, as well as over vote testing.

- e) To begin testing, totals were reported, verified, and witnessed as a zero balance by Commissioner Kunau.
- f) Keck reported that the Cassia School bond verbiage included 730 words, which exceeds 250 words as defined in the statute necessitating the taxing district being required to pay for ballot costs.
- g) The school felt from past election feedback, full disclosure should be included in the ballot language.
- h) Clarification will be sought from the Secretary of State's office as to how those costs should be determined.
- i) Notice of the election will be published in the Times News and will be posted on the County website.
- j) Early voting and tabulation begins today and absentee ballots remain sealed until Election Day.
- k) All testing conducted was successful.
- l) Gratitude was expressed to County Mapper, Todd Quast for his assistance updating maps.

9:35 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO ACKNOWLEDGE SUCCESS OF THE PUBLIC TESTING OF ELECTION EQUIPMENT FOR THE MARCH 10TH CONSOLIDATED ELECTION AS CONDUCTED BY THE ELECTIONS DEPARTMENT. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

3) 9:36.5 AM INDIGENT MATTERS

9:36 AM EXECUTIVE SESSION

MOTION: COMMISSIONER KUNAU MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING MEDICAL INDIGENT MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(D). COMMISSIONER CHRISTENSEN SECONDED THE MOTION. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE, COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE.

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

- a) Case Presentation: 2015019
- b) Notice of Lien and Application for Medically Indigent Benefits: 2015016, 2015017, 2015018
- c) Medical Records/Utilization Management Review: 2015019

9:44 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 9:44 AM.

4) 9:45 AM DEPARTMENT HEAD MEETING

- a) JAY HEWARD – SHERIFF
 - i) Heward reported that in December they had 282 services of civil papers and garnishments. They have 90 active wage garnishments which does not include bank garnishments taken in each week. In January, there were 290 services of civil papers and of which 21 were garnishments. So far for February, there have been 161 services of civil papers which includes 20 bank garnishments.
 - ii) For December there were 2,141 calls for service, 561 citations, and from then until now there have been 429 arrests.
 - iii) Commissioner Christensen asked about where revenues currently are to date compared to what was budgeted. Heward said he didn't have that with him but will get that for next month.
- b) PATTY JUSTESEN – TREASURER
 - i) Justesen presented the January Statement of Treasurer's Cash, the Joint Report, Fund Balances for Checks, and the FY2015 year to date Urban Renewal Report.
 - ii) It was reported there are two possible situations that may result in tax deed sales.
 - iii) The Sheriff's office served four Warrants of Distrainment.

**CASSIA COUNTY COMMISSION
REGULAR SESSION**

Monday, February 23, 2015

4 | Page

- iv) Justesen commented on HB 121 regarding tax notices. She said it made no sense to her and would just require added costs for additional part time help. Justesen sent comments to Speaker Scott Bedke but received no response. The Board requested that she draft a letter for the Commissioners to sign by the end of the day.
- c) KAREN DAYLEY – ASSESSOR’S OFFICE
 - i) Dayley reported the missed roll was sent out with only one parcel being corrected. Davis recommended that elected officials may want to educate themselves on that part of the tax law as HB 173 has been introduced that would cut tax dollars collected by the County by 50% on new construction to divert those funds to school districts. That would have a very negative effect on counties. He recommended contact with IAC and contacting legislators to voice concerns.
 - ii) Personal property declarations have been mailed out and some are being returned.
 - iii) DMV has been understaffed due to illnesses.
 - iv) The Ag value survey was sent out with a fair response. A March 15th deadline has been set for those results and they are hoping to get more feedback.
 - v) Revaluations are on schedule. Home values are firm to slightly stronger and land values are strong, especially on building lots, small acreages, and with acre residential sites.
 - vi) All homeowner exemptions are currently being reviewed and corrections and notifications are being made as needed as per statute.
 - vii) Governor Otter has appointed a new State Tax Commissioner, Senator Werk, who replaced David Langhorst who took a position with the State Department of Parks and Recreation.
- d) JOE LARSEN – CLERK
 - i) Larsen reported on a Cassia Joint School District bond election that will include the entire County as well as a small number of Oneida County residents in the Juniper area and a small number of Twin Falls County residents bordering the west part of the County. A small number of residents of the County in the Raft River area will be eligible to vote and have received mail-in ballots for a levy with the Power County School District. Election Day is Tuesday, March 10th and early voting begins today at the courthouse.
 - ii) Public testing of our new election equipment took place earlier today, which was a success. The new equipment will help us experience a significant reduction in cost for the ExpressVote activator cards as well as being able to print ballots on demand.
 - iii) The courts are down one part time employee as our digital scan specialist Caylee Pfeifer left her employment for a fulltime position at a higher rate of pay. They are seeking a replacement for that position.
 - iv) Deputy court clerks will be cooperating with Twin Falls County covering their court clerking while they are receiving training with the new Odyssey software beginning in May. They will return the favor when it is introduced in Cassia County shortly after that.
 - v) The Auditor’s office is gearing up for the FY2016 budget process. A number of things will change this year to try and streamline things and make it easier through that process. Departments will be asked to track revenues as those numbers are depleting each year. A strong look at revenues in each department is imperative. Revenues are the only funding source for expenses. As revenue is lost, expenditures must also be reduced or alternative funding sources must be identified. Department expectations of increased expenditures have to be met with increased revenue sources.
 - vi) The Auditor’s office has financial information that the Citizen’s Law Enforcement Committee found lacking in their report. Our outside auditor had asked for that information which was prepared by the Auditor’s office to provide to him some time ago. He was midstream with his efforts when the

