



# Cassia County Board of Commissioners

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

**Board Members:**

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

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Monday, March 9, 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. Commissioner Christensen was excused as he is out of town today.

**THOSE PRESENT:**

**County Commissioners:**

Dennis Crane, Chairman

**Prosecuting Attorney:**

Doug Abenroth

**Administrator:**

Kerry D. McMurray

Bob Kunau

**Clerk of the Board:**

Joseph W. Larsen

**Others:**

Todd Quast, County Mapper  
Shirley Hubbard, Life Run Ambulance  
Kent Holyoak, Life Run Director

Kevin Horak, Sheriff's office  
Chelsey Loughmiller, Malta QRU  
Tammy Lucero, CSI Residency Appeal  
Teri Lucero, CSI Residency Appeal

Tammi Pollard, Deputy Recorder  
Jay Heward, Sheriff  
Michael Rose, Sheriff's office

- 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, CONTRACT MATTERS
  - a) 9:05 AM CALENDAR
    - i) Joint Juvenile Probation meeting at 7:30 a.m. Tuesday, March 10<sup>th</sup>
    - ii) Joint Jail meeting at 8:00 a.m. Tuesday, March 10<sup>th</sup>
    - iii) East Cassia, West Cassia, and Minidoka Soil & Water Conservation Districts Annual Awards Banquet at 6:30 p.m. Thursday, March 19<sup>th</sup> at the Burley Best Western
    - iv) Waterways Committee meeting 1:30 p.m. Thursday, March 12<sup>th</sup> at the Commission Chambers for Commissioner Kunau
    - v) March Consolidated Election for school bonds and levies from 8:00 a.m. to 8:00 p.m. Tuesday, March 10<sup>th</sup>
    - vi) Transportation Meeting Wednesday morning, March 11<sup>th</sup> in Heyburn for Chairman Crane
    - vii) Historical Society lunch for the Board today at 12:00 p.m. at the Cassia County Museum
  - b) 9:05 AM CORRESPONDENCE
    - i) Postcard from the Idaho Transportation Coalition asking for the Board to correspond with legislators to support increased funding for Idaho's transportation infrastructure
    - ii) Invitation to the Burley High School FFA Chapter Annual Awards banquet on Tuesday, March 17<sup>th</sup> at the Burley High School auxiliary gym

**CASSIA COUNTY COMMISSION**

**REGULAR SESSION**

**Monday, March 9, 2015**

- iii) Email to Abenroth regarding Planning and Zoning issues that he will address in a meeting this week sometime
- iv) Thank you note from the Lucas Ward family for the County's expression of sympathy at their loss.
- c) 9:11 AM PERSONNEL
  - i) CHANGE OF STATUS - MINI-CASSIA CRIMINAL JUSTICE CENTER
    - (1) Promotion of Eric Shippen from Detention Deputy to Senior Detention Deputy
      - (a) Chairman Crane read the explanation for the proposed changes which was that detention deputies are usually promoted upon reaching two years of service and experience. He has attended First Line Supervision training.
      - (b) Larsen asked if promotions after a period of time of service are listed in some job description manuals. He commented only a few departments in the County do those type promotions while others do not.
      - (c) Commissioner Kunau felt the Board should hold on this request for a week to talk about how to handle these requests. It was talked about earlier to do these quarterly.
    - ii) A request for extension of time for accrued time for Bryan Bird and Terry Bell from the Sheriff's office was read by Commissioner Kunau.
    - iii) The circumstances for the requests were reviewed by the Board.

9:14 AM

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE EXTENSION OF ACCRUED TIME FOR TERRY BELL AND BRYAN BIRD FROM THE SHERIFF'S OFFICE AS REQUESTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- iv) The Auditor's office provided the Board a current Administrative Benefits Report listing employees with 35 plus hours in their Comp Bank. Three employees had 75 or more hours and eight employees had over 50 hours but less than 75 hours of time in their Comp Bank.

- d) 11:49 AM APPROVAL OF MINUTES

11:49 AM

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM FEBRUARY 23, 2015. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- e) 9:09 AM JUNIOR COLLEGE RESIDENCY APPLICATIONS
  - i) The Board reviewed eight CSI Junior College Residency Applications; two high school dual credit and six non-dual credit.

