



## 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:

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

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Monday, August 22, 2016

9:00 AM

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

- 1) 8/22/2016 9:01 AM Call to Order
- 2) Pledge of Allegiance and Prayer
- 3) Roll Call

8/22/2016 9:02 AM **Roll Call.**

**Present:** Kerry D. McMurray - Administrator, Bob Kunau - Member, Dennis Crane - Chairman, Paul Christensen - Member, Doug Abenroth - County Attorney, Heather Evans, Lead Deputy Auditor.

- 4) 8/22/2016 9:02 AM Review Calendar, Meetings, and Correspondence
- 5) 8/22/2016 9:04 AM Junior College Residency Applications Review and Discussion

8/22/2016 9:04 AM **Motion:** Recommendations by the Clerk's Office to approve 52 and deny 5 Certificate of Residency applications, **Action:** Approve, **Moved by** Bob Kunau, Member, **Seconded by** Paul Christensen, Member.

Motion passed unanimously.

- 6) 8/22/2016 9:05 AM County Road and Bridge Report
- 7) 8/22/2016 9:05 AM Personnel Matters
  - a. Letters from Extension Office Supervisor Joel Packham and employee Dena Jarolimek requesting extension of vacation time.

8/22/2016 9:06 AM Motion: Extension of vacation time for Dena Jarolimek as requested, **Action:** Approve, **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.

Motion passed unanimously.

- b. 8/22/2016 9:07 AM Change of Status – Hiring of Eric Hall as a part time assistant at the Cassia County museum

8/22/2016 9:09 AM **Motion:** Act on the recommendation of the Historical Department in hiring, **Action:** Approve, **Moved by** Paul Christensen - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

**CASSIA COUNTY COMMISSION**

**REGULAR SESSION**

**Monday, August 22, 2016**

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- 8) 8/22/2016 9:09 AM Review and Sign Memorandum of Understanding (MOU) Between State of Idaho Office of Emergency Management and Cassia County Regarding Use of 2016 State Homeland Security Grant Program Funding

8/22/2016 9:10 AM **Motion:** Act on the recommendations of the Sheriff concerning emergency management, **Action:** Approve, **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.  
Motion passed unanimously.

- 9) 8/22/2016 9:11 AM Deliberate on Law Enforcement Services Agreement with City of Burley
- a. A copy of changes with the Law Enforcement Services Agreement was provided and explained by McMurray.
  - b. Abenroth explained changes were very small and reviewed new provisions added by City of Burley attorney, David Shirley.
  - c. Contracted amounts were reviewed including a 2% increase in cost for year two of the contract.
  - d. Abenroth recommended approval and signing of the agreement.

8/22/2016 9:18 AM **Motion:** Signing of the Law Enforcement Services Agreement with the City of Burley, **Action:** Approve, **Moved by** Paul Christensen - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

- 10) 8/22/2016 9:21 AM Executive Session – Evaluation for Hiring of an Individual Agent

8/22/2016 9:21 AM **Motion:** Evaluation for hiring of an individual agent, wherein respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need, **Action:** Enter Executive Session under Idaho Code § 74-206 (1) (a), **Moved by** Bob Kunau, Member, **Seconded by** Paul Christensen, Member.  
Motion passed unanimously.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 3).

**Yes:** Bob Kunau, Member, Dennis Crane, Chairman, Paul Christensen, Member.

8/22/2016 9:34 AM Exiting Executive Session, the Board will take the matter under advisement.

- 11) 8/22/2016 9:35 AM Deliberation on Selection of Conflict Public Defender
- a. Applications were reviewed last board meeting.

8/22/2016 9:36 AM **Motion:** Ask Abenroth to continue or start negotiations based on the application process and proceed by contacting Mr. Zollinger to see if the agreement for conflict indigent defense can be fine-tuned, **Action:** Approve, **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.  
Motion passed unanimously.

- 12) 8/22/2016 9:46 AM Application for Cancellation of Taxes
- a. Justesen stated she was unsure what taxes Mr. Mabey desired to cancel.
  - b. McMurray explained the statutory requirement regarding cancellation of taxes.
  - c. Christensen asked that a hearing be set to allow the applicant to come before the board, the Treasurer, and the Assessor.
  - d. McMurray will proceed to arrange for that hearing.

