



Cassia County Board of Commissioners

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

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Dennis Crane

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Board Members:

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Monday, September 15, 2014

The Board of Cassia County Commissioners met in regular session on Monday, September 15, 2014, at 9:00 a.m. in the Commission Chambers of the Cassia County Courthouse. Commissioner Christensen and Clerk Larsen were excused as they are at the Idaho Association of Counties (IAC) Annual Conference in Moscow.

THOSE PRESENT:	County Commissioners:	Dennis Crane, Chairman Bob Kunau
	Deputy Clerk of the Board:	Susan M. Keck
	Prosecuting Attorney:	Doug Abenroth
	County Administrator:	Kerry D. McMurray
	Others:	Darwin Johnson, MCCJC Kevin Horak, Sheriff's Office Chris Jensen, Sheriff's Office George Warrell, Undersheriff Ruthe Hobbs Carrie Merrell, Auditor's Office Tammi Pollard, Recorder's Office

- 1) 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) 9:01 AM CALENDAR
 - i) South Central Community Action meeting on Thursday, September 18th in Twin Falls for Commissioner Kunau
 - ii) Planning and Zoning Commission meeting on September 18th where it is anticipated there will be public comment on proposed ordinance amendments
 - iii) Middle Snake Regional Water Resource Commission Third Annual Legislative dinner to be held Wednesday, October 1st

- iv) Cassia County Employee Appreciation luncheon will be held from 11:00 a.m. to 1:00 p.m. on September 25th at the Masonic Lodge Hall. It will be catered by Morey's and the Board will request an RSVP for a closer count. All employees and a guest will be invited.
- v) Mid-snake Resource Conservation and Development meeting to be held at the Jerome Senior Citizens Center has been changed to October 1st due to IAC meetings.
- b) 9:03 AM CORRESPONDENCE
 - i) Thank you card from Al Barrus for the gift certificate and support as County Prosecutor
 - ii) Abenroth reviewed a letter drafted to the Idaho Independent Bank and KeyBank NA regarding the property at 1106 Hansen Ave, Burley, indicating that KeyBank appears to have the priority claim on the property.
- c) 9:05 AM JUNIOR COLLEGE RESIDENCY APPLICATIONS
 - i) The Board reviewed 11 Junior College Residency Applications from CSI; six high school dual credit and five adult applications.

10:00 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE 11 JUNIOR COLLEGE RESIDENCY APPLICATIONS AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- d) 10:00 AM COUNTY PAYABLES

CURRENT EXPENSES	104	\$85,296.32
INDIGENT FUND	105	\$35,038.06
DISTRICT COURT FUND	106	\$1,675.62
COUNTY ROAD & BRIDGE FUND	107	\$224.50
WEED & PEST FUND	108	\$6,112.30
REVALUATION FUND	114	\$1,440.00
911 COMMUNICATIONS FUND	115	\$1,142.49
COUNTY BOAT LICENSE FUND	117	\$1,000.00
JUSTICE FUND	130	\$35,615.16
NARCOTICS SEIZED ASSETS FUND	134	\$1,626.83
PHYSICAL FACILITIES FUND	144	\$1,052.09
ADULT MISDEMEANOR PROBATION	149	\$1,708.74
	TOTAL	\$171,932.11

10:00 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE COUNTY EXPENDITURES DATED SEPTEMBER 15, 2014 AS PRESENTED. COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- e) 9:08 AM COUNTY ROAD AND BRIDGE
 - i) Chairman Crane noted the Road and Bridge department will be working on an approach on the Joyce Ward property in Almo
 - ii) They will be helping the Oakley Highway District with gravel next week.
- f) 9:08 AM BUILDING AND GROUNDS MATTERS
 - i) McMurray reported that there was a sewer backup in one of the basement apartments.
 - ii) No records were harmed, but extensive cleanup was necessary.

2) 9:10 AM DELIBERATE ON AGREEMENT WITH THE STATE OF IDAHO FOR HOUSING JUVENILE OFFENDERS

- i) Abenroth was presented a copy of the agreement but said that he was just given the document and would need time to review.
- ii) The matter was tabled.

3) 9:10 AM APPROVAL FOR PURCHASE OF PLUMBING PARTS FOR THE MINI-CASSIA CRIMINAL JUSTICE CENTER (MCCJC)

- i) MCCJC Director Darwin Johnson presented a request for the purchase of plumbing parts needed for the sinks and toilets in the cells.
- ii) The MCCJC overall budget has remaining funds for the purchase. It is an urgent need that cannot wait as there is no water in the jail cells.
- iii) Discussion occurred regarding the prices and it was noted that only one vendor can be found that has the necessary parts.

