



# 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)

CASSIA COUNTY

Recorded for:

CASSIA COUNTY COMMISSIONER

2:43:14 pm 10-06-2016

2016-004232

No. Pages: 11 Fee: \$  
JOSEPH W. LARSEN  
County Clerk  
Deputy: CVELASQUEZ

## 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, September 12, 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

9/12/2016 9:02 AM **Roll Call.**

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

- 4) 9/12/2016 12:00 PM Amendment of Agenda

9/12/2016 12:01 PM **Motion:** Add agenda item to include going to Perkins Restaurant for lunch with our insurance agent, Lori Bergsma from Balanced Rock Insurance, **Action:** Amend Agenda under Idaho Code § 74-206 (4) (c) (reason for amendment): Inadvertent omission from the agenda, (good faith reason why it was not included on the original posting): Location of lunch was not carried over from last week's agenda when it was continued, **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.  
Motion passed unanimously.

- 5) 9/12/2016 9:02 AM Review Calendar, Meetings, and Correspondence
  - a. Abenroth reported on correspondence from Idaho Department of Health and Welfare proposing a renewal contract with the Sheriff's Office for papers on their behalf. The five-year contract is up for renewal. There were concerns with indemnification language in the contract. The contract expires the end of September and time is of the essence to deliberate on those concerns. It will be placed on the agenda next board meeting.
  - b. District IV Quarterly Social Services Meeting at 11:30 a.m. Thursday, 9/15/2016, at Twin Falls
  - c. Regular board meeting is cancelled for Monday, 9/26/2016, due to the IAC Annual Convention.
  - d. County BBQ will be 11:00 a.m. to 12:30 p.m. Tuesday, 9/13/2016
  - e. Department Head Meeting is normally held the fourth Monday, but where board meeting has been cancelled that day, it will be moved to Monday, 9/19/2016. Department heads, the BLM and the USFS will be notified of the change by the Administration Department.

CASSIA COUNTY COMMISSION

REGULAR SESSION

Monday, September 12, 2016

1 | Page

- f. Correspondence from the Idaho State Public Defense Commission confirming an Indigent Defense Grant Approval for Cassia County in the amount of \$80,060.99.

6) 9/12/2016 9:17 AM Personnel Matters:

- a. Change of Status – Hiring of Michael T. Ottley as County Weed and Pest Supervisor
- b. Time Cards – Road and Bridge Supervisor Sam Adams was in order

9/12/2016 9:17 AM **Motion:** Change of Status Request as presented, **Action:** Approve, **Moved by** Bob Kunau - Member, **Seconded by** Paul Christensen - Member.  
Motion passed unanimously.

- c. 9/12/2016 9:30 AM Executive Session as needed

9/12/2016 9:30 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.

9/12/2016 11:08 AM **Motion:** Evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public official, **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.

9/12/2016 11:49 AM On exit of Executive Session the matter will be taken under advisement.

- 7) 9/12/2016 9:14 AM Junior College Residency Applications Review and Discussion

9/12/2016 9:14 AM **Motion:** Recommendations by the Clerk's Office to approve 15 and deny two Certificate of Residency applications as presented, **Action:** Approve, **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.

Motion passed unanimously.

- 8) 9/12/2016 9:15 AM County Road and Bridge Report

- 9) 9/12/2016 9:17 AM Review and Execute Resolution No. 2016-021 Canceling Intent to Create Local Improvement District #2

- a. McMurray explained 1998 Resolution No. 98-6-2 was passed regarding an intent to establish Improvement District #2. A hearing was held and held over and was never picked up again due to an apparent lack of desire to carry forward due to opposition.
- b. This resolution shows up on the title insurance report when property is financed in that area.
- c. Larry Roberts from Title One and attorney Bill Parsons requested that be cancelled so it no longer shows up on title insurance reports.
- d. Resolution No. 2016-021 cancels the original instrument, Resolution No. 98-6-2 recorded as Cassia County Instrument No. 256295 to accommodate the convenience of our citizens.
- e. Christensen asked about legal concerns regarding responsibilities to the original petitioners that today's action would possibly affect. McMurray and Abenroth felt there should be no significant

concern where it is an 18-year-old action and because it never got finalized. To carry forward now, it would require a whole new process.

