



Cassia County Board of Commissioners

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

Board Members:

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

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Monday, February 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) Call to Order
- 2) Pledge of Allegiance and Prayer
- 3) Roll Call

2/22/2016 9:00 AM **Roll Call.**

Present: Dennis Crane, Chairman, Bob Kunau, Member, Paul Christensen, Member, Kerry McMurray, Administrator (Not voting), Doug Abenroth, County Attorney (Not voting), Heather Evans, Deputy Clerk (Not voting).

Excused: Joseph W. Larsen, Clerk.

- 4) 2/22/2016 9:01 AM Review Calendar, Meetings, and Correspondence
 - a. 03/03/2016 9:00 AM Meeting in Pocatello regarding Solid Waste Energy with seven counties
 - b. 02/29/2016 12:00 PM to 1:30 PM School Bond Election Discussion and Luncheon
- 5) 2/22/2016 9:07 AM Personnel Matters:
 - a. Change of Status – Voluntary Resignation of Brian Hunsaker as a Deputy Patrolman

2/22/2016 9:07 AM **Motion:** Change of Status request as presented, **Action:** Approve, **Moved by** Paul Christensen - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

- b. 2/22/2016 9:34 AM Executive Session under Idaho Code § 74-206 (1) (b)

2/22/2016 9:34 AM **Motion:** Evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, an individual, **Action:** Enter Executive Session under Idaho Code § 74-206 (1) (b), **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.

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

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

2/22/2016 9:48 AM Exited Executive Session – No decisions were made

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2/22/2016 9:48 AM **Motion:** Exiting Executive Session with no decisions, **Action:** Approve, **Moved by** Bob Kunau, Member, **Seconded by** Paul Christensen, Member.
Motion passed unanimously.

6) 2/22/2016 9:07 AM Junior College Residency Applications Review and Discussion

2/22/2016 9:07 AM **Motion:** Recommendations by the Clerk's Office for approval of four high school dual credit and one non-dual credit Certificate of Residency applications and denial of three Certificate of Residency applications, **Action:** Approve, **Moved by** Bob Kunau, Member, **Seconded by** Paul Christensen, Member.
Motion passed unanimously.

7) 2/22/2016 9:34 AM County Road and Bridge Report

8) 2/22/2016 11:52 AM Indigent Matters

2/22/2016 11:52 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** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.

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

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

2/22/2016 12:14 PM The Board exited the Executive Session to consider indigent matters

2/22/2016 12:16 PM **Motion:** Indigent recommendations of the Social Services Director as presented, **Action:** Approve, **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.
Motion passed unanimously.

9) 2/22/2016 10:25 AM Review and Approve Minutes

2/22/2016 10:25 AM **Motion:** Minutes from 02/16/2016, **Action:** Approve, **Moved by** Bob Kunau, Member, **Seconded by** Paul Christensen, Member.
Motion passed unanimously.

10) 2/22/2016 11:07 AM Review and Approve Payables

2/22/2016 11:52 AM **Motion:** Payables from 02/22/2016 as presented, **Action:** Approve, **Moved by** Bob Kunau, Member, **Seconded by** Paul Christensen, Member.
Motion passed unanimously.

SCHEDULED INFORMATION AND ACTION AGENDA ITEMS

11) 2/22/2016 9:08 AM Meeting on Law Enforcement Matters

- a. Paul Christensen, Member, explained the purpose of this discussion is to establish a baseline analysis of costs if we were to have an independent law enforcement for Cassia County such as it was prior to consolidation with the City of Burley contract.