9:09 AM

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

- f) 10:35 AM COUNTY PAYABLES

***March 3, 2015 Payables – Approved on that date by Chairman Crane***

JUSTICE FUND	130	\$290.00
	<b>TOTAL</b>	<b>\$290.00</b>

***March 6, 2015 Payables***

CURRENT EXPENSE FUND	104	\$26,656.88
SOCIAL SERVICES	105	\$21,378.19
DISTRICT COURT FUND	106	\$2,610.71

COUNTY ROAD & BRIDGE FUND	107	\$68,532.00
AMBULANCE SERVICE	110	\$15,967.50
CASSIA FAIR FUND	111	\$47,750.00
COMMUNITY COLLEGE FUND	113	\$350.00
REVALUATION FUND	114	\$352.05
911 COMMUNICATIONS FUND	115	\$3,974.77
COUNTY ELECTION FUND	116	\$428.68
ASSESSOR TRUST FUND	123	\$93.05
JUSTICE FUND	130	\$86,152.69
NARCOTICS SEIZED ASSETS FUND	134	\$900.00
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$400.00
PHYSICAL FACILITIES FUND	144	\$1,627.32
ADULT MISDEMEANOR PROBATION	149	\$7,628.29
	<b>TOTAL</b>	<b>\$284,802.13</b>

**10:35 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO RATIFY APPROVAL OF COUNTY PAYABLES DATED MARCH 3, 2015 AND APPROVE COUNTY PAYABLES DATED MARCH 6, 2015. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- g) 9:46 AM COUNTY ROAD AND BRIDGE
  - i) The weather has facilitated a lot of work by Road and Bridge.
  - ii) A letter of resignation was received from employee Loren Durfee.
  - iii) Larsen commented in light of that resignation, the Auditor's office is preparing a report for the Board regarding their budget. There are concerns with the recent loss of the magnesium chloride grant, with the loss of Secure Rural School (SRS) funding, and with their budget being exceeded the last two fiscal years. He recommended the Board address these issues. Additionally, there hasn't been a reduction in expenditures.
  - iv) Chairman Crane said he feels there may be no way to replace Durfee's full time position.
  - v) The Board wants a report from the Auditor's office on the loss of funding and the budget so far.
- h) 9:52 AM BUILDING AND GROUNDS MATTERS
  - i) A window needed to be replaced in Commission Chambers.
  - ii) Commissioner Kunau talked about light replacements at the Assessor's office. Ballasts were replaced in those light fixtures.
  - iii) Work on the floor at the Adult Misdemeanor Probation office was completed.
- i) 9:52 AM GATEWAY MATTERS
  - i) McMurray, Abenroth, Chairman Crane, and Brent Stoker attended a meeting in Pocatello last week.
  - ii) Brent Stoker presented at that meeting.
- j) 10:08 AM AUDITOR MATTERS
  - i) Larsen stressed the importance of department heads to realize that budgeting of revenues is as critical as budgeting of expenditures. Many feel that grants and receipts collected are bonus money to their budget when in fact they, in many instances, were already taken into consideration for resources to allow the budget levels for expenditures in the first place.
  - ii) He encouraged the Board to be cognizant in the process of budgeting and approvals of expenditures. It isn't just a matter of whether there is money in the budget in line items for

expenditures. It's a matter of whether budgeted revenues have been received to fund those expenditures as approved in the budget.

- iii) It was pointed out that funding sources are depleting across the board. Taxation revenues on incremental values of county property in Urban Renewal are lost. Grants are depleting. Fines, court fees, and citation revenues are decreasing throughout the State.
  - iv) Larsen had asked permission from the Board to expend five to ten hours overtime in isolating and scanning invoices and statements to facilitate dividing City-related law enforcement costs from County-related costs. That was requested of the Sheriff's office from the Law Enforcement Committee beginning FY2015. Chairman Crane asked if that wasn't part of what Larsen could do at his judgment as the department head. Larsen indicated it was, but that it would likely put them over their "A" allocation and only the Board could approve that.
  - v) Larsen also requested support in requiring departments to scan their invoices, statements, and billings. They could retain a copy for their reference and also email a copy to the Auditor's office for permanent documentation. The Board agreed to support the request of departments to digitize billings each week as requested by the Auditor's office.
  - vi) The Board discussed matters pertaining to the City-County Law Enforcement Agreement and determined to have McMurray contact the County's outside Auditor, Evans, Poulsen, and Catmull, CPA's to continue work with providing audited law enforcement figures to the Board.
- k) 9:37 AM            CONTRACT MATTERS
- i) The Cassia County Historical Society requested museum exhibits funding in the amount of \$14,000 as budgeted for FY2015.
  - ii) Larsen explained they are wanting to do some capital improvements with some of their funding such as carpet replacement that they will go over with the Board later today.
  - iii) They have \$14,000 in their "A" Budget and \$14,000 in their "B" Budget to cover their operating costs. That is an accumulating fund and they are in pretty good shape currently.