9/12/2016 9:20 AM **Motion:** Sign Resolution No. 2016-021 as presented, **Action:** Approve, **Moved by** Paul Christensen - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

10) 9/12/2016 9:22 AM Approval of Idaho Grants for Sheriff's Office

- a. A State Homeland Security grant was due in last week and was signed by Crane to facilitate that deadline. This process requires ratification of the board.

9/12/2016 9:23 AM **Motion:** Ratification of the Idaho Office of Emergency Management (IOEM) or Homeland Security Grant adjustment, **Action:** Approve, **Moved by** Bob Kunau - Member, **Seconded by** Paul Christensen - Member.  
Failed for No Vote.

9/12/2016 9:24 AM **Motion:** Negating of the first motion for ratification of the IOEM Grant, **Action:** Approve, **Moved by** Paul Christensen - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

- b. On Friday, 9/9/2016, paperwork regarding two grants needed to be returned to IOEM to meet a deadline. That was signed by Crane.
- c. One grant was for \$40,912 and the other was for \$41,748.
- d. Ratification of Crane's signature on that grant form is needed.

9/12/2016 9:24 **Motion:** Ratify Crane's signature from last Friday on two IOEM forms, **Action:** Approve, **Moved by** Bob Kunau - Member, **Seconded by** Paul Christensen - Member.  
Motion passed unanimously.

- e. Another Idaho Bureau of Homeland Security 2014 grant adjustment notice is in need of approval today in the amount of \$41,502.32.

9/12/2016 9:25 AM **Motion:** Idaho Homeland Security 2014 grant adjustment, **Action:** Approve, **Moved by** Paul Christensen - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

11) 9/12/2016 9:27 AM Execute LifeMap Group Insurance Employer Applications

- a. McMurray indicated they thought this had been proposed to the Board earlier in the year but could find nothing in the minutes nor the paperwork.
- b. A signature is needed of the board for this application.

9/12/2016 9:28 AM **Motion:** Sign LifeMap Group insurance application, **Action:** Approve, **Moved by** Paul Christensen - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

- 12) 9/12/2016 9:28 AM Execute Conflict Public Defender Contract with Clayne Zollinger
- a. McMurray presented a contract that was signed by Clayne Zollinger for the board to complete.
  - b. The contract was reviewed by Abenroth.

9/12/2016 9:29 AM **Motion:** Entering into a contract with Clayne Zollinger for Conflict Public Defender services, **Action:** Approve, **Moved by** Paul Christensen - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

- 13) 9/12/2016 9:45 AM Indigent Matters

9/12/2016 9:45 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.

9/12/2016 10:05 AM **Motion:** Indigent recommendations of the Social Services Director as presented, **Action:** Approve, **Moved by** Bob Kunau, Member, **Seconded by** Paul Christensen, Member.  
Motion passed unanimously.

- 14) 9/12/2016 11:01 AM Review and Approve Minutes

9/12/2016 11:01 **Motion:** Minutes from 9/6/2016, **Action:** Approve, **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.  
Motion passed unanimously.

- 15) 9/12/2016 2:08 PM Review and Approve Payables

9/12/2016 2:14 PM **Motion:** Payables from 9/12/2016, **Action:** Approve, **Moved by** Bob Kunau – Member, **Seconded by** Paul Christensen, Member.  
Motion passed unanimously.

- 16) 9/12/2016 10:28 AM Executive Session

9/12/2016 10:28 AM **Motion:** Communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, **Action:** Executive Session under Idaho Code § 74-206 (1) (f), **Moved by** Paul Christensen - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

9/12/2016 11:01 AM Exiting Executive Session, the board took the matter under advisement.