- Board determined to not carry forward with the outside auditor services without their approval of that process. That information includes a five year financial history of law enforcement-related budgets as originally requested to be provided from the Auditor's office to outside auditor, Jeff Poulsen. The Auditor's office would like to turn that over to the Board or whoever the Board chooses to supply the committee with that information their report said was lacking.
- vii) The Auditor's office has made a point with current year financial reporting to include the Sheriff, the Board, our Administrator, and our County Attorney to assure financial information was all inclusive and to the satisfaction of all parties prior to providing that to the Law Enforcement Committee. A concern had been expressed to one of the deputy auditors that those numbers had been changed. Larsen said that has never occurred following the meeting, discussion, and approval by all the aforementioned county officials. Those conclusions were emailed to each of those in attendance at the referred to meeting. The only additions contained in that report were clarifying footnotes to document from whom or where the financial numbers were derived.
 - viii) Chairman Crane said that at 10:50 a.m. this morning the Board will discuss the financial information for the Law Enforcement Committee Larsen had referred to.
- e) DOUG ABENROTH – PROSECUTING ATTORNEY
 - i) Abenroth reported that he is currently addressing issues and questions from different County departments and that there is a lot going on.
 - ii) He also has the resolution regarding the County Discretionary Fund and its usage which will be presented for approval in today's Board meeting.
 - iii) Chairman Crane said there had been suggestions from the previous Department Head meeting regarding the Discretionary Fund.
 - iv) Abenroth also reported that misdemeanors and felonies keep getting filed each week.
 - f) KERRY MC MURRAY – ADMINISTRATOR
 - i) The Planning and Zoning Commission met this past week and had two hearings with proposed amendments to zoning ordinances with significant modifications on how we deal with existing permits. Part of the amendments the Commission is recommending to the Board for adoption. Some were taken under advisement. Abenroth was asked to do some background research which will be addressed in the March Planning and Zoning Commission meeting.
 - ii) The grounds crew is starting to consider spring work on the county grounds.
 - iii) The building department has picked up a little bit with the warm weather. McMurray presented the January report which included five building permits for property valuing \$961,069.91 and \$7,285.77 in fees collected.
 - iv) McMurray has been working on Sage Grouse data to support resolutions for protecting them and their habitat.
 - v) A student from ISU majoring in administration is desiring to do a non-paid internship with the Administration department. There are a number of issues McMurray said he could assist with. He needs to work 270 hours to complete that internship.

10:35 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE INTERNSHIP IN ADMINISTRATION AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- vi) ICRMP training was completed successfully. The 80% requirement of employees successfully completing training was exceeded to qualify for a discount. Gratitude was expressed to County employees for completing that.

