



Cassia County Board of Commissioners

Commissioner Chambers

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Burley, ID 83318

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Board Chairman:

Dennis Crane

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Tuesday, May 27, 2014

The Board of Cassia County Commissioners met in special session on Tuesday, May 27, 2014, at 9:00 a.m. in the Commissioner Chambers of the Cassia County Courthouse.

THOSE PRESENT:	County Commissioners:	Dennis Crane, Chairman Paul Christensen Bob Kunau
	Clerk of the Board:	Joseph W. Larsen
	Prosecuting Attorney:	Al Barrus
	County Administrator:	Kerry D. McMurray
	Others:	Jay Lenkersdorfer, The News Journal Jay Heward, Sheriff George Warrell, Undersheriff Department Heads Steve Ormond, Zions Bank Christopher A. Reid, Zions Bank Jim Tharp, BLM Susan Keck, Elections Supervisor Hilaree Whitehead, Election Clerk Darwin Johnson, Mini-Cassia Jail

1) 9:22 AM AMENDMENT TO AGENDA

9:22 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO ADD DISCUSSION OF CONCENTRATED CATTLE FEEDING OPERATIONS (CAFO) FOLLOWUP AS IT WAS INADVERTANTLY LEFT OFF THE AGENDA. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- a) Brent Funk desires to add a heifer operation but has been waiting for further discussions between Twin Falls and Cassia County and a decision on his previous request regarding animal units per acre restrictions and agreements across county lines for meeting those requirements.

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- b) Commissioner Christensen indicated there needs to be follow up with the Planning and Zoning Board. He also commented that he does not look favorably on changing from two animal units per acre to an increased amount due to the potential negative impacts of that concentration.
 - c) McMurray indicated that currently it is required that the acres of property to fulfill the animal units per acre need to geographically be within the boundaries of Cassia County.
 - d) McMurray also pointed out that nutrient management and density are separate issues. Cassia County does not have authority to consider property within another County. It would require a change in the ordinance and that would have to be remedied through a public hearing process with Planning and Zoning.
 - e) Commissioner Crane asked if we need to pursue discussion with Twin Falls County on the issue. After discussion, he then asked McMurray to contact Twin Falls Planning and Zoning and get their thoughts on the matter.
- 2) 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
- a) 9:05 AM CALENDAR
 - i) Commissioner Christensen attended the open house for Cassia Regional Medical Center and commented on the facility changes.
 - ii) Idaho Association of County Commissioners and Clerks (IACC) meeting in Challis from Monday, June 9-12, 2014 for Commissioner Christensen and Larsen.
 - iii) Commissioner Christensen asked for Commissioner Kunau to cover for him on Tuesday, June 24, 2014, for the Public Defender meeting in Rupert.
 - b) 9:05 AM CORRESPONDENCE
 - i) An email for a public records request was received by several County officials from Susan Winston in regards to the County's receipt of excess tax deed sale proceeds. Barrus indicated that there was a Twin Falls County case where funds that were refunded to a property owner in excess of the County obligation had to be repaid by the County to a company who had a contract for finder's fees with the homeowner. Barrus said notice needs to be sent to property owners of any excesses in a property deed sale. He also pointed out that when the County takes title of property, it is necessary to make sure the sales agreement addresses any EPA issues as well.
 - ii) Training will be hosted in Twin Falls County for Planning and Zoning on Monday, June 16th from 1:00 p.m. to 4:00 p.m.
 - iii) There will be a joint budget meeting for Minidoka and Cassia County Commissioners and Budget officers on Monday, June 16th.
 - c) 9:22 AM PERSONNEL
 - i) CHANGE OF STATUS
 - (1) SHERIFF'S OFFICE
 - (a) Increase in rate of pay for Corporal – Patrolman Michael Phillips for Advanced POST Certification
 - (b) Increase in rate of pay for Court Security/Bailiff Kimberly Hammond for Basic POST Certification
 - (2) MINI-CASSIA CRIMINAL JUSTICE CENTER
 - (a) Promotion of Senior Detention Deputy Travis Lowder to Detention Corporal with an increase in rate of pay

- (b) Promotion of Detention Corporal Jacob Hirsch to Detention Corporal (Trainer) with an increase of rate of pay
- (c) Promotion of Senior Detention Deputy Michael Higley to Senior Detention Deputy (Trainer) with an increase in rate of pay

9:22 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE SAID CHANGE OF STATUS REQUESTS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- d) 11:15 AM APPROVAL OF MINUTES

11:15 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM MAY 19, 2014. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- e) 9:11 AM JUNIOR COLLEGE RESIDENCY APPLICATIONS
 - i) The Board reviewed 9 Junior College Residency Applications; 8 adults and 1 high school dual credit.