9:19AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE PURCHASE OF PLUMBING PARTS FOR THE MCCJC AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

4) 9:16 AM DELIBERATE ON AND EXECUTE MCCJC LAWN MAINTENANCE QUOTE

- i) Abenroth noted that it was okay to change this agenda item from 10:35 to now, in the essence of time.
- ii) MCCJC Director Johnson presented the request for the purchase of a new lawnmower for the jail.
- iii) Discussion occurred noting it would be cheaper to purchase a lawnmower than to pay to contract the service out. A bid of \$55.00 per time if Bob Haynes was awarded the contract.
- iv) Discussion occurred about the cheapest bid and the possibility of getting a good price since it was near the end of the summer season.
- v) The matter was tabled to allow time for Russ Rasmussen to get the bids for the Board's review.

5) 9:22 AM ADMINISTRATIVE DAYS FOR TRAINING OFFICER – CASSIA COUNTY SHERIFF'S OFFICE (CCSO)

- i) Lieutenant Horak and Corporal Jensen from the CCSO presented a request to the Board to continue the policy of rewarding deputies who train new officers with an administrative paid day off at the end of each seven week training cycle.
- ii) It was noted that this has been the standard in the past, but with the hire of a new dispatcher to train, the matter has come up again.
- iii) It was noted that there are funds to cover this in the annual budget, to prevent any overtime from being paid out to cover the training.

9:24 AM

MOTION: COMMISSIONER KUNAU MOVED TO CONTINUE THE POLICY OF AWARDING OF AN ADMINISTRATIVE PAID DAY TO TRAINING OFFICERS AT THE COMPLETION OF EACH SEVEN WEEK TRAINING CYCLE. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 6) 9:25 AM HEARING ON BEER AND LIQUOR LICENSE FOR BURLEY GOLF COURSE (DRAPER GOLF SERVICES, INC)
- i) The Board went on the record at 9:25 a.m. for a hearing to consider a Beer and Liquor license for the Burley Golf Course.
 - ii) Chairman Crane reviewed the application and it was noted that it appeared to be all in order.

9:29 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE BEER AND LIQUOR LICENSE FOR THE BURLEY GOLF COURSE AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 7) 9:30 AM REVIEW OF VETERANS SERVICE OFFICER AUGUST 2014 ACTIVITY REPORT
- i) Commission Kunau read the Veterans' Service Officer Georgianna Greenwell's report for August 2014.
 - ii) There were 68 interviews, 117 forms, 6 visits/training, 81 miles traveled, and 29 total van passengers; four from Cassia, four from Minidoka, and 25 from Twin Falls
- 8) 9:33 AM REVIEW OF AUGUST 2014 AMBULANCE REPORT.
- i) Commissioner Kunau read the August 2014 Life Run Ambulance Report as provided by supervisor Doug Adams.
 - ii) There were 170 total calls, 100 transported to the hospital, 56 refusals and cancellations, one DOA, and 13 standbys at various events (rodeos, fair, football games, etc.)
- 9) 9:40 AM DELIBERATE ON AND EXECUTE REVISED BUSINESS ASSOCIATE AGREEMENT WITH PARTNERS RX
- i) McMurray presented a summary of the agreement required by HIPPA.
 - ii) Abenroth noted that he had reviewed the agreement and had no objections.

9:42 AM

MOTION: COMMISSIONER KUNAU MOVED TO EXECUTE THE AGREEMENT WITH PARTNERS RX. COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 10) 9:47 AM PURCHASE OF LAWNMOWER FOR MCCJC (CONTINUED FROM 9:16 am)
- i) The bids for a lawnmower were presented to the Board.
 - ii) The Board reviewed and deliberated on the matter.

9:50 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE PURCHASE OF THE CRAFTSMAN PLATINUM SERIES FRONT WHEEL DRIVE LAWNMOWER FROM SEARS, IN THE AMOUNT OF \$349.00. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY

- 11) 9:50 AM DELIBERATE ON AND EXECUTE MODIFIED PHARMACY SERVICES AGREEMENT WITH WESTWOOD PHARMACY FOR SERVICES AT THE MCCJC.
- i) McMurray noted that since this agreement was signed last week, there were changes that necessitated the need for a modified agreement to address the Federal law prohibiting the taking back of any unused portion of a controlled substance. The end user must destroy the substance or it must be taken to law enforcement for destruction.
 - ii) Other minor language required changes.
 - iii) McMurray recommended that the Board sign the modified agreement.