- g) AMBER PREWITT – ADULT MISDEMEANOR PROBATION
 - i) Not Present
- h) DARWIN JOHNSON – MINI-CASSIA CRIMINAL JUSTICE CENTER (MCCJC)
 - i) Johnson reported the jail census was currently at 147; 74 Cassia County holds, 36 Minidoka County holds; two Jerome County holds; two ICE holds, 31 State holds, and one U.S. Marshall hold. They had to turn down 10 more U.S. Marshall holds as there were no beds available.
 - ii) The MCCJC submitted a proposal a couple of weeks ago to change their jail lighting controls in the work release area. That proposal was approved by the Board. They currently have to go directly to the electrical panel box to turn the lighting on and off. They put that bid on hold from a prior company to get a bid from Professional Systems Technology, Inc. (PST). That bid came in at \$23,998.27 which was about \$3,000 below the prior bid previously approved for about \$26,000. The PST bid acceptance would also include touch screen controls rather than manual controls.

10:10 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO RESCIND THE PREVIOUS APPROVAL AND ACCEPT THE PROPOSAL FROM PST FOR LIGHTING UPGRADES FOR THE MCCJC IN THE AMOUNT OF \$23,998.27 AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- iii) Johnson also got a bid from PST for the final upgrade to change computers, DVR's, and existing cameras from analog to IP protocol in the amount of \$47,000. The FY2015 budget included \$75,000 in the appropriate line and there remains \$71,000 to cover costs for this upgrade. That bid does not include support which will come later. Choices will be available for a one, three or five year support plan. The five year plan has a savings of about \$5,000, which Johnson was hoping for. That would include support four times a year. Currently the bid is \$2,500 per year or \$7,500 for five years. That reflects a \$4,800 savings to renew for five years. That will be put on the Board's agenda when they meet next in two weeks.
- i) GORDON EDWARDS – WEED AND PEST CONTROL
 - i) Edwards passed out a number of documents and commented on each.
 - i) The new Idaho's Noxious Weed booklet, 7th Edition, from the University of Idaho
 - ii) Email regarding Negotiated Rulemaking for the Idaho Pollutant Discharge Elimination System (IPDES) program
 - ii) The State has put forth their plan for noxious weed control that will impact area ranchers with requirements. They will be doing re-vegetation which will likely not include sage grouse control on State lands.
 - iii) Edwards said they have been doing a lot of ground sterilization for weed control at the museum, gun range, and the boat house. They have also been spraying in the three corners area and will be spraying for weeds at the Fairgrounds, the cracks at the courthouse, Cassia County Judicial Center, and the County shed in Almo.
 - iv) Barges will be placed in the Snake River in the next couple of weeks for when they replace the freeway-river bridges. They will be there for two years. The County Weed Department has requested to inspect the barges for invasive species before they are put in the water.
 - v) Edwards said that Idaho operates under EPA and IPDS for pesticide treatment in the waters of the U.S. However, Idaho DEQ has requested primacy over this and putting in place an Idaho pesticide discharge elimination system. They are going through the rulemaking process right now which they plan to have done by September 1st this year. They are requesting public comment as they progress through each section. That may include a fee program through the Idaho DEQ in order to pay for the

whole process. They desire comments regarding the fee structures for testing for the presence or absence of chemical in waterways. That could prove to be very expensive as it would come back on anyone who applied chemical in the area. It will likely affect farmers, municipalities, and big businesses in the area. He will keep the Board apprised of that situation and when hearings are held.

j) CRAIG RINEHART – CORONER

- i) Rinehart reported that this year has been quiet so far.
- ii) His office had ten cases last month and only one case this month so far.
- iii) They have also had seven cremation reviews.

k) JOEL PACKHAM – EXTENSION AGENT

- i) Member enrollment is going forward with the 4-H program.
- ii) The Extension office will be doing classes in Twin Falls for the Master Food Safety Advisor along with the home food preservation food safety in Hailey. They will also be doing classes with the Cooking 101 program for mothers at the Cassia High School.
- iii) Estate Planning wasn't filled in the County for the four week course but Packham is working with Zions Bank. They have invited him to speak with their Estate Planning specialists. He has been speaking in various locations in southern Idaho and will be speaking at 4-H conference on estate planning. Excel training is starting on March 10th.
- iv) They have just finished their Farm Management class and are selling poison grain for the large vole problem that is very high currently.
- v) Farmers are in the field and some beets have been planted.