- b. Letter from Kerry McMurray, Administrator to Sheriff Jay Heward was read.
- c. Sheriff Jay Heward responded:
 - i. The Sheriff's office can live within the parameters of the numbers of what was discussed by the Law Enforcement Task Force.
 - ii. The Board and the Burley City Council should negotiate costs, if any, relative to Dispatch costs. Under statute all 9-1-1 services must be provided by the Sheriff.
 - iii. George Warrell, Undersheriff reported on Dispatch costs in Minidoka County.
 - iv. Heward commented on turning down the City of Heyburn in contracting Dispatch services due to the increased cost of ILETS.
 - v. Heward stated to mimic Jerome County's law enforcement, they would need 12 patrol officers, one DARE office (subsidized by the School District by \$25,000), and two detectives. That would also include the Sheriff, Undersheriff, Lieutenant Horak and Lieutenant Rogers. The total cost of which, he said, would be approximately \$1,416,495.84. That would increase the County's contribution from the current amount of \$733,758 by an additional \$682,737.84 for just patrol and detectives.
 - vi. Heward stated they will need to maintain their current dispatch, driver's license, clerical, and courts staff as well as four employees for the drug task force.
 - vii. Warrell stated the need for 12 patrol officers is minimal and he also talked about the distance that is a problem comparably to Jerome County.
 - viii. Chairman Crane asked for the budget of Minidoka County and Jerome County. This meeting is in preparation for negotiations that begin the third week of March. McMurray stated that a meeting is tentatively setup for 03/14/2016 at 11:30 a.m. for contract negotiations with the City of Burley.

12) 2/22/2016 9:49 AM Department Head Meeting

- a. Patty Justesen – Treasurer
 - i. Statement of Treasurer's Cash and Urban Renewal Report
 - ii. Affidavit of Capital and Surplus
 - iii. 2/22/2016 9:50 AM Amendment to Addendum C from Access Idaho

2/22/2016 9:51 AM **Motion:** Signing of the second amendment to Addendum C Service Level Agreement Electronic Transaction and Access between Access Idaho and the Cassia County Treasurer, **Action:** Approve, **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.
Motion passed unanimously.

- iv. Trending well below budget
- v. Justesen inquired about potential Solid Waste changes in 2013 and 2014. The Board determined to have it be on the agenda the second week of April.
- vi. 2/22/2016 9:54 AM Pursuant Idaho Code, Certificate of Compliance for all banks Cassia County has deposits with is being provided by the Treasurer to the Board.
- b. Jay Heward – Sheriff
 - i. Heward reported on financials for his departments.

- ii. Dispatch training has caused that budget expenditures to be over. They will lose one employee in June. Administration is high for office supplies.
- c. George Warrell – Mini-Cassia Criminal Justice Center
 - i. Hoping to be fully staffed by end of month
 - ii. Preparing for inspections
 - iii. Two are going to POST in March
 - iv. Budget expenditures are under budget
- d. Dwight Davis – Assessor
 - i. Under budget on all budgets and are watching their costs.
- e. Gordon Edwards – Weed and Pest Control
 - i. Working with their BLM budgets and a five-year agreement
 - ii. Meeting with the US Forest Service regarding elk
 - iii. Under budget and are working on using accrued comp time
- f. Joel Packham – Extension Agent
 - i. Right on schedule with their budget
 - ii. Classes are slower now and 4-H meetings and Excel Training will take place in April.
- g. Theresa Forthun – Chief Deputy Clerk
 - i. Documentation destruction in process and digitizing
 - ii. Odyssey to be implemented in the fall or early spring
 - iii. 200 to 500 boxes are coming back from the Historical Society
 - iv. Presidential Primary election on 03/08/2016 from 8:00 a.m. to 8:00 p.m. Early voting starts today in Room 100.
 - v. Filing for candidacy for County offices will begin 02/29/2016
 - vi. All expenditures are under budget in each area of responsibility and revenues are above projections.
- h. Doug Abenroth – Prosecuting Attorney
 - i. Budgets are on target
 - ii. Budget Line item for Storage of Evidence does not exist. He desires to budget for that line in FY2017.
 - iii. Investigative Costs may be significant and needs to be budgeted for.
 - iv. It may not include an increase, put possibly just a shift.
 - v. Two murder trials, a number of sexual abuse cases and drug cases are coming up.
- i. Kerry Mc Murray – Administrator
 - i. Actual expenditures are under budget.
 - ii. Building permit revenues are down 12%.
 - iii. Compliance issues in regards to quarries and gravel pits.
 - iv. Planning and Zoning just met and made some changes.
- j. Amber Prewitt – Adult Misdemeanor Probation
 - i. Not present
- k. Craig Rinehart – Coroner
 - i. Not present

