



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, March 7, 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

3/7/2016 9:01 AM **Roll Call.**

Present: Kerry D. McMurray - Administrator, Bob Kunau - Member, Dennis Crane - Chairman, Doug Abenroth - County Attorney, Joseph W. Larsen - Clerk of the Board

Excused: Paul Christensen - Member

- 4) 3/7/2016 9:02 AM Review Calendar, Meetings, and Correspondence
 - a. 3/7/2016 9:03 AM Invoice Received from Region IV Development requesting support in the amount of \$2,566.00
 - b. The amount is calculated from the same formula for dues that was used last year.

3/7/2016 9:04 AM **Motion:** Region IV Development's funding as requested, **Action:** Approve, **Moved by** Bob Kunau - Member, **Seconded by** Dennis Crane - Chairman.
Motion passed unanimously.

- c. 3/7/2016 9:04 AM Letter dated 02/25/2016 from the Department of the Interior/BLM regarding an Environmental Impact Study asking if the County desired to be a Cooperating Agency. A response was requested within 15 days, which would be by 03/11/2016.
- d. Kerry McMurray – Administrator was asked to prepare a letter.
- 5) 3/7/2016 9:11 AM Personnel Matters:
 - a. 3/7/2016 9:11 AM Change of Status
 - a. Cassia County Sheriff's Office (CCS) – Part time Deputy Sheriff's Deputy, Pete Chaidez – the Board determined to hold the matter until they get further information on the numbers of hours to be worked as well as PERSI eligibility.
 - b. 3/7/2016 10:30 AM Question on Change of Status Request from the CCSO has been answered.

CASSIA COUNTY COMMISSION
REGULAR SESSION
Monday, March 7, 2016

1. Chaidez will not be eligible for PERSI.
2. He will work 20 hours per week.

3/7/2016 10:31 AM **Motion:** Hiring of part time CCSO deputy Pete Chaidez as presented, **Action:** Approve, **Moved by** Bob Kunau - Member, **Seconded by** Dennis Crane - Chairman.
Motion passed unanimously.

- b. 3/7/2016 9:11 AM Payout of Accruals – A list of Comp hours was provided by the Auditor’s office the Board will look over and bring up questions later if any.
- c. 3/7/2016 10:42 AM Kunau had questions regarding Comp time of certain officers. Undersheriff George Warrell explained that employees with higher Comp time were individuals who are attending POST training. Sheriff Heward talked about two additional employees who also will have additional Comp time. Heward said he monitors that and those who have accumulated additional time will be required to take time off. It will be resolved when officers are all ready to be on the road.

6) 3/7/2016 9:11 AM Review and Discussion of Junior College Certificate of Residency (COR) Applications

3/7/2016 9:12 AM **Motion:** Recommendations by the Clerk's Office regarding approval for three COR applications, **Action:** Approve, **Moved by** Bob Kunau, Member, **Seconded by** Dennis Crane, Chairman.
Motion passed unanimously.

7) 3/7/2016 9:12 AM County Road and Bridge Report

- a. 3/7/2016 9:13 AM Deliberate on payments regarding 3600 South Road
 - a. Payment has not been made to Box Elder County the referred to Road Maintenance.
 - b. Four years of payments have not been made for 9.4 miles of road agreed upon that Cassia pays for is \$11,000. Crane said that is basically the amount we get in taxes.
 - c. McMurray said Road and Bridge is a dedicated fund and they would need to work with the Auditor’s office to see how much is attributed to the current year budget to see what the balance is to get this squared away with Box Elder County.
 - d. McMurray said in discussion with Road and Bridge Supervisor, Sam Adams, it is a good agreement to keep in place.
 - e. Auditor Larsen recommended delay on any decision for information to be provided later in the agenda for consideration regarding the contract and accountability.