5) 12:12 AM REVIEW INFORMATION REGARDING EXTENSION OF SECURE RURAL SCHOOLS (SRS) AND COMMUNITY SELF DETERMINATION PROGRAM

- a) McMurray provided information regarding the SRS for the Board's review.

6) 10:40 AM REVIEW IPUC CASE NO. IPC-E. 15-02

- a) This case is pertaining to an agreement between J.R Simplot and Idaho Power for energy in the Pocatello plant and has no impact on Cassia County.
- b) No Comment is recommended.

7) 10:49 AM DELIBERATE AND EXECUTE LETTER TO MINIDOKA RANGER DISTRICT ON SUBLETT WARMING SHELTER

- a) McMurray prepared a letter of support to the Minidoka Ranger District which was read by Chairman Crane.
- b) The Board was in agreement with the proposed letter expressing desire to protect winter recreational activities and to support the Sublett Warming Shelter. That will be provided to the Minidoka Ranger District.

10:41 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SIGN A LETTER IN SUPPORT OF THE SUBLETT WARMING SHELTER TO BE PROVIDED TO THE MINIDOKA DISTRICT RANGER OF THE US FOREST SERVICE. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

10:42 AM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL 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 RETURNED TO REGULAR SESSION AT 10:44 AM.

***CASSIA COUNTY COMMISSION
REGULAR SESSION***

Monday, February 23, 2015

- 8) 10:28 AM DELIBERATE ON AND EXECUTE RESOLUTION NO. 2015-004 REGARDING POLICY ON USE OF DISCRETIONARY COMPENSATION FUND
- a) Following suggestions from department heads, the proposed policy was re-worked.
 - b) Abenroth summarized the resolution that provides discretionary funding for departments for accrued vacation payout above 40 hours. A line item is in the general budget to cover those costs. Before this resolution, it was the responsibility of each department to meet those costs.
 - c) This fund does not include departments of joint powers agreements and does not include accrued wages. Any more than 40 hours will be paid from the individual department's budget.
 - d) Johnson asked about the reasoning as to why joint powers departments are not included. Abenroth indicated where they are funded by both counties, a similar fund would need to be agreed upon by both counties to fund within the joint budget. Discussion would need to take place in the Joint meeting to see if Minidoka County would want to participate and fund that jointly with Cassia County.
 - e) Commissioner Christensen asked if this would take responsibility away from departments to appropriately manage their budgets with possible unintended consequences being an increase in cost and exposure to the county. Chairman Crane indicated that the resolution pretty well spells out the use of those funds. Larsen stated this was patterned after what Twin Falls County has done. The resolution does spell out the limitations of use by department heads and the fund is used completely at the discretion of the Board. McMurray said the County Personnel Policy states that there should be no more than 40 hours accumulated by an employee in compensatory time. Anything above that goes back to the departments to fund in their individual budget.
 - f) Larsen stated that this was first introduced to help alleviate the hardship on department budgets which affects the re-hiring process due to depleted funds. He felt it addressed Commissioner Christensen's concerns. Abenroth pointed out again the fact that the Board has the discretion for use of those funds.

10:32 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE RESOLUTION NO. 2015-004 SETTING POLICY FOR THE ESTABLISHED DISCRETIONARY COMPENSATION FUND. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

10:33 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 RETURNED TO REGULAR SESSION AT 10:49 AM.

10:51 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO FOLLOW COUNTY POLICY ON AN EMPLOYEE ISSUE DISCUSSED IN EXECUTIVE SESSION. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

10:51 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO EXTEND RATHER THAN PAYOUT PTO AS REQUESTED BY AN EMPLOYEE IN EXECUTIVE SESSION. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 9) 10:58 AM LAW ENFORCEMENT DISCUSSION OF TASKFORCE AND PROPOSE SCHEDULE OF PROCEEDINGS
- a) Chairman Crane introduced this as a follow-up of the Law Enforcement Committee's report from this past Thursday. He hadn't had time to digest the whole report to talk intelligently about it and said he desired more time to study it.