9:40 AM

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE REQUEST OF THE HISTORICAL SOCIETY FOR THEIR MUSEUM EXHIBIT LINE ITEM AMOUNT OF \$14,000 FOR FY2015. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- iv) The Idaho Parks and Recreation (IDPR) Waterways Grant agreement as presented by the Sheriff's office is for an amount totaling \$992.00 to Cassia County.
- v) The County is required to provide matching funds for that grant.
- vi) Funds have to be specifically dedicated to waterway boating safety programs.

9:58 AM

**MOTION: COMMISSIONER KUNAU MOVED TO ACCEPT AND SIGN THE IDPR WATERWAYS GRANT AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 2) 9:22 AM    REVIEW REQUEST TO PURCHASE HEAT PUMPS AT THE MINI-CASSIA CRIMINAL JUSTICE CENTER (MCCJC)
- a) A request from the MCCJC for the purchase of two large and three small heat pumps. One large and one small heat pump will be stored for the next replacements according to McMurray. The total cost would be \$8,300 and would not require bids.
  - b) Sheriff Heward said it had been discussed a couple of months ago in the joint meeting.

9:23 AM

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE PURCHASE OF THE HEAT PUMPS AT \$8,300 AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 3) 9:14 AM INTRODUCTION OF NEW LIFE RUN AMBULANCE DIRECTOR KENT HOLYOAK
- a) Kent Holyoak has been hired by Cassia Regional Medical Center to be the new Life Run Ambulance Director. He introduced himself and stated he was born and raised in the Burley area.
  - b) He was brought on with Life Run to take their system from an ILS or Intermediate system to an ALS or Paramedic system which has lacked in this community for many years
  - c) Holyoak is going through the hoops with the State to integrate the paramedic system here which takes quite an effort. They want to start the transitioning within the next five or six months.
  - d) It will be necessary to bring paramedics in from outside the area. They currently have three or four who work within their system that are paramedics who have not actually worked in that type of system but have worked as EMT's or ILS providers. It will take about a year to get up to speed for that level of care.
  - e) There are some structural and organizational changes that will also take place. Their goal is to bring an appropriate and high level of care throughout the entire County.
  - f) Going to ask for help from the Commission financially through the budget hearings to facilitate this move even though CRMC will shoulder most of the financial burden. They desire to get Life Run up to speed with surrounding counties.
  - g) Chairman Crane asked Shirley Hubbard when she will be coming to address her budget requests. Hubbard said that would be soon. She indicated that QRU's have some concerns with the costs that are associated with bringing in paramedics as it will be very expensive.
  - h) McMurray said the contract with CRMC ends this year so ambulance service will go out to bid this year.
- 4) 9:24 AM REQUEST TO CONSIDER PURCHASE OF POLICE VEHICLE – SHERIFF JAY HEWARD
- a) Sheriff Heward brought with him the deputy who was involved in an accident with a police vehicle.
  - b) Heward stated that insurance had provided \$12,065 in costs for the wrecked car.
  - c) Fortunately gas prices have been down the last couple of months. They spent \$9,897 in fuel last year in February. This year they only spent \$4,905 in February, a savings of about \$5,000. They spent \$8,900 in fuel last year in January. This year they only spent \$6,900 in January, a savings of about \$2,000. That is a total of \$7,000 saved in fuel. When that is added to the insurance settlement of \$12,065, they will have \$19,000. They anticipate more savings during the month of March. This would have all been money spent had the cost of fuel not gone down.
  - d) The new vehicle cost is only \$22,336 for an all-wheel drive Dodge Charger and they are getting close to the total cost by money saved.
  - e) If the cost of fuel stays down, they will save even that much more. Heward acknowledged the fifth quarter that needs to be worried about from October until December. He didn't think his carryover money would be depleted that much because of the savings of the car.
  - f) Deputy Rose read a letter to the Board. It stated he was responding to a call when he was struck by a vehicle. He was placed in a Dodge pickup with 185,000 miles on it and limited lights. There is one small light bar. When another deputy was not working, he used their vehicle. He asked the Board to reconsider their stance on not wishing to purchase another vehicle. Rose felt that for \$22,336, it is an opportunity for the County to acquire a brand new vehicle for 60% off the retail price. When you add in fuel savings, the costs would only be \$3,000 out of pocket which would increase the percentage off the retail price. The cost of outfitting the vehicle, Rose felt should not be factor in the decision. If it is, they have an opportunity to do DUI and seat belt emphasis programs this summer. They are requesting

\$15,000 in funds from the State for those programs. Rose said as a matter of officer and public safety, it is necessary to purchase another vehicle.