- 13) 8/22/2016 10:16 AM Deliberation on Newcomb Letter Pertaining to Airport Siting and Use of Eminent Domain
- a. McMurray read letters from Mark and Bruce Newcomb asking for their property being removed from consideration for airport siting.
  - b. Republican nominee for Commissioner, Tim Darrington read a statement in support of Newcomb's property being removed from consideration for airport siting and eminent domain not be considered.
  - c. Crane suggested the board send a message back to the Airport Siting Task Force that they will never support the use of eminent domain.
  - d. City of Burley Administrator Mark Mitton stated the Newcomb property rose to the top in their consideration and this is the first letter received from them. He asked the board to hold off on their decision and let the task force meet again and reevaluate this new information. That could change their ranking of this site so it is not considered. He said it would be detrimental to the process to take action today.
  - e. Crane felt the board should go on the record that they strongly oppose the use of eminent domain. Christensen felt some leniency in the process should be considered if only a small portion of property served to inhibit the project.
  - f. McMurray will forward Newcomb's letter to the Airport Siting Task Force.
  - g. Kunau felt the issue of precluding eminent domain is premature. Kunau didn't desire to use imminent domain but he felt a blanket statement may cost losing the project. Crane and Christensen disagreed.

8/22/2016 10:34 AM **Motion:** The Commission as a body recommend to the entities that the use of imminent domain not be used except in extreme instances and that the Newcomb letter be forwarded to the Airport Siting Task Force, **Action:** Approve, **Moved by** Paul Christensen, Member, **Seconded by** Dennis Crane, Chairman. Motion passed, Bob Kunau opposed as being unnecessary.

- 14) 8/22/2016 11:15 AM Review and Approve Payables
- a. Abenroth and the board discussed per diem matters relating to reimbursement of meals that were questioned by the Auditor's Office when processing payables.
  - b. Amounts requested for per diems to be changed to the original submission to be processed with next board meeting payables.

**Motion:** Payables from 08/22/2016, **Action:** Approve, **Moved by** Bob Kunau, Member, **Seconded by** Dennis Crane, Chairman. Motion passed unanimously.

### **SCHEDULED INFORMATION AND ACTION AGENDA ITEMS**

- 15) 8/22/2016 9:51 AM Department Head Meeting
- a. Patty Justesen – Treasurer
    - i. Statement of Treasurer's Cash and Urban Renewal Report was provided.
    - ii. Treasurer's Conference was held the first week of August.

- b. Craig Rinehart – Coroner
    - i. They have been busy and had a triple fatality last night.
    - ii. The only concern was costs related to autopsies with his budget.
  - c. George Warrell – Mini-Cassia Criminal Justice Center
    - i. One employee graduated from POST this last week. Two more need to complete that training.
    - ii. They are down one employee and another on is hampered medically.
    - iii. The budget is tracking well and the revenue is above projections.
  - d. Jay Heward – Sheriff
    - i. County Fair coverage went well. There were no significant problems during that time.
    - ii. Heward had questions regarding shortfall of budgeted revenue.
    - iii. Reported budget expenses. Revenues are down in certain areas. Dispatch costs are above budget projections.
    - iv. They have approximately \$7,000 saved currently to purchase carpeting in the building.
  - e. Joel Packham – Extension Agent
    - i. The County Fair went smoothly. Fat stock numbers were up but sales were down.
    - ii. Their budget is on schedule.
  - f. Heather Evans – Deputy Clerk
    - i. Clerk’s office budgets are all in line.
    - ii. This is the last week of Early Vote for the 08/30/2016 special election for the Cassia School District supplemental levy.
    - iii. Odyssey has more challenges than previously anticipated.
    - iv. Budget hearing will be next week.
  - g. Doug Abenroth – Prosecuting Attorney
    - i. Budget is tracking well and they are anticipating money to carryover.
    - ii. Anticipated trials have been scheduled.
  - h. Kerry Mc Murray – Administrator
    - i. Budgets are tracking below projections.
    - ii. Building Permit revenues have rebounded from earlier this year.
    - iii. Website is currently up, there were issues last week. Evo.gov should be contacting department heads this week in regards to setting up the new website.
    - iv. Building department is going steady.
    - v. Third floor construction is on track and the Assessor’s office project should be starting first week in September.
  - i. Dwight Davis – Assessor
    - i. Not present
  - j. Amber Prewitt – Adult Misdemeanor Probation
    - i. Not present
  - k. Weed and Pest Control
    - i. No report
  - l. Commissioners
    - i. County picnic was discussed and Thursday, 09/08/2016 for that was selected for that.
- 16) 8/22/2016 10:42 AM Deliberate on Catering Permit for *Live a Little Productions* from Jefferson County for a Monster Truck Rally