CASSIA COUNTY COMMISSION

REGULAR SESSION

Monday, February 23, 2015

9 | Page

- b) Commissioner Christensen commented that the Committee's work was good. As they had indicated they would be willing to continue to serve, Christensen thought they should continue to help to make a non-political decision. Information was reviewed with the Sheriff regarding 2014 costs he thought was very solid, relevant, and applicable to the Committee. He desired to know from Sheriff Heward if that was taken into consideration as much by the committee as it could have been or if they need more direction in that area. The second thing he desired to know was if the auditor numbers were in the summary or if there was additional information that could be given to the committee to help with the City and County working together.
- c) Chairman Crane referred to Larsen's comments earlier in the meeting of five years of financial records that had been prepared some time back. Larsen commented that he felt it would be very relevant. He further stated that since there are always a number of public records requests that it would be wise to post the audited financial statements and the approved budget on the County website. That would supply a lot of important raw data information that would be helpful for the Committee, the City, the County, and for all citizens. Larsen said that information was supplied for FY2014. It had been done differently as it was met with scrutiny. Hence the meeting, as now, with all County officials involved to approve the presentation of data and information provided to the Committee. Previous minutes reflect that approach was appropriate for all parties involved.
- d) Larsen stated what had contributed to the lack of information to the Committee was that further work by our outside auditor, Jeff Poulsen, was curtailed. He had previously asked the Auditor's office to prepare the five year financial history of budgets and actual expenditures. Nothing further was done after the Auditor's compiled what Poulsen had requested as he was not involved with further interactions with the Committee on behalf of the County. That information remains in a file in the Auditor's office and they are desirous to pass that information to whoever the Board requests.
- e) Chairman Christensen talked about page 11 and 12 of the report, the modeling after Ada County of a unified contract. A lot of the data provided would help start that process. The additional information referred to by Larsen would be good information for the Committee. He felt there should be transparency and accountability. He is also anxious to hear the City's perspective and would like to be aware of when it is on their agenda for discussion.
- f) Christensen stated the contract should specify how to handle cost overruns and how to share excess funds. He also felt accounting of funds could be defined better so all parties involved have a better understanding. There have been deficiencies in defining what hard costs are and this year more has been done to determine those hard costs. He again reiterated the work of the Committee was good but we need to engage them further.
- g) Sheriff Heward said that when he first met with the Committee, they asked him how much he spent on City law enforcement for 2014. He provided them operating costs in the "B" Budget which were right at about \$337,000 and some change. That did not include any dispatch. The other information provided was the wages for 14 officers assigned to the City and half the wages for the Undersheriff and Lieutenant. Also included were all the County costs for benefits; FICA, Medicare, and PERSI retirement. That totaled about \$1.3 million according to Sheriff Heward.
- h) The Ada County model is a spreadsheet that may have originated from Spokane, Washington. That is what Heward tried to emulate but when you look at that model, Heward said they went all the way down to how many rolls of toilet paper they used, how many bottles of hand sanitizer, and how many boxes of staples and paper clips. He told the Committee that he doesn't have the time in his schedule to get that technical. He took approximate amounts of office supplies and that is what he gave the Committee. He felt that he was more than fair with what office costs were. He felt Parsons and the

Committee were pushing to have all those costs put into a spreadsheet like the Ada County model. He met with the Captain today and felt if he had Carol at the City assist them, it is quite possible they could get a lot more technical about what each one of those costs are as presented in the model.