8) 3/7/2016 9:16 AM Review Mini-Cassia Veterans’ Advisory Board Minutes Dated 12/03/2015

9) 3/7/2016 9:19 AM Execute letters to East and West Cassia Soil and Water Conservation Districts

- a. Letter from the Board to the East and West Cassia Soil and Water Conservation Districts regarding contributions.
- b. \$5,000 for each District is the same amount budgeted for the current year.

3/7/2016 9:19 AM **Motion:** Sign letters from the Board to both Districts for payment of \$5,000 for East and for West Cassia Soil and Water Conservation Districts, **Action:** Approve, **Moved by** Bob Kunau - Member, **Seconded by** Dennis Crane - Chairman.
Motion passed unanimously.

10) 3/7/2016 9:20 AM Review and Consider for approval Burley Lions Club's Special Event Resource Request

- a. The event for the presented requested is the Burley Lions Spudman Triathlon.
- b. The help requested from the Sheriff's department was reviewed by Kunau.

3/7/2016 9:21 AM **Motion:** Burley Lions Spudman Triathlon use of Sheriff's Office Surplus labor and equipment the same as this past year, **Action:** Approve, **Moved by** Bob Kunau - Member, **Seconded by** Dennis Crane - Chairman.

Motion passed unanimously.

11) 3/7/2016 9:24 AM Review and discuss information from City of Burley regarding Airport Relocation Taskforce and Airport Siting Committee Involvement

- a. The information was read by McMurray.
- b. Kunau stated it is important to proceed.
- c. Crane said Christensen had talked to one individual and he hesitated to make a decision without him present.
- d. Larsen referred to a letter was sent to the Board from Kim Hansen with some important recommendations that the Burley Airport Users desired to have entered into the record. Larsen was asked by Crane to read the letter.

3/7/2016 9:32 AM **Motion:** Proceed ahead with a recommendation to find one or two people as soon as possible to serve on that Committee, **Action:** Approve, **Moved by** Bob Kunau - Member, **Seconded by** Kerry D. McMurray - Administrator.

Motion passed unanimously.

12) 3/7/2016 9:33 AM Review and Discuss Project Scoping for the Magic Mountain Lift Replacement and Boundary Adjustment Project

- a. According to Abenroth, part of Magic Mountain Ski Resort is in Cassia County.
- b. The letter was read by Kunau.
- c. McMurray was assigned to follow up on a letter of support.

13) 3/7/2016 9:37 AM Cassia County Judicial Center (CCJC) Public and Employee Blood-Borne Pathogen Protection Issues Update – Clerk Larsen

- a. Larsen asked for some procedure or policy in place to protect employees and the public
- b. Two emails were received by Larsen from employees expressing concern regarding two different patrons of the CCJC who were bleeding openly from their arms and scratching at those sores.
- c. The employees were concerned about personally contracting Hepatitis C or Tuberculosis. He recommended something in place protect the County liability-wise.
- d. Nose and mouth as well as hand protection for a preliminary precaution.
- e. Six recommendations were provided by Larsen for protection.
- f. Abenroth said a policy would be appropriate
- g. McMurray said you could have all the policies you want, what is needed is a procedure.
- h. The Board concurred it needs to be investigated.

- 14) 3/7/2016 9:42 AM CCJC Carpet Issues and Food and Drink Policy Recommendations – Clerk Larsen
- a. Resolution No. 2013-020 Food, Snack, and Beverage Policy. Concerns with that policy being an inordinate expectation that is not being followed or enforced and is not used in other areas of the County.
 - b. Larsen’s recommendation was that policy be overturned as the reason for it was for investment preservation and to minimize maintenance costs. He felt it was unnecessary and not being followed. ICRMP advised having a policy unenforced is as bad as no policy at all.
 - c. Six pictures were provided that showed entryways that depict horrible-looking carpet that has not been maintained. Many workers in that building have suggested tile or carpet runners.
 - d. Abenroth said a repeal of the policy by motion is all that is necessary.
 - e. Kunau stated the policy was to keep those who carried around a mug from slopping it on the carpet. He had no problem with overturning the policy if people are being careful.