13) 2/22/2016 10:21 AM Amendment to Agenda

2/22/2016 10:21 AM **Motion:** Add agenda item, **Action:** Amend Agenda under Idaho Code § 74-206 (4)(c) to move 11:00 a.m. agenda item to 10:20 a.m. to consider forgiving penalties and interest paid on a parcel (reason

for amendment): there is time at this point in the meeting and there is no one who is going to lose on this issue (good faith reason why it was not included on the original posting): none provided, **Moved by** Paul Christensen, **Seconded by** Bob Kunau.

Motion passed unanimously.

14) 2/22/2016 10:21 AM Consider Forgiving Penalties and Interest on Parcel No. RP13S28E160100

– Assessor Davis

- a. The Assessor's office made an error and did not place the appropriate information in their system.
- b. Therefore, Davis recommended forgiving interest and penalty to the property owner.
- c. Treasurer Justesen said the statute states penalty and interest cannot be exempted.

2/22/2016 10:29 AM **Motion:** forgiving penalty and interest of \$8.99 on Parcel No. RP13S28E160100, **Action:** Approve, **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.

- d. Justesen stated that if it becomes common practice to do this, if they do it for one, they do it for all. That could be a problem for her office.
- e. Commissioner Christensen said notices need to go out timely by statute.
- f. Abenroth said the Board can take this action on a case by case basis and that there is a risk of a precedence that should be noted.
- g. Crane said he is not in favor of it but would entertain the previous or another motion.
- h. Abenroth advised Chairman Crane that a motion and second had been made and a vote needs to be taken or the motion withdrawn.
- i. Christensen withdrew the previous motion.
- j. Kunau supported the previous motion and felt there would no precedence set.
- k. Abenroth said that where there was a motion and second, they probably need to have a vote.

2/22/2016 10:33 AM **Vote:** Motion passed (**summary:** Yes = 1, No = 0, Abstain = 2).

Yes: Bob Kunau, Member.

Abstain: Dennis Crane, Chairman, Paul Christensen, Member.

- l. Crane said the motion failed and he would entertain a new motion.
- m. Abenroth said there is not a need for another motion if the Board is not going to forgive interest and penalty. The property owners are responsible that and taxes as assessed.
- n. Davis asked for clarification on the difference between forgiveness of interest and penalty on a trailer house recently and not on this parcel. He said that is inconsistent.
- o. Abenroth reviewed the vote again with the clerk and it included one in favor to forgive with two abstentions. In retrospect, he advised the Board that the motion carried.

15) 2/22/2016 10:38 AM Public Testing of Election Equipment for 03/08/2016 Presidential Primary Election

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- a. The Elections office is happy with having space now with Room 100 for Early Voting
 - b. The equipment was successfully tested.
- 16) 2/22/2016 10:50 AM Discussion with Burley Airport Users Association Regarding Invitation from City of Burley to Join Airport Task Force
- a. Jack Hunsaker is the president for the Burley Airport Users Association and addressed the Board. Their group suggested that the County and City of Burley work together on the Task Force for a solution with site selection and governance.
 - b. Christensen recommended drafting letter to FAA concerning questions. Kunau felt the questions have been answered and published. He felt FAA has already answered the questions. Hunsaker concurred with Kunau.
- 17) 2/22/2016 11:12 AM Health Insurance Discussion with Kelly Bowen
- a. An ELAP analysis included total billed charges of \$63,270 rather than the approximate amount of \$120,000 Bowen estimated earlier by the Benefits Trust Fund paying balance bill claims from \$300 to \$2,000.
 - b. Dropping from \$300 to \$1,000 was less but Bowen recommended the original \$300 to \$2,000 amount and it would have minimal effect on the Benefits Trust Fund.
 - c. Bowen and McMurray reviewed changes to the plan and he recommended the Board approve and sign those changes.
 - d. ELAP education to employees will begin scheduling within departments on 03/01/2016.
 - e. Four Amendments to the County Medical Plan include:
 - i. It is in reference to three grandfathered plans. Plan A is non-grandfathered and Plans B, C, and D are all grandfathered.
 - ii. Blood Serum and Plasma products have been added to the plan.
 - iii. At Home IV infusions and therapy added.
 - iv. Partners RX recommended that Magellan handle specific or specialty drugs to get volume discounts. This has been added to give a broader base.
 - v. Third Party subrogation was added so employees don't have to be concerned.