- i) Commissioner Christensen asked Sheriff Heward if he was in agreement to proceed forward with modeling and mirroring of Ada County as the Committee requested in their proposal. Heward felt they could do that and provide the numbers. He said they know what it cost last year and they are getting an idea of this year's costs to do business.
- j) Larsen commented that the Auditor's office can't give the division of costs attributed to the City and to the County and that only the Sheriff's office can do that. He suggested that separate subline items be placed for City and for County and they could allot the appropriate amount of each expenditure as they are made. Sheriff Heward concurred with that suggestion.
- k) Sheriff Heward asked Larsen if there might be a computer glitch with the accounting programming that might change numbers with FICA, Medicare, and PERSI. Larsen stated that those are hard calculations attributable to tax tables, percentages, and PERSI-required amounts. When those items are budgeted for, estimated amounts are budgeted upward slightly so the budget is not exceeded. The actual employee costs in the Auditor's office are what they are and are reflected on W-2 forms annually for each employee. Larsen suggested that Sheriff Heward provide information on what he felt might infer a glitch in the computer system as Larsen had never heard any concern from employees about their W-2's or associated computations.
- l) Paring out what costs are going forward and what has happened already for FY2015 could be accomplished by adding the aforementioned subline items for City and for County or by computation with a spreadsheet at the Sheriff's office as expenditures are made. Larsen and Sheriff Heward concluded that it would be helpful to do those divisions of cost at the Sheriff's office as they are expended. That would bring them closer to congruency with the Ada County model.
- m) Chairman Crane said where the Committee is not sound on costs and following Larsen's suggestion of giving the Committee the five year budget and financial statement numbers would be a good idea. He further stated he didn't know how there could be any doubt as the numbers are what they are, noting that the Board had spent weeks with the Sheriff, Undersheriff, and the Auditor, and had gone through them a number of times. Commissioner Christensen said that he thinks there is a deficit of trust and there have been numbers presented to the City of Burley that have changed. He felt that trust needed to be gained back from the City of Burley so they know the numbers to the best of our knowledge and are not inflated. If there are questions from the City or the Committee, we should be open to provide answers to those questions.
- n) Sheriff Heward commented on how that had happened. Former City of Burley Mayor Greenman asked if he was able to give him "A" Budget-related projected expenses. That request came prior to when the Auditor's office had those projected costs from Bowen insurance as it was early in the process and there was still a substantial part of the current fiscal year remaining. The Auditor's office only had a rough estimate of what that amount would be as it couldn't be calculated for insurance until later in the fiscal year. Reserve balances are critical in a self-funded benefit plan and always dictate future budgeting. The estimated amount was provided to the City of Burley not knowing at that early date what actually needed to be budgeted. Later, when those amounts were determined, Sheriff Heward stated we came back with what each employee's insurance was going to be. It was nobody's fault, according to Sheriff Heward. It was just that the information had been requested way in advance of when we knew what those numbers would be.

- o) Larsen commented that it was unfortunate satisfying that request translated into a lack of trust as the Auditor's office was simply trying to provide what was requested with the best knowledge we had at the time. Additional time was critical to achieve better detailed insurance estimates. It was thought that updated more accurate numbers would be welcomed with open arms and it apparently wasn't. That is why this year the Auditor's office solicited Bowen Insurance to provide specific costs for each employee by what plan they selected and whether or not a spouse or dependents were covered as well. Accuracy is still difficult to obtain as employees divorce, marry, add dependents, lose dependents, add stepchildren or experience a death at any time during the course of the year that constitutes a life-changing event. That allows the employee to change their coverage which alters attendant County cost liability. Costs looking forward can never be drilled down to accuracy in a self-funded health insurance plan such as Cassia County has. It does necessitate operating on a level of trust and confidence with contracting parties that each are trying to do the best they can as opposed to the flawed declaration that purposeful inaccurate or inflated numbers are being provided. The Auditor's office has put in over 100 hours in assuring accuracy with costs and projections with the help of the other County officials to achieve that goal of prudence and accuracy during this budget year after what occurred last year.
 - p) Chairman Crane asked Commissioner Kunau and Christensen if they were alright about Larsen providing the five year records to the Committee. Commissioner Kunau commented that Bill Parsons felt that from this time forward, he did not want to meet again unless there was a City and a County representative meeting with him. Commissioner Christensen felt Parsons did not want to have discussion with the Committee and the public independent of meeting with the City and the County.
 - q) Chairman Crane asked McMurray to contact Parsons and let him know the County is still in the process of digesting everything. Commissioner Christensen felt we should allow the City time to digest the Committee findings and schedule a meeting with the Committee, with the City, and with County officials. The Board concurred with Commissioner Christensen's recommendation.
- 10) 11:22 AM EAST AND WEST SOIL AND WATER CONSERVATION REQUEST FOR FUNDS FOR FY2016
- a) Mark Streeter from the East Soil and Water Conservation District presented each district's annual report and indicated that both the East and the West Districts as well as Minidoka are doing more things together which helps in getting more things done.
 - b) The NRCS has requested that they have more help in the office to answer phones and help them out. They have hired Mattie Patterson to assist Megan and Doreen.
 - c) They have given scholarships and awards and have held the State land judging for many years which the Board has helped with. They expressed appreciation for the Board's assistance with that.
 - d) They had their cover crops meeting and expressed appreciation for the use of the Commission Chambers for that. They had good attendance and got feedback that it was one of the best cover crop meetings they have ever had.
 - e) A report was provided the Board which included the budget. They purchased two drills with grant money from the NRCS in the amount of \$72,955.31. High Country R.C. & D. and West Cassia were big contributors. Idaho Fish and Game and Pheasants Forever also contributed and supervisors also donated their time. Altogether they have \$145,910.62. They are hoping that project will take off and go well.
 - f) Megan Heward went over the budgets for the past fiscal year broken down into income and revenues which included the value of contributed time of supervisors.
 - g) West Cassia did a project three or four years ago with moisture meters with a WQPA grant. Once that project finished, another project started as an NRCS program where those meters were utilized again to rent out to landowners. East Cassia didn't have that project.