- g) Chairman Crane asked about other line items in the budget where they could save and he asked if there were any other vehicles that can go to auction. Heward sold them already and received \$13,000 for those vehicles and turned that check over to the Auditor's office.
- h) If they acquire the vehicle they are requesting, they will have Clark Ward's old pickup that Rose is driving currently and it will be put to work the entire summer hauling a trailer back and forth from Bostetter for Forest Service and BLM patrols. Heward stated they do not have any surplus vehicles sitting around.
- i) Chairman Crane asked again about other line items that can be trimmed up for savings to add to this request. Heward stated he didn't have the budget sitting right there in front of him so he couldn't say without having that here. Chairman Crane told him that would be the place to look. Heward said he could come up with the extra \$3,000 from one of his budget lines. He also said he is in pretty good shape since he has some grant money coming in from the purchase of radars and for four light bars.
- j) Commissioner Kunau said it looks like a pretty good proposal. They are optimistic we will have a joint law enforcement with the City and there hasn't been negative feedback. He suggested in future budget years, the purchase of vehicles be delayed until later in the fiscal year for those that need to be replaced in the event they have an accident such as this. Heward said the cars are getting old and with excessive miles they are wanting to replace them before they quit functioning.

**9:35 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO ACCEPT THE PROPOSAL OF SHERIFF HEWARD FOR THE PURCHASE OF A NEW VEHICLE AT THE COST OF \$22,326.00 FROM BONANZA MOTORS. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 5) 9:36 AM BALLOT FOR APPOINTMENT TO COMMISSION – MIDDLE SNAKE REGIONAL WATER RESOURCE COMMISSION (MSRWRC)
  - a) The ballot for appointment to the MSRWRC was read by Commissioner Kunau.
  - b) Lew Pence from Gooding County and Neal Bowman from Lincoln County were presented for reappointment for a four year term.
  - c) The Board determined to vote to reappoint the presented candidates.

**9:37 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO VOTE TO REAPPOINT LEW PENCE AND NEAL BOWMAN TO THE MSRWRC. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 6) 9:42 AM PUBLIC UTILITIES COMMISSION NOTICE OF FILING CASE NO. INT-G-15-01 AND IPC-E-15-03
  - a) Case No. INT-G-15-01 is a Notice of Modified Procedure with Intermountain Gas Company's 2015-2019 Integrated Resource Plan.
  - b) Case No. IPC-E-15-03 is a Notice of Modified Procedure with Idaho Power Company requesting approval of a new tariff schedule and the Flex Peak program.
  - c) No comment from the Board is necessary.
- 7) 9:50 AM EXECUTE MODIFICATION OF CONTRACT REGARDING BLM ACCOUNT 6100.252ZO AND NO. 0003
  - a) McMurray explained the needed modification of the contract.

**9:50 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MODIFICATIONS OF THE BLM CONTACT AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- 8) 10:00 AM EXECUTE LETTERS OF INTENT TO FUND EAST AND WEST CASSIA SOIL AND WATER CONSERVATION DISTRICT

- a) McMurray presented letters for the Board to review regarding the Board intent to fund, barring unforeseen emergencies, \$5,000 for each entity for FY2016.

**10:00 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE AND SIGN THE LETTER PROPOSED TO BE SENT TO EAST AND WEST CASSIA SOIL CONSERVATION DISTRICT FOR FUNDING OF \$5,000 FOR FY2016, BARRING AN UNFORSEEN EMERGENCY. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

9) 10:04 AM REVIEW EZ TICKET AGREEMENT FOR THE COUNTY FAIR

- a) The EZ Ticket contractual agreement for the County Fair was reviewed by Abenroth and McMurray.
- b) Abenroth proposed changes regarding indemnity as it was one-sided with all risk funneled to the County. Proposed language was added to correct that issue.
- c) Also, control of the merchant account as presented by the Fair Board was added to the agreement.
- d) Abenroth requested a motion to allow Chairman Crane to sign the agreement after the necessary changes are made to facilitate sending in the contract to EZ Ticket.