3/7/2016 9:46 AM **Motion:** Cancelling Resolution No. 2013-020, **Action:** Approve, **Moved by** Bob Kunau - Member, **Seconded by** Dennis Crane - Chairman.
Motion passed unanimously.

- f. A resolution will be prepared to cancel Resolution No. 2013-020
- g. Crane asked McMurray what the custodial staff policy was for scheduled deep cleaning. McMurray said this was the first time he had been advised of this and he will visit with staff to see what their recommendations are and to see what they have done.
- h. Crane recommended deep cleaning and see what that does and take additional steps if that doesn’t take care of the problem.
- i. Crane asked McMurray to work with his staff and see what they can do.

- 15) 3/7/2016 9:49 AM Report of NACo Legislative Conference in Washington, DC – Clerk Larsen
- a. Larsen said it was a very productive meeting discussing issues of Counties.
 - b. Legislator’s offices were visited and appreciation expressed for continued support of PILT and SRS funding critical to Cassia County.
 - c. Workshops at that meeting showed the need to discuss liabilities to counties in the event funding is lost that we rely on.
 - d. He stressed the impact the loss of \$2.1 million a year from PILT would be devastating to Cassia County as we rely on nearly all those funds for day to day operations.
 - e. Drug enforcement, economic development

- 16) 3/7/2016 9:53 AM Road and Bridge Recommendations for Accounting, Auditing, and Box Elder County Road Maintenance Issues – Auditor’s Office
- a. The Board was provided 60 pages of information including exhibits depicting how Road and Bridge training, auditing, and reporting should be done.
 - b. Integration with the Road and Bridge Supervisor and the Auditor’s Office is crucial according to Larsen at every point along the way.
 - c. The Auditor’s office is statutorily required to submit the Annual Road and Street Report.
 - d. State elected clerks have been trained by video and in their State meetings on completing their obligations under the statute.

- e. Details of the 2015 report monitored along the way was suggested by Deputy Auditor Carrie Merrell who completes the payables and the annual report. She stressed the need to “stay on track” during the year. There were last minute alterations that did not coincide with records along the way during 2015.
- f. Expenditures and reporting accuracy needs to be assured during the course of the year rather than alterations of the report when it is due following auditing at the end of the year.
- g. 2017 funding needs to be addressed.
- h. McMurray emailed Larsen stating the Administration Department would continue to work directly with Road and Bridge Supervisor Sam Adams after his discussion with Adams and Crane.
- i. The Auditor’s office was asked to provide training and information to them, to assist them in going forward. The auditing function and the report would then be what the Auditor’s office would be involved with.
- j. Larsen said 10 months after we have already had HB312 in place and relegating the training to another department is late in the game. He further stated it is a departure from what 43 other counties do in the process.
- k. Larsen respectfully requested the Board to re-consider as presented in Mr. McMurray’s referred-to email.
- l. The ultimate responsibility under the statute is with all three Commissioners and the Elected Auditor to assure accurate reporting.
- m. Lead Auditor Heather Evans indicated the County’s outside auditor requested to know why payments to Box Elder County had not been consistently made. She audited the historical financial information and presented that to the Board.
- n. October 30, 2007 minutes detail and agreement to pay \$11,000 for 9.4 miles of Cassia County Road to be maintained by Box Elder County. The two administrative Boards were to meet annually to sign an addendum to the contract. It was during this time, Road and Bridge payables for some reason, was handed off from the Auditor’s office to Administration. There is no record of any meeting taking place as agreed in the agreement.
- o. Road and Bridge has budgeted each year for the \$11,000 but no payment was made. Every year there has been carryover in excess of the \$11,000.
- p. If payment of all \$44,000 were made, it would erode carryover money that could adversely affect levy limits in recouping funds and reliance on PILT.
- q. The Auditor’s office questions if the agreement is still a standing agreement. Box Elder County has never questioned the missed payments. Evans questioned if we have an obligation for pay or even if Box Elder County has assumed a contract no longer exists. Also, it was questioned if there is proof work has been completed as contracted on the 9.4 miles of road.
- r. Jeff Poulsen is waiting to know what happens if the Board decides to make the FY2015 payment. The Auditors office recommends that the Board consider any agreed past payments be made over the next three years. That would preserve critical beginning balances.
- s. Levies for Road and Bridge have been typically \$40,000. That was reduced to \$16,000 levied on FY2016. To regain ground, we need to take into consideration levies are based on the highest of the past three years and it would take good planning to do that.
- t. Crane stated they have made efforts to visit with Box Elder County every spring but for some reason they haven’t followed through and got it done. He further stated the contract states that the attorney in Box Elder County is responsible for that addendum. When they have met it has been to see if everyone is happy. Annual billing needs to be clarified.