- h) Richard Kunau from West Cassia Soil Conservation District indicated that working with the other district does save costs.
 - i) Their income has exceeded their costs but they will allocate that revenue for other projects eventually.
 - j) They anticipate this year being better for tree sales.
 - k) Their Awards banquet is coming up and awards will be given to those who have started programs such as the direct seed project.
 - l) Brent Stoker asked for continued support from the County and provided an accounting for the three Conservation Districts. Elliot Traher has been refreshing to work with for all the districts. Stoker stressed the contribution to the economy of their water projects.
 - m) K Wells reported that a groundwater meeting for Minidoka and Cassia County will be held in the Sheriff's office basement on Wednesday at 1:30 p.m. We are the number one nitrate area in the State unfortunately, but there are funds available for projects to mitigate that.
 - n) Proposal letters for funding will be provided for FY2016 budgeting. The County will provide \$5000 for each district barring any unforeseen emergency. Those official proposal letters will come forward at the next Board meeting.
- 11) 11:30 AM UNITED STATES FOREST SERVICE (USFS)/BUREAU OF LAND MANAGEMENT (BLM) REPORT
- a) Karl Fuelling – US Forest Service Representative
 - i) Cassia burning has been curtailed due to the lack of snow.
 - ii) Sale of about 700,000 board feet of timber for post and pole material has recently taken place.
 - iii) They are going to propose a fee increase to the RAC committee in June or July for all Christmas tree tags to cost \$10 each. That will also bring it more in line with other forests around us. Some campground fees will increase from \$8 to \$10. Some facilities will have a \$40 per night rental fee.
 - iv) The Board provided Fuelling a letter of support for the warming hut construction in Sublett.
 - b) L. Suzann Henrikson – BLM Representative
 - i) Amanda Dotson has been appointed Acting Field Manager. Dotson is from Arizona and will work in that capacity for approximately two months at which time someone will be appointed permanently.
 - ii) Henrikson reported that the BLM is working on the Raft River Flood Control project.
- 12) 11:50 AM BUDGET CONCERNS REGARDING FAIR
- a) Fair Board member Dan Gammon has identified expenses associated with capital improvements and labor. Costs for shoring up the bleachers on the east side were about \$14,000 to \$15,000. They felt they were within a year or two of them not being able to hold spectators. There were also costs associated with the fence that got blown down last year. This coming year a roof needs to be replaced on the horse barn, there are aging facilities, and blacktop is in need of repair. If it isn't done soon, things will need to be replaced. Gammon didn't have specific costs associated with those needs but just noted them for looking ahead. Labor expenses are continuing to be looked at. They had significant expenses associated with contract and internal labor, some associated with payout of accumulated compensatory and accrued time from an employee who terminated their employment.
 - b) Chairman Crane gave them the challenge to go back to the Fair Board and come back with some recommendations. He asked Larsen what his predictions were this year for putting more funding for capital expenditures. An amount of \$20,300 was budgeted for FY2015 for capital improvements which was \$10,300 the previous fiscal year, reflecting a \$10,000 increase. That line item had previously been titled repairs but was changed last year to capital improvements and increased by nearly 100%.
 - c) Larsen pointed out that his notes from last year reflected a decrease in extra help from \$4,000 to \$1,000 as requested by Sam Yoshida. That amount is getting close to being breached already for FY2016.