**10:07 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO ALLOW CHAIRMAN CRANE TO SIGN THE CONTRACTUAL AGREEMENT WITH EZ TICKET FOLLOWING CHANGES AS RECOMMENDED BY ABENROTH. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

10) 10:08 AM REVIEW AND EXECUTE RESOLUTION NO. 2015-005 SURPLUS HANDLINE

- a) McMurray said there are 130 pieces of three inch diameter hand line they no longer need. The value is in excess of \$1,000 so a resolution was prepared declaring the property as surplus property.
- b) It is desired to set a reserve value.
- c) Chairman Crane said a wheel line had been donated to the Fairgrounds for use in the carnival area.
- d) Two options according to McMurray is a community auction or to have Couch sell it at a farm sale. After this is signed, a ten day advance published notice is necessary to proceed with the sale.
- e) Commissioner Kunau said it should be sold at about \$50 per section as we could easily get that out of it if it is not beat up.

**10:11 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE RESOLUTION 2015-005 DECLARING HAND LINES FROM THE FAIRGROUNDS AS SURPLUS TO BE SOLD AT PUBLIC AUCTION. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

11) 11:08 AM INDIGENT MATTERS

**11:08 AM EXECUTIVE SESSION**

**MOTION: COMMISSIONER KUNAU MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING MEDICAL INDIGENT MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(D). CHAIRMAN CRANE SECONDED THE MOTION. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE 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: 2015005
- b) Certificate of Denial: 2015009
- c) Certificate of Approval: 2015019
- d) Order of Dismissal: 2014105, 2014097, 2014110, 2014111
- e) Notice of Lien and Application for Medically Indigent Benefits: 2015019, 2015020, 2015021, 2015022, 2015023, 2015024
- f) Notice of Continuance of Hearing: 2014013, 2014075, 2014101, 2014114, 2015007

**CASSIA COUNTY COMMISSION**

**REGULAR SESSION**

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- g) Release of Medically Indigent Lien: 2011129, 2014079, 2014103, 2014105, 2014115, 2015001, 2014110, 2014097, 2014111
- h) Medical Records/Utilization Management Review: 2015005, 2015006

**11:22 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 11:22 AM.**

12) 11:28 AM APPEAL OF CSI STUDENT RESIDENCY DENIAL – TERI LUCERO

- a) The Board went on the record for an appeal of CSI Residency Denial for Teri Lucero at 11:28 a.m. Chairman Crane asked those present to introduce themselves for the record.
- b) Abenroth conducted the hearing.
- c) Teri Lucero went on the record declaring herself a student of CSI who applied with a Certificate of Residency for Cassia County to receive out-of-district tuition assistance. She indicated that she is only in Twin Falls to attend school.
- d) CSI has told Lucero she is not a resident of Twin Falls County.
- e) Lucero’s mother, Tammie Lucero stated her daughter was born and raised here and Burley continues to be her place of residence.
- f) Deputy Recorder Tammi Pollard said she verified Teri Lucero’s address of her residence in Twin Falls and that she moved there in January of 2013. Pollard stated that Idaho Code 33-2110A (b) addresses domiciliary residence and denial was based on her interpretation of that where that change continued for over 12 months and their domicile is the true fixed place of residence and place of habitation; where the person remains and expects to return without establishing domicile elsewhere. She also cited Idaho Code 33-2210 (1) and referred to Lucero not being a minor where she was over 18 years of age. Lucero is registered in Cassia County and her car is registered in her parent’s name. Denial recommendation by Pollard was based on her interpretation of an established domicile of a non-minor for more than 12 consecutive months.
- g) Larsen stated clarification and intent of the statute for out-of-district junior college students is currently being assessed by the State Junior College and County workgroup of which he is a member. He stated the workgroup’s interpretation has been problematic and they have determined the statute needs to be re-worked or completely repealed.
- h) The statute refers to parents, guardians, students, in-district, and out-of-district parameters. A minor’s residence is deemed to be that of their parent or legal guardian if the student is a minor. Conversely, if a student is not a minor, it is not automatically assumed their residence is that of their parents or guardian. Therefore, the operative source of the decision to recommend denial had to be based on the 12 consecutive months where Lucero lived in Twin Falls and that she could be deemed a resident of Twin Falls County and qualify for in-district reduced tuition.
- i) Abenroth asked Lucero’s mother if she provided more than 50% or less than 50% of her daughter’s schooling costs. Lucero responded it was probably around 50%.

**11:46 AM**

**MOTION: COMMISSIONER KUNAU MOVED TO TAKE THE MATTER UNDER ADVISEMENT FOR CONSIDERATION OF THE APPEAL BY LUCERO. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

- j) The Board went off the record at 11:47 a.m.

13) 12:00 PM LUNCH AT THE MUSEUM WITH THE CASSIA COUNTY HISTORICAL SOCIETY

14) 1:15 PM ADJOURNMENT

APPROVED:

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

Dennis Crane, Chairman of the Board

ATTEST:

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

Joseph W. Larsen, Clerk of the Board