- a. Deputy Recorder Cally Velasquez reported that the applicant only has a beer and wine license that is included with the application and will not be serving liquor.
- b. Crane asked the Sheriff to investigate the matter further and report back to the board at the 08/29/2016 meeting if adequate security is in place.

8/22/2016 10:48 AM Commissioner Christensen was excused to attend a funeral and will return for the afternoon scheduled board matter.

17) 8/22/2016 10:48 AM Indigent Matters

8/22/2016 10:49 AM **Motion:** To consider Indigent matters of a personal nature that are exempt from disclosure under Idaho Code § 74-106 (6), **Action:** Enter Executive Session under Idaho Code § 74-206 (1) (d), **Moved by** Bob Kunau, Member, **Seconded by** Dennis Crane, Chairman.  
**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes =2).  
**Yes:** Bob Kunau, Member, Dennis Crane, Chairman.

8/22/2016 11:10 AM **Motion:** Act on the recommendations of the Social Services Director as presented, **Action:** Approve, **Moved by** Bob Kunau, Member, **Seconded by** Dennis Crane, Chairman.  
Motion passed unanimously.

18) 8/22/2016 11:27 AM United States Forest Service (USFS)/Bureau of Land Management (BLM) Report

- a. Loren Poppert – USFS District Ranger
  - i. USFS County Fair booth went well for education of the public.
  - ii. Currently at Stage 1 of fire restrictions. No major fires to report.
  - iii. They are working with Mt. Harrison Snowmobile Grant to construct a warming shed in Sublett area.
  - iv. Work is continuing with Pomerelle Resort on completion of redesign of the ski lift to comply with clearance regulations.
  - v. Poppert reported on grazing permits.
- b. Ken Crane – BLM Burley Office Field Manager
  - i. Crane reported on fires in area. There are a fair number of starts but nothing has spread. Haystack fires have been biggest issue.
  - ii. They are placing more fire rings in the Milner area.
  - iii. There is new direction coming from Washington, DC on the Sage Grouse project.

19) 8/22/2016 11:40 AM Recess until 1:30 p.m.

20) 8/22/2016 1:55 PM Reconvene Session

8/22/2016 1:55 PM **Motion:** Reconvene Session, **Action:** Approve, **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.  
Motion passed unanimously.

21) 8/22/2016 1:55 PM Interviews for Weed Supervisor

- a. Michael T. Ottley
- b. George W. Pickup
- c. Cache D. Carlson

8/22/2016 3:28 PM **Motion:** Evaluation for hiring of an individual agent, wherein respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need, **Action:** Enter Executive Session under Idaho Code § 74-206 (1) (a), **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member. Motion passed unanimously.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 3).

**Yes:** Bob Kunau, Member, Dennis Crane, Chairman, Paul Christensen, Member.

8/22/2016 3:32 PM On exit of Executive Session, the board took the matter under advisement.

22) 8/22/2016 3:49 PM Adjournment

8/22/2016 3:49 PM **Motion:** Today's meeting of the Board, **Action:** Adjourn, **Moved by** Bob Kunau, Member, **Seconded by** Paul Christensen, Member.

Motion passed unanimously.