- u. Kunau said with new people in Box Elder County they just may need to be notified.
 - v. Larsen said the Auditor's office attached an agreement that never got followed through with. He suggested Abenroth review the contract. He suggested the involvement of Christensen, who is absent today, so he can weigh in on the matter. Crane said he was going to suggest that as well for him to listen to the recording.
 - w. In conclusion, Larsen's three suggestions included:
 - a. Once or twice a month, have Sam Adams integrate all payables with the Auditor's office for best accounting practices and to eliminate duplicity of services.
 - b. Reporting of the Road and Bridge Supervisor as department head to report once a month to the Board as other department heads do. Payables could be processed that day to avoid additional travel. That is consistent with financial accountability with the Board as it is done with all department heads and elected officials.
 - c. Auditor's office process and make all Road and Bridge payments including the payment to Box Elder County to assure it gets timely paid as it has been done with other recurring County expenditures and to avert what has been overlooked and not followed through on with annual revisiting of the agreement with Box Elder County.
 - x. McMurray and Larsen will provide information to Christensen.
- 17) 3/7/2016 10:21 AM Review and Execute Letter Regarding Sublett Reservoir Safety Enhancement Project
- a. Proposed letter or support was read by Kunau.
 - b. This request is for RAC Funding for road improvements.

3/7/2016 10:23 AM **Motion:** Sign and send the letter of support as presented, **Action:** Approve, **Moved by** Bob Kunau - Member, **Seconded by** Dennis Crane - Chairman.
 Motion passed unanimously.

- 18) 3/7/2016 10:23 AM Review and Execute Second Amendment to Addendum B of the Service Level Agreement with Idaho Information Consortium, LLC (Access Idaho)
- a. Letter was signed by Assessor Davis
 - b. Larsen said this is the same as the agreement approved earlier with the Treasurer's office.
 - c. Abenroth stated this for taking credit card payments.

3/7/2016 10:25 AM **Motion:** Accept and sign amendment as presented, **Action:** Approve, **Moved by** Bob Kunau - Member, **Seconded by** Dennis Crane - Chairman.
 Motion passed unanimously.

- 19) 3/7/2016 10:25 AM Review and Execute Letter of Support for Minidoka County Fire Protection District EMS Grant Fund Application.
- a. Crane stated Minidoka services the Jackson area in Cassia County.
 - b. Read by Bob Kunau – Member

3/7/2016 10:26 AM **Motion:** Signing of the grant application letter of support as presented, **Action:** Approve, **Moved by** Bob Kunau. The motion failed for the lack of a second.

- 20) 3/7/2016 10:28 AM Deliberate on Authorizing Misdemeanor Probation Officers to Carry Firearms
- a. Crane suggested to table this matter until Christensen is present.

- b. Christensen is the Commissioner that sits on the Joint Justice Executive Committee.
- c. Kunau concurred with that suggestion.

21) 3/7/2016 10:27 AM Deliberate on Southern Idaho Solid Waste (SISW) funding for study of landfill gas to energy.

- a. Christensen is the Commissioner that sits on that Committee.
- b. He stated in a meeting regarding this matter his support of that funding.