9:11 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE 9 JUNIOR COLLEGE RESIDENCY APPLICATIONS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- f) 11:46 AM COUNTY PAYABLES

CURRENT EXPENSES	104	\$1,914.07
DISTRICT COURT FUND	106	\$8.80
JUSTICE FUND	130	\$12,517.81
PHYSICAL FACILITIES FUND	144	\$734.69
	TOTAL	\$15,175.37

11:46 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE COUNTY PAYABLES DATED MAY 23, 2014. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- g) 9:15 AM COUNTY ROAD AND BRIDGE
 - i) Chairman Crane reported that Road and Bridge Supervisor, Sam Adams is currently on vacation.
 - ii) Adams has lined up responsibilities for workers in his absence.
- h) 9:16 AM BUILDING AND GROUNDS MATTERS
 - i) Construction and electrical work continues in the courthouse basement in the areas to be used by the Extension office.
 - ii) McMurray reported that cabinets and cupboards have been ordered for the Extension office.
 - iii) The Extension office lease at the College of Southern Idaho ends in June.
 - iv) Excess furniture from the changes at the courthouse relocations and remodeling has been moved to the race barn at the fairgrounds for storage.
 - v) New Fair Grounds Manager Blair Bowers is working out well. A Catholic rodeo was held this past week and they left the area very clean.

- vi) Commissioner Christensen asked about the heating/cooling problem at the Cassia County Justice Center (CCJC). McMurray indicated that recommendations for a remedy are forthcoming following testing of output at each heating/cooling register in that zone.
- i) 9:18 AM GATEWAY MATTERS
 - i) The State may be delaying the placement of poison raven eggs until next season due to incomplete requirements of one group who was to participate with that process.
- j) 9:20 AM BUDGET WORKSHOPS
 - i) Administrator McMurray presented budget requests for FY2015 for the County Commissioners, County Building, Judicial Center, Board of Health, Planning and Zoning, General Fund, Administration, Ambulance Service, and Physical Facilities.
- 3) 9:19 AM BOARD OF EQUALIZATION (BOE) – none
- 4) 9:19 AM DELIBERATE ON TRADE OUT OF GLOCKS AND PURCHASE TWO SHOTGUNS FOR THE MINI-CASSIA CRIMINAL JUSTICE CENTER (MCCJC)
 - a) Jail Administrator Darwin Johnson discussed the need to replace Gen 3 Glock handguns with Gen 4. He explained that the grip is more difficult to hold on Gen 3 handguns and the grip is adjustable on the Gen 4 Glock model. They have also added double recoil on the Gen 4 Glock and there is very little recoil when fired.
 - b) Johnson indicated that it had been approved for the MCCJC to inherit shotguns from the Sheriff's office some time ago but the Sheriff does not desire to give them up currently.
 - c) There is money in the budget to trade out 21 Glockes at \$300 each and acquire two shotguns. Barrus questioned how many officers can carry guns. Christensen asked about the need for shotguns. Johnson indicated they are used in transport vehicles for backup.
 - d) Christensen further asked about reasons to upgrade the handguns. Johnson indicated that they trade them up every 3 to 4 years. Chairman Crane asked about trading out all of them now or just some of them. It was also pointed out that the adjustable grips are primarily for females and they employ 6 or 7 females. Johnson further pointed out that they have to qualify every quarter and the Gen 4 makes it easier. He also indicated that they could trade out half of the handguns now and half later. The Board indicated they would think about it and discuss the matter further.
- 5) 10:14 AM BID APPROVAL FOR PHAMACEUTICAL AT MCCJC
 - a) Diamond Pharmacy and Westwood Pharmacy have submitted bids.
 - i) Westwood will take back unused blister sleeved for medications that are not used.
 - ii) They were also the lowest bid.

11:45 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONTRACT WITH WESTWOOD PHARMACY FOR PROVIDING MEDICATIONS FOR THE MCCJC. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 6) 9:43 AM DEPARTMENT HEAD MEETING
 - a) JAY HEWARD – SHERIFF
 - i) (not present)
 - b) PATTY JUSTESEN – TREASURER
 - i) Justesen presented the Statement of Treasurer's Cash and an Urban Renewal Report.
 - ii) Justesen brought to the attention of the Board the trending of Treasurer's cash. She alerted the Board of the difference between the expenditures versus the revenues and that we as a County are trending towards spending more than we are bringing in.