## SCHEDULED INFORMATION AND ACTION AGENDA ITEMS

17) 9/12/2016 9:21 AM Consider Alcoholic Beverage License for Buck's Naf Mercantile

- a. Buck's Naf Mercantile – Bottled wine, bottled and canned beer on premises, wine by the glass, and bottled and canned beer off premises
- b. Reviewed by the Sheriff's Office

9/12/2016 9:21 AM **Motion:** Alcoholic Beverage License as presented, **Action:** Approve, **Moved by** Paul Christensen - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

18) 9/12/2016 10:05 AM Considerations, Review, and Decision of Snake River Rock Fest Permit

- a. Wendy Larson, a resident just east of where the proposed event is going to be held, presented concerns with the Rock Fest proposal including:
  - i. The timeline of the event
  - ii. A Sunday concert
  - iii. Security issues
  - iv. Traffic entering their personal residence
  - v. Adequate restroom and garbage containment
- b. On behalf of the Snake River Rock Fest, Shaun Elorrieta stated the music will be shut off at 11:00 p.m. on Friday and Saturday. Following, there will be an inside VIP event for a selected few.
- c. They will bring in an extra dumpster.
- d. Draft beer will be served rather than canned beer.
- e. 30 security employees will be onsite and the Sheriff said he will work with them and he would provide two additional officers on duty if necessary.
- f. Sheriff Heward said he did not condone the concert and does not see it doing any good for the public. He felt the projected attendance of 1,500 people was not a huge number. He said that due to the bands that will be playing, it will lend to the people that will be there. He concurred with what Elorrieta stated regarding security coverage.
- g. Elorrieta said it would bring commerce to the community. They will provide a shuttle from the motels and will contribute part of proceeds to the POW-MIA group.
- h. Their projected attendance is closer to 500 to 1,000 and said they had no problems last year.
- i. He explained there are two groups who are touring southern Idaho in addition to this event.
- j. Coordinating with McMurray, they have initiated a second insurance policy for the coverage required by the County. Bonds will be coming forward in addition to their insurance policies that are currently in place.
- k. Adequate restroom facilities will be provided.
- l. Security was discussed and which professionals were in place to provide that.
- m. Christensen asked the Sheriff to review their security provisions.
- n. Crane asked for time for the Sheriff to review security and to make sure bonds are in place.

19) 9/12/2016 11:02 AM Review County Buildings Matter of Assessor's Office Entryway Floor

- a. McMurray stated the main entry floor has heaved up. Before flooring can be replaced, that needs to be repaired.

- b. Davis said he brought that to their attention for the past three years. People who come in track water, snow, and other things and the floor sucks up the moisture.
- c. Christensen asked about secondary entrance throughout the repair process. Davis said there are two other doors available and he preferred the east door, but it has no handicap access.
- d. Christensen asked Munoz to check for the presence of a crawl space area under the entryway.

20) 9/12/2016 11:49 AM Insurance Meeting with Lori Bergsma

- a. Bergsma explained the insurance premium increases are due to an increase in employees.
- b. The county saved \$9,071 due to successful ICRMP training.
- c. Changes in the policy were minimal according to Bergsma.
- d. Terrorism coverage can be rejected as ICRMP has purchased \$50 million in that coverage.
- e. Kunau asked for a report on loss claims. Bergsma said she would show them a copy of that.

9/12/2016 11:56 AM **Motion:** Rejection of Terrorism Risk Insurance, **Action:** Approve, **Moved by** Paul Christensen - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

21) 9/12/2016 12:01 Recess for Lunch at Perkins Restaurant

22) 9/12/2016 2:08 Reconvene

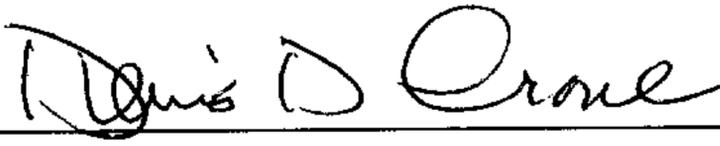
- a. No matters were discussed or deliberated on for the record at lunch.
- b. The board performed a walkthrough review of the Assessor's Office floor tile issues following lunch and prior to reconvening.
- c. The Board decided to have the carpenter begin work on that to find out what is wrong underneath the tile.
- d. Larsen addressed payment approval of snowmobile utility payments. It was determined that receiving Chuck Larson's signature was not necessary as Kunau oversees the Snowmobile.

23) 9/12/2016 2:15 PM Adjournment

9/12/2016 2:15 PM **Motion:** Today's meeting of the Board, **Action:** Adjourn, **Moved by** Paul Christensen, Member, **Seconded by** Bob Kunau, Member.