3/7/2016 10:28 AM **Motion:** Funding of the landfill gas to energy project in the amount of \$30,000 that comes out of the overall SISW District funds that Cassia County is a part of, **Action:** Approve, **Moved by** Bob Kunau - Member, **Seconded by** Dennis Crane - Chairman.

Motion passed unanimously.

22) 3/7/2016 10:30 AM Law Enforcement Discussion - Review City of Burley's Letter About Negotiations and Discussion Regarding Preparing for Negotiations.

- a. 3/7/2016 10:32 AM McMurray stated negotiations with the City of Burley will begin on 03/14/2016 at 11:30 a.m. which meets the contractual obligation of meeting before the third Monday of March.
- b. 3/7/2016 10:33 AM The letter was read by Kunau.
- c. 3/7/2016 10:36 AM Crane asked if a request for a separate budget for City of Burley with carryover money can be done. Larsen referred that to Abenroth who said the Sheriff can't be controlled by negotiations may not be possible where the Sheriff's position is as a constitutional office. Commissioners have the constitutional authority to set the budget for the Sheriff. He was not sure a municipality can set or control the budget could be possible. Crane asked Abenroth to think about that in preparation for next week.
- d. 3/7/2016 10:39 AM A depreciation schedule for patrol cars in the City Division was also requested by the City of Burley. Crane stated the same concern exists there as previously mentioned. Abenroth said that could be considered with any department of the County by the Board under their statutory authority.
- e. 3/7/2016 10:40 AM Crane stated there are still concerns with questions on dispatch that needs to be looked into and commented on at a later time.
- f. 3/7/2016 10:40 AM Kunau stated there is a concern on the standard of establishment of wages for Sheriff deputies. If the competitive wage structure suggestion pushes costs upward, it could mean the upper limit of funding would have to be reconsidered. Crane said that also relates to the rest of the County employees. Balanced wages throughout the County as it is currently would be difficult to just allow a differential pay for one department.

23) 3/7/2016 10:44 AM Indigent Matters

3/7/2016 10:44 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, Member.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 2).

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

3/7/2016 10:56 AM The Board exited the Executive Session to consider indigent matters.

3/7/2016 10:56 AM **Motion:** Acting on the recommendations of the Social Services Director, **Action:** Approve, **Moved by** Bob Kunau, Member, **Seconded by** Dennis Crane, Member.
Motion passed unanimously.

24) 3/7/2016 11:04 AM Review and Approve Minutes

3/7/2016 11:04 AM **Motion:** Minutes from the regular meeting of the Board on 02/29/2016 and the special meeting on 03/03/2016 held in Bannock County, **Action:** Approve, **Moved by** Bob Kunau, Member, **Seconded by** Dennis Crane, Member.
Motion passed unanimously.

25) 3/7/2016 11:07 AM Review and Approve Payables

3/7/2016 11:07 AM **Motion:** Payables from 08/07/2016, **Action:** Approve, **Moved by** Bob Kunau, Member, **Seconded by** Dennis Crane, Member.
Motion passed unanimously.

26) 3/7/2016 11:08 AM Adjournment

3/7/2016 11:08 AM **Motion:** Today's meeting of the Board, **Action:** Adjourn, **Moved by** Bob Kunau, Member, **Seconded by** Dennis Crane, Member.
Motion passed unanimously.

APPROVED:

/s/ _____

Dennis Crane, Chairman

CLERK OF THE BOARD:

/s/ _____

Joseph W. Larsen

COUNTY EXPENDITURES ATTACHMENT

3/7/2016

COUNTY EXPENDITURES

	DEPARTMENT	FUND/DEPT	AMOUNT
	CURRENT EXPENSE FUND TOTAL	104.304	44.15
104 Current Expense Fund	COUNTY COMMISSIONERS	104.401	\$762.73
	AUDITOR & RECORDER	104.402	\$36.98
	TREASURER	104.404	\$13.42
	ASSESSOR	104.405	\$541.11
	AGRICULTURAL EXTENSION	104.410	\$0.00
	COUNTY BUILDING	104.411	\$3,279.76
	JUDICIAL CENTER	104.412	\$869.68
	BOARD OF HEALTH	104.413	\$0.00
	PLANNING & ZONING	104.414	\$1,029.17
	GENERAL	104.415	\$1,117.11
	CIVIL DEFENSE	104.416	\$400.10
	COUNTY ELECTIONS	104.417	\$0.00
	LAW ENFORCEMENT BUILDING	104.418	\$238.38
	COUNTY ADMINISTRATION	104.419	\$3,175.32
	VETERANS SERVICE OFFICER	104.421	\$0.00
		CURRENT EXPENSE FUND TOTAL	
Dedicated Funds	SOCIAL SERVICES	105.502	\$0.00
	CASSIA COUNTY COURTS	106.602	\$3,793.19
	COUNTY ROAD & BRIDGE	107.707	\$4,345.41
	WEED & PEST	108.708	\$0.00
	SOLID WASTE	109.709	\$0.00
	AMBULANCE SERVICE	110.710	\$0.00
	FAIR EXHIBITS	111.711	\$47,750.00
	HISTORICAL SOCIETY	112.712	\$0.00
	COMMUNITY COLLEGE	113.713	\$0.00
	REVALUATION	114.714	\$30.90
	9-1-1 COMMUNICATIONS	115.715	\$4,752.16
	CONSOLIDATED ELECTIONS	116.716	\$0.00
	COUNTY WATERWAYS	117.717	\$0.00
	COUNTY SNOWMOBILE	118.718	\$765.84
	ASSESSOR TRUST	123.323	\$233.10
	EMERGENCY MEDICAL SERVICE	133.733	\$0.00
	NARCOTICS SEIZED ASSETS	134.334	\$0.00
	CASSIA DRUG TASK FORCE	136.736	\$0.00
	D.A.R.E. TRUST	137.737	\$0.00
	PHYSICAL FACILITIES	144.744	\$693.63
	ADULT MISDEMEANOR PROB TRUST	149.349	\$0.00
	ADULT MISDEMEANOR PROBATION	149.749	\$1,832.30
	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	
130 Justice Fund	JUSTICE FUND	130.330	\$1,213.00
	CLERK OF THE DISTRICT COURT	130.803	\$0.00
	CONFLICT PUBLIC DEFENDER	130.804	\$5,824.17
	JUVENILE JUSTICE	130.805	\$0.00
	PROSECUTING ATTORNEY	130.807	\$715.42
	PUBLIC DEFENDER	130.808	\$958.63
	CORONER	130.809	\$0.00
	SHERIFF - PATROL	130.821	\$2,138.00
	SHERIFF - INVESTIGATIONS	130.822	\$382.13
	SHERIFF - DISPATCH	130.823	\$11.93
	SHERIFF - ADMINISTRATION	130.824	\$216.95
	M-C CRIMINAL JUSTICE CENTER	130.827	\$25,783.61
	M-C JUVENILE DETENTION CENTER	130.828	\$0.00
	JUSTICE FUND TOTAL		\$37,243.84
		TOTAL EXPENDITURES	\$112,948.28

ATTENDANCE LOG ATTACHMENT

CASSIA COUNTY COMMISSIONERS

Attendance Log

Date: 3-7-2016

	NAME (PLEASE PRINT)	TOWN	REPRESENTING
1.	Blair Bowers	Burley	Citizen
2.	Randy Hawkins	Burley	City of Burley
3.	Ray Johnson	Burley	observing
4.	Tommy Hutchinson	E/BA	SELF - citizen
5.	Ruthie Hobbs	Burley	Concerned Citizen
6.	Casey Anderson	Burley	citizen
7.	Sam Hauer	Burley	C.C. S.O.
8.	George W. Darrell	Oakley	CCSO
9.	Walter Francis	Family	Auditors Office
10.	Carl K. Day	Burley	voter
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