- iii) The Board was provided a printout of the expenditures versus the revenues for FY2014 to date along with the liquid accounts and the non-liquid accounts for this fiscal year as well as for 2010 through 2013.
- iv) Justesen also pointed out that May 2014 expenditures as of May 23, 2014 are \$1,752,673.81 and the revenues were only \$754,346.45.
- c) DWIGHT DAVIS – ASSESSOR
 - i) Davis reported that assessment notices will be sent out next week.
 - ii) There will be a savings in cost as no zero notices will go out this year.
- d) JOE LARSEN – CLERK
 - i) Larsen reported that the Primary Election of May 20, 2014 went very well. It was concluded in record time with no complications at all. The new polling place tabulators and poll workers who were trained the day before the election accounted for the success.
 - ii) Larsen also discussed budgets and concerns with implementation of Step and Grade. He had contacted other Counties who have employed the services of a specialty company to accomplish that task more efficiently. He will look further into that possibility.
- e) AL BARRUS – PROSECUTING ATTORNEY
 - i) Barrus reported on trials that have been set for this month.
- f) KERRY MCMURRAY – ADMINISTRATOR
 - i) McMurray reported on a Planning and Zoning hearing that had recently been held
 - ii) Zoning amendments for lot size for principal residencies and protocol for transmission lines in established corridors have been published and will be presented for the Board’s approval on June 9, 2014.
 - iii) Building inspection for construction and mapping has kept busy.
- g) AMBER PREWITT – ADULT MISDEMEANOR PROBATION
 - i) Prewitt reported on concerns for accrued time for secretary Debbie Rogers that will need to be paid out due to them being short-staffed and needing to pay overtime for her services.
 - ii) She also reported on Magic Runtime issues with their accounting procedures that occur each Monday. It is fixed each week by Sara Haynes but the problem needs to be remedied.
- h) DARWIN JOHNSON – MINI-CASSIA CRIMINAL JUSTICE CENTER
 - i) Bids for repair needed for a significant problem with the main sewer line came in at \$45,000.00 for replacement. Since that cannot be done within budget constraints, they will classify each sewer line per priority. It will cost \$12,000.00 to \$15,000.00 to fix the main problems. The kitchen area to the recreation yard is in dire need of repair.
 - ii) They passed two of the five recent inspection walkthroughs and they need to pass three of the five of them. They were given additional days to remedy the situation. Johnson explained that a shortage of staffing is part of the reason for not passing and they are asking for additional employees in FY2015’s budget to help remedy the situation.
- i) GORDON EDWARDS – WEED AND PEST CONTROL
 - i) Edwards indicated that they are dealing with Scotch Thistle problems as well as Whitetop around waterways. They are using aircraft to spray the area around the BYU Ranch.
 - ii) He reported that a number of private ranchers want to clear sagebrush for grazing.
 - iii) He felt Idaho Fish and Wildlife Services is not doing much for weed eradication. There have been numerous complaints regarding Morning Glory being transferred from Federal grounds to farming and ranching areas.
 - iv) They are working hard to control Puncturevine.

- v) He said as roads are being closed it is difficult to get into U.S. Forest Service areas. His preference is to have them spray the ground themselves. The Board asked Edwards to prepare a letter to the right Federal agencies regarding this that they could approve and send.
- j) CRAIG RINEHART – CORONER
 - i) (not present)
- k) JOEL PACKHAM – EXTENSION AGENT
 - i) Packham reported that 4-H program numbers are higher than in years past.
 - ii) They will be conducting range monitoring seminars next week.
 - iii) He expressed the desire of his department to purchase their own desks in lieu of the desk arrangements provided in their new office space. The Board will go down to their new office area and look at the situation. Following the Board’s review, they determined that it would be appropriate for the Extension office to provide their own desks as they preferred to.
- 7) 10:30 AM ZIONS BANK COMMERCIAL CREDIT CARD PROGRAM PRESENTATION
 - a) Zions Bank Treasury Relationship Manager Christopher A. Reid made a presentation regarding their Commercial Card program for Credit Card management.
 - b) The Board will take it under advisement.
- 8) 10:50 AM CANVASS OF THE MAY 20, 2014 PRIMARY ELECTION
 - a) Elections Supervisor Susan Keck reported on the May 20, 2014 Primary Election.
 - b) Things went very well and they were concluded with voting tabulation and reporting for every precinct by 10:00 p.m.

10:56 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO SIGN THE CANVASS OF THE VOTE FOR THE PRIMARY ELECTION 2014. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

9) 11:00 AM INDIGENT MATTERS

11:00 AM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING MEDICAL INDIGENT MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(D). COMMISSIONER KUNAU SECONDED THE MOTION. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE, COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE.