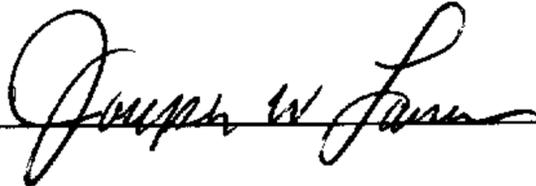
Motion passed unanimously.

APPROVED:

  
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Dennis Crane, Chairman

CLERK OF THE BOARD:

  
\_\_\_\_\_

Joseph W. Larsen

**COUNTY EXPENDITURES ATTACHMENT**

9/12/2016

## COUNTY EXPENDITURES

	DEPARTMENT	FUND/DEPT	AMOUNT
<b>104 Current Expense Fund</b>	COUNTY COMMISSIONERS	104.401	\$0.00
	AUDITOR & RECORDER	104.402	\$187.80
	TREASURER	104.404	\$535.31
	ASSESSOR	104.405	\$199.80
	AGRICULTURAL EXTENSION	104.410	\$2,554.74
	COUNTY BUILDING	104.411	\$10,026.80
	JUDICIAL CENTER	104.412	\$609.23
	BOARD OF HEALTH	104.413	\$0.00
	PLANNING & ZONING	104.414	\$220.82
	GENERAL	104.415	\$2,239.41
	CIVIL DEFENSE	104.416	\$0.00
	COUNTY ELECTIONS	104.417	\$0.00
	LAW ENFORCEMENT BUILDING	104.418	\$128.79
	COUNTY ADMINISTRATION	104.419	\$1,736.98
	VETERANS SERVICE OFFICER	104.421	\$0.00
	<b>CURRENT EXPENSE FUND TOTAL</b>		
<b>Dedicated Funds</b>	SOCIAL SERVICES	105.502	\$0.00
	CASSIA COUNTY COURTS	106.602	\$872.18
	COUNTY ROAD & BRIDGE	107.707	\$17,779.70
	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	\$162.59
	9-1-1 COMMUNICATIONS	115.715	\$4,714.97
	CONSOLIDATED ELECTIONS	116.716	\$7,963.33
	COUNTY WATERWAYS	117.717	\$300.80
	COUNTY SNOWMOBILE	118.718	\$27.21
	ASSESSOR TRUST	123.323	\$0.00
	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	\$0.00
	ADULT MISDEMEANOR PROB TRUST	149.349	\$0.00
	ADULT MISDEMEANOR PROBATION	149.749	\$0.00
	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>130 Justice Fund</b>	JUSTICE FUND	130.330	\$0.00
	CLERK OF THE DISTRICT COURT	130.803	\$0.00
	CONFLICT PUBLIC DEFENDER	130.804	\$2,563.50
	JUVENILE JUSTICE	130.805	\$0.00
	PROSECUTING ATTORNEY	130.807	\$808.81
	PUBLIC DEFENDER	130.808	\$263.21
	CORONER	130.809	\$180.00
	SHERIFF - PATROL	130.821	\$3,917.86
	SHERIFF - INVESTIGATIONS	130.822	\$2,182.16
	SHERIFF - DISPATCH	130.823	\$300.79
	SHERIFF - ADMINISTRATION	130.824	\$235.40
	M-C CRIMINAL JUSTICE CENTER	130.827	\$24,954.58
	M-C JUVENILE DETENTION CENTER	130.828	\$0.00
<b>JUSTICE FUND TOTAL</b>			<b>\$35,406.31</b>
<b>TOTAL EXPENDITURES</b>			<b>\$85,666.77</b>

**ATTENDANCE LOG ATTACHMENT**

# Cassia County Commissioner Meeting

## Attendance Log

Date: 9-12-16

#	NAME (Please Print)	TOWN	REPRESENTING
1.	Ruthe Hobbs	Burley	Concerned Citizen
2.	Jay Howard	Burley	S.O.
3.	George Warrall	Oakley	USO
4.	Wendy Harson	Burley	
5.	Shawn Florrick	Burley	Riverside Resort
6.	Lynn Waxe	Burley	Burley Farm
7.	Josh Whittaker	Burley	River Side
8.	Blair Bowers	Burley	Citizen
9.	Dwight Davis	"	Assessor
10.	MICHAEL OTTLEY	ELBA	County Weed & Pest
11.	Lori L. Bergsma	Turn Falls	Insurance
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