- d) Larsen stated that as far as increasing capital expenditures are concerned, that is entirely a decision of the Board. If increased, it is money that would require re-allocation from other County-budgeted amounts. Larsen indicated it is simply a function of priority and whatever the Board chooses to do. Funds increased there would be decreased allocations elsewhere unless an alternate funding source is identified.
 - e) Gammon asked about the Fair Exhibit line item disbursement and timing. Larsen commented that most large County disbursements are strategically placed after each semi-annual tax drive when funds are more available. Reserve funds in the Treasurer's office may be available if there is an immediate need for funding budgeted amounts.
- 13) 12:02 AM DELIBERATE AND EXECUTE EZ TICKET USER AGREEMENT
- a) Abenroth expressed concern in entering a contract with a service provider whose current contract was recently terminated because their performance was unacceptable five months ago. Problems with speed in payments coming back to the Fair Board as well as slow processing was the reasoning. Gammon stated they now have two new servers backing up their other server and the lack of speed appears to be resolved. The Fair Board is providing their own merchant account and would not go with this contract if they did not have control of the funds.
 - b) Gammon stated as other processors were considered for online payments, costs were nearly double.
 - c) The Fair Board reinforced their desire to go with the terms of the contract and if it doesn't go well this year, they will look at other options. They are looking at starting their own system similar to what the King Fine Arts Center has done.
 - d) Abenroth indicated the current contract is terminated effective this next week. He and McMurray had concerns with indemnity provisions of the contract as it is pretty one-sided against the County. He felt it incumbent of the County to place their concerns as contract provisions. Primarily, the additional servers as well as the Fair Board's control over the merchant account should be addressed.
 - e) Chairman Crane asked Gammon to work with Abenroth to clean up the contract and bring it forward to the Board at a later date for consideration.
- 14) 12:05 PM DISCUSS BEER AND WINE LICENSE
- a) Timbri Hurst from the Administration office was asked by McMurray to work out what can be done.
 - b) Hurst indicated there are several steps to getting a beer and wine license. An application needs to be completed for the State Tax Commission to get a seller's permit. That takes 10 days and needs to be sent to the Idaho State Police (ISP) for a beer and wine license.
 - c) Hurst thought a multi-purpose arena endorsement fits with what the Fair Board wants. In that case food, such as hamburgers or snack food, has to be sold at the events along with the beer. A director from the ISP has to come and look at the fairgrounds. A floor plan and security plan must be submitted with the application along with suggestions of where the beer and wine will be located. They then tour the facility to see what may need to be changed or to approve the plan. The security plan must also be submitted to local law enforcement for their approval for each event as well.
 - d) To get the endorsement, prior to each month beer and wine sales, those events must be submitted to the ISP and local law enforcement with details of the event and the menu of what will be served. Law enforcement must be notified again 24 hours prior to each event where alcohol will be served.
 - e) Commissioner Kunau asked about a seasonal license for just a short period of time. Larsen stated that there are catering permits to allow that which are handled through the Recorder's office. Larsen also commented that there may be some concerns with issued licenses already in the County following his office's recent research. A closer look at the statute needs to take place. Larsen complimented Hurst on her research as it has been not only been helpful for the Fair Board but has helped better scrutinizing

beer and wine licenses through the Recorder's office. Larsen suggested working with Hurst to allow us all to get on the same page. The Board agreed to allow Hurst to work with the Recorder's office at Larsen's request where those licenses are processed, recommended to the Board for approval, and recorded.

f) Hurst said the license is \$100 per year for beer and \$50 more for wine.

15) 12:15 PM ASSIGNMENT OF LETTERS TO BE DRAFTED TO DISTRICT 27 LEGISLATORS REGARDING THE BOARD'S POSITION ON CURRENT LEGISLATIVE CONCERNS

a) McMurray was asked to draft a letter in opposition of HB173, legislation that would take away 50% of all new construction tax revenue critical in meeting county expenditures.

b) Larsen was asked to draft a letter with Social Services Director Susan Keck in support of expansion of Medicaid.

c) Following the Board's approval, they will sign those letters and send them to Senator Cameron, Speaker Bedke, and Representative Wood.

16) 12:40 PM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board