Welfare Director Susan Keck presented the following cases for review and approval of the Board:

- a) Notice of Lien and Application for Medically Indigent Benefits: 2014050, 2014051
- b) Release of Medically Indigent Lien: 2014015, 2014018, 2014029
- c) Settlement Request: 2012030

11:14 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 11:14 AM.

10) 11:15 AM EXECUTE AN AMENDED RESOLUTION NO. 2014-009A TO CORRECT EFFECTIVE DATE.

- a) McMurray explained that Resolution No. 2014-009 executed in the previous Board meeting included an incorrect date for which the resolution should take effect.
- b) The corrected Resolution No. 2014-009A changes the effective date from October 1, 2014, to the intended date of October 1, 2013.

11:15 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE RESOLUTION NO. 2014-009A. THIS INCLUDES THE APPROPRIATE EFFECTIVE DATE OF ELECTED OFFICIALS CELLULAR PHONE REIMBURSEMENT. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

11) 11:16 AM DISCUSS CITIZEN'S COMMITTEE FOR LAW ENFORCEMENT CONTRACT BETWEEN COUNTY AND CITY OF BURLEY

- a) Commissioner Christensen discussed with City Councilman Randall Hawkins the desire of creating a committee of about four people in the community to make recommendations to both the City of Burley and Cassia County regarding the Law Enforcement Agreement between the entities.
- b) They will begin looking for citizens who may be interested that will be able to apply to serve on that committee.
- c) Commissioner Christensen and Councilman Hawkins will make recommendations to the Board and to the City of Burley for that agreement based on the results of the committee's recommendations.
- d) Commissioner Kunau recommended that dates be set to commence that committee's deliberations and a date to have recommendation provided to the Board and the City of Burley.

12) 11:19 AM DISCUSS FILLING VACANCY POSITION ON PLANNING AND ZONING COMMISSION

- a) McMurray indicated that Dennis James has resigned as a Planning and Zoning Commission member. He also asked the Board for permission to solicit through notice by publication those who may have interest in filling that vacancy.
- b) The Board consented with McMurray's request.

13) 11:30 AM BLM/USFS

- a) SCOTT NANNENGA – FOREST SERVICE RANGER (not present)
- b) JIM THARP – BLM ASSISTANT DIRECTOR
 - i) Jim Tharp will be reporting to the Board for the next four months as Mike Courtney will be serving as interim District Manager in Twin Falls.
 - ii) The BLM is working with the U.S. Forest Service repairing road washouts in the Buckhorn area resulting from the Cave Canyon fire. They had a grader and excavator get stuck at the north end of Cold Springs Road. That necessitated a re-route of the road and they will get back in that area eventually to fix the resulting crater.
 - iii) The range area of the BLM ground affected by the Cave Canyon fire has been re-seeded.
 - iv) The BLM Sage Grouse study is ongoing. Some of the Sage Grouse have had satellite collars put in place to track them. They are working with the University of Idaho on a study that will last for several years.
 - v) Commissioner Christensen inquired about spraying of weeds. Tharp indicated that their crews are currently out working.

14) 11:20 AM DELIBERATE ON LETTER OF SUPPORT FOR MINI-CASSIA SEARCH AND RESCUE AND WEST CASSIA QUICK RESPONSE UNIT GRANT APPLICATIONS

- a) A letter was prepared by McMurray for consideration of the Board as a letter of support for Search and Rescue and Quick Response grants.
- b) The letter was read by Commissioner Kunau and approved by the Board.

11:21 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE LETTER OF SUPPORT OF THE BOARD FOR SEARCH AND RESCUE AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

11:23 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE LETTER OF SUPPORT OF THE BOARD FOR QUICK RESPONSE AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

15) 12:00 PM TRAVEL TO FAIRGROUNDS TO REVIEW POSSIBLE CAPITAL IMPROVEMENTS PROJECTS

- a) The Board reviewed the structure of wooden bleachers on the northeast side of the rodeo arena.
- b) It was pointed out that there may be concerns regarding the stability of the bleachers and a need for repair or replacement of those bleachers. The wood surfaces were also in need of painting.
- c) The Board reviewed the asphalt area from between the grandstands of the rodeo area and the food booths north to the end of the asphalt surfaced area.
- d) It was pointed out last year and again this year that there are areas in need of repair or replacement to that asphalt.
- e) Directly following the Fairgrounds visit, the Board continued their discussion of Fairground needs and budget matters at a working lunch at Morey's.

16) 1:17 PM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board