APPROVED:

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

Dennis Crane, Chairman

CLERK OF THE BOARD:

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

Heather Evans, Deputy Clerk

## **COUNTY EXPENDITURES ATTACHMENT**

8/22/2016

## COUNTY EXPENDITURES

	DEPARTMENT	FUND/DEPT	AMOUNT	
<b>104 Current Expense Fund</b>	COUNTY COMMISSIONERS	104.401	\$0.00	
	AUDITOR & RECORDER	104.402	\$163.60	
	TREASURER	104.404	\$195.00	
	ASSESSOR	104.405	\$0.00	
	AGRICULTURAL EXTENSION	104.410	\$0.00	
	COUNTY BUILDING	104.411	\$2,218.51	
	JUDICIAL CENTER	104.412	\$1,296.76	
	BOARD OF HEALTH	104.413	\$0.00	
	PLANNING & ZONING	104.414	\$0.00	
	GENERAL	104.415	\$995.78	
	CIVIL DEFENSE	104.416	\$53.00	
	COUNTY ELECTIONS	104.417	\$302.60	
	LAW ENFORCEMENT BUILDING	104.418	\$1,198.18	
	COUNTY ADMINISTRATION	104.419	\$3,725.79	
	VETERANS SERVICE OFFICER	104.421	\$0.00	
	<b>CURRENT EXPENSE FUND TOTAL</b>			<b>\$10,149.22</b>
	<b>Dedicated Funds</b>	SOCIAL SERVICES	105.502	\$658.00
CASSIA COUNTY COURTS		106.602	\$1,690.20	
COUNTY ROAD & BRIDGE		107.707	\$442.15	
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	\$0.00	
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	\$236.60	
EMERGENCY MEDICAL SERVICE		133.733	\$0.00	
NARCOTICS SEIZED ASSETS		134.334	\$63.59	
CASSIA DRUG TASK FORCE		136.736	\$0.00	
D.A.R.E. TRUST		137.737	\$0.00	
PHYSICAL FACILITIES		144.744	\$493.98	
ADULT MISDEMEANOR PROB TRUST		149.349	\$0.00	
ADULT MISDEMEANOR PROBATION		149.749	\$263.62	
VIOLENT PREDATOR ACCOUNT		150.750	\$0.00	
BOX ELDER COUNTY BOOKMOBILE	151.751	\$0.00		
WIDOW BENEFIT TRUST	198.798	\$0.00		
<b>DEDICATED FUNDS TOTAL</b>			<b>\$3,848.14</b>	
<b>130 Justice Fund</b>	JUSTICE FUND	130.330	\$0.00	
	CLERK OF THE DISTRICT COURT	130.803	\$0.00	
	CONFLICT PUBLIC DEFENDER	130.804	\$1,278.03	
	JUVENILE JUSTICE	130.805	\$0.00	
	PROSECUTING ATTORNEY	130.807	\$521.40	
	PUBLIC DEFENDER	130.808	\$302.40	
	CORONER	130.809	\$0.00	
	SHERIFF - PATROL	130.821	\$8,239.54	
	SHERIFF - INVESTIGATIONS	130.822	\$1,327.70	
	SHERIFF - DISPATCH	130.823	\$0.00	
	SHERIFF - ADMINISTRATION	130.824	\$1,588.12	
	M-C CRIMINAL JUSTICE CENTER	130.827	\$8,851.96	
	M-C JUVENILE DETENTION CENTER	130.828	\$0.00	
<b>JUSTICE FUND TOTAL</b>			<b>\$22,109.15</b>	
<b>TOTAL EXPENDITURES</b>			<b>\$36,106.51</b>	

**ATTENDANCE LOG ATTACHMENT**

# Cassia County Commissioner Meeting

## Attendance Log

Date: 08/22/2010

	<b>NAME (Please Print)</b>	<b>TOWN</b>	<b>REPRESENTING</b>
1.	Cash Daily	Burley	Self
2.	Mark Miller	Burley	City of Burley
3.	Craig Burchart	Burley	Coroner
4.	Sally Justesen	Burley	Treasurer
5.	Gay Howell	Burley	S.O.
6.	George Warrell	Oakley	CCSO
7.	Tim Darrington	DeLo	Citizen
8.	Joel Peckham	DeLo	Ag
9.	Joan Pappert	Burley	USFS
10.	Ken Crace	Burley	BLM
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