2/22/2016 11:23 AM **Motion:** Four amendments to the County Health Plan as presented, **Action:** Approve, **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.
Motion passed unanimously.

2/22/2016 11:26 AM **Motion:** Changing of our policy to self-fund those bills lie between \$300 and \$2,000, **Action:** Approve, **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.
Motion passed unanimously.

- 18) 2/22/2016 11:28 AM United States Forest Service (USFS)/Bureau of Land Management (BLM) Report
- a. 2/22/2016 11:29 AM Ken Crane – BLM Burley Office Field Manager
 - i. Crane reported on the Walker Ranch Project Environmental Assessment. A Sage Grouse loss in habitat mitigation model is being developed. Close to being finished on that stage of the process.

- ii. Dog Trial in Dry Creek area proposal for mid-April due to the Cave Canyon fire. They are looking at repercussions with nesting periods for Sage Grouse. They are working at getting them authorized.
 - iii. They are having internal meetings to prioritize areas to work with noxious weeds to approve their effectiveness.
 - iv. Looking at gravel source expansion across the State in Sage Grouse habitat areas.
 - v. Grazing Permit renewals are being coordinated with the US Forest Service.
 - vi. Christensen brought up concerns about tumbleweeds on BLM ground at 700 West. They will look at re-vegetation.
 - vii. Raft River Flood Control District has requested a right-of-way and they are working with those entities needed.
- b. 2/22/2016 11:43 AM Loren Poppert – USFS District Ranger
- i. There were no objections on Rock Creek fuels project.
 - ii. Scoping projects include removal of Juniper trees from sagebrush west of Raft River as well as in the Goose Creek project on the east side of the Cassia Division.
 - iii. Habitat assessment is phase one for habitat amendments.
 - iv. Working with Idaho Fish and Game to restore vegetation in fire areas near Black Pine.
 - v. Warming Hut replacement and are working on a grant to construct it.
 - vi. Noxious weed EIS if going forward which will hopefully include aerial treatment.
 - vii. RAC proposals are due in March. A letter from the Board is requested.

19) 2/22/2016 12:16 PM Adjournment

2/22/2016 12:16 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

DEPUTY CLERK OF THE BOARD:

/s/ _____

Heather Evans

COUNTY EXPENDITURE ATTACHMENT

2/22/2016

COUNTY EXPENDITURES

	DEPARTMENT	FUND/DEPT	AMOUNT	
104 Current Expense Fund	COUNTY COMMISSIONERS	104.401	\$0.00	
	AUDITOR & RECORDER	104.402	\$382.34	
	TREASURER	104.404	\$0.00	
	ASSESSOR	104.405	\$0.00	
	AGRICULTURAL EXTENSION	104.410	\$0.00	
	COUNTY BUILDING	104.411	\$2,131.19	
	JUDICIAL CENTER	104.412	\$907.59	
	BOARD OF HEALTH	104.413	\$10,064.67	
	PLANNING & ZONING	104.414	\$36.20	
	GENERAL	104.415	\$888.95	
	CIVIL DEFENSE	104.416	\$52.99	
	COUNTY ELECTIONS	104.417	\$3,763.15	
	LAW ENFORCEMENT BUILDING	104.418	\$1,082.92	
	COUNTY ADMINISTRATION	104.419	\$0.00	
	VETERANS SERVICE OFFICER	104.421	\$0.00	
	CURRENT EXPENSE FUND TOTAL			\$19,310.00
	Dedicated Funds	SOCIAL SERVICES	105.502	\$0.00
CASSIA COUNTY COURTS		106.602	\$578.47	
COUNTY ROAD & BRIDGE		107.707	\$1,108.00	
WEED & PEST		108.708	\$0.00	
SOLID WASTE		109.709	\$0.00	
AMBULANCE SERVICE		110.710	\$16,450.00	
FAIR EXHIBITS		111.711	\$0.00	
HISTORICAL SOCIETY		112.712	\$0.00	
COMMUNITY COLLEGE		113.713	\$24,450.00	
REVALUATION		114.714	\$892.00	
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	\$442.17	
EMERGENCY MEDICAL SERVICE		133.733	\$0.00	
NARCOTICS SEIZED ASSETS		134.334	\$158.99	
CASSIA DRUG TASK FORCE		136.736	\$0.00	
D.A.R.E. TRUST		137.737	\$60.00	
PHYSICAL FACILITIES		144.744	\$669.48	
ADULT MISDEMEANOR PROB TRUST		149.349	\$0.00	
ADULT MISDEMEANOR PROBATION		149.749	\$6,988.79	
VIOLENT PREDATOR ACCOUNT		150.750	\$0.00	
BOX ELDER COUNTY BOOKMOBILE	151.751	\$0.00		
WIDOW BENEFIT TRUST	198.798	\$0.00		
DEDICATED FUNDS TOTAL			\$51,797.90	
130 Justice Fund	JUSTICE FUND	130.330	\$0.00	
	CLERK OF THE DISTRICT COURT	130.803	\$0.00	
	CONFLICT PUBLIC DEFENDER	130.804	\$2,463.00	
	JUVENILE JUSTICE	130.805	\$0.00	
	PROSECUTING ATTORNEY	130.807	\$604.40	
	PUBLIC DEFENDER	130.808	\$1,330.70	
	CORONER	130.809	\$0.00	
	SHERIFF - PATROL	130.821	\$5,613.66	
	SHERIFF - INVESTIGATIONS	130.822	\$1,240.28	
	SHERIFF - DISPATCH	130.823	\$1,445.27	
	SHERIFF - ADMINISTRATION	130.824	\$0.00	
	M-C CRIMINAL JUSTICE CENTER	130.827	\$0.00	
	M-C JUVENILE DETENTION CENTER	130.828	\$0.00	
JUSTICE FUND TOTAL			\$12,697.31	
TOTAL EXPENDITURES			\$83,805.21	

ATTENDANCE LOG ATTACHMENT

CASSIA COUNTY COMMISSIONERS

Attendance Log

Date: February 22, 2014

	NAME (PLEASE PRINT)	TOWN	REPRESENTING
1.	Merlin Smedley	Burley	Mayor
2.	MARY ZARYBNISKY	BURLEY	CITIZENS
3.	Garth Dyl	Burley	"
4.	Casey Anderson	Burley	citizen
5.	Ruthie Hobbs	Burley	Concerned Citizen
6.	Kevin Aaron	CASSIA CO	
7.	George Warrell	Oakley	CCSO
8.	Jay Howell	Burley	S.O.
9.	Dwight Davis	"	Assessor
10.	Patty Justesen	Burley	Treasurer
11.	T. Reelburn	Burley	Chief Deputy Clerk for Clerk of Dist. Court
12.	Joel Packham	Declo	Wof T
13.	Borden Edwards	Elba	CCWE
14.	Jason Rogers	Cassia S.O.	CCSO
15.	Susan Keck	Almo	C.C Elections/Social ser.
16.	Hilaree Young	Hayburn	C.C Elections
17.	Ken Crane	Burley	BLM
18.	Kelly Bower	Burley	Bower Ins.
19.	Debra Peppert	Burley	USFS
20.			
21.			
22.			
23.			
24.			
25.			