9:52 AM

MOTION: COMMISSIONER KUNAU MOVED TO EXECUTE THE MODIFIED PHARMACY SERVICES AGREEMENT WITH WESTWOOD PHARMACY FOR SERVICES AT THE MCCJC. COMMISSIONER CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

12) 9:52 AM DELIBERATE ON REQUESTS FOR MEMBERSHIP FEES FROM SOUTHERN IDAHO DEVELOPMENT

- i) McMurray presented the annual membership dues, noting that it has gone down \$190.00
- ii) Kunau reported on the last meeting he attended, noting that they are only meeting about every four months. He questioned the value to Cassia County, noting it appears to benefit only the major cities.
- iii) It was decided that Kunau will attend the upcoming October meeting, will do further research, and will report back to the Board.
- iv) The matter was tabled.

13) 9:56AM SHORT RECESS

14) 10:00 AM RECONVENED

15) 10:05 AM REVIEW PUBLIC UTILITY COMMISSION NOTICES OF APPLICATION ON CASE NO. IPC-E-14-22 AND CASE NO. IPC-E-14-23

- i) Commissioner Kunau read the submitted applications for the Board's review.
- ii) The Board determined no action was needed.

16) 10:10 AM REVIEW CONFLICT PUBLIC DEFENDER REPORT OF CLAYNE ZOLLINGER FOR AUGUST 2014

- i) Commissioner Kunau read the report filed by Zollinger, noting nine new clients, 17 new charges, four misdemeanor clients, eight misdemeanor charges, five juvenile cases, eight juvenile charges, one misdemeanor parole violation, one conflict, and 10 new cases.

17) 10:11 AM DELIBERATE ON AND EXECUTE COUNTY EXTENSION BUDGET FORM

- i) McMurray presented the Board with the County Extension Budget form.
- ii) He had discussed the content with Auditor Larsen and upon review, it appeared to be accurate.

10:12 AM

MOTION: COMMISSIONER KUNAU MOVED TO SIGN AND EXECUTE THE COUNTY EXTENSION BUDGET FORM AND AGREEMENT AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

18) 10:14 AM INDIGENT MATTERS

10:14 AM EXECUTIVE SESSION

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

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

- a) Case Presentation: 2014067
- b) Notice of Lien and Application for Medically Indigent Benefits: 2014084, 2014085
- c) Release of Medically Indigent Lien: 2014065
- d) Medical Records/Utilization Management Review: 2014071

CASSIA COUNTY COMMISSION

REGULAR SESSION

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10:22 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 10:37 AM.

19) 10:37 AM CONTINUED DISCUSSION FROM 9:10 AM REGARDING AGREEMENT WITH STATE OF IDAHO FOR HOUSING JUVENILE OFFENDERS

- i) Abenroth noted that he was able to give a cursory review of the agreement, and stated concerns that the agreement has not addressed who would pay the medical and insurance liability coverage. He noted that since this is the first review of the contract, he recommends that it be tabled until a more thorough review can be conducted, and the liability matter clarified.
- ii) Abenroth further recommended that a procedure be in place regarding the reviewing of all contracts in general, requiring ample time for review rather than placing on the agenda and submitting it for legal review at the last minute.
- iii) McMurray will issue a memo to department heads regarding the timely submitting of contracts and agreements for legal review.
- iv) The Juvenile Housing Agreement will be tabled pending further review and research.

20) 10:43 AM DISASTER DECLARATION CONSIDERATION/LETTER TO GOVERNOR

- i) This item was moved up on the agenda due to Abenroth needing to be in court.
- ii) Abenroth presented a letter to be sent to Governor Otter requesting the declaration of disaster area for Cassia County, due to the excessive rains received in August and subsequent crop damages.

10:44 AM

MOTION: COMMISSIONER KUNAU MOVED TO EXECUTE THE LETTER TO GOVERNOR OTTER REQUESTING THE DECLARATION OF DISASTER AREA FOR CASSIA COUNTY. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY, WITH VERBAL CONSENT SECURED VIA PHONE FROM COMMISSIONER CHRISTENSEN, WHO WAS EXCUSED FROM ATTENDANCE AT THIS MEETING.

21) 10: 45 AM REVIEW PROPOSED CHANGE OF STATUS FORM

- i) The Board reviewed the proposed Change of Status Request form.
- ii) Chairman Crane noted that McMurray worked with Larsen on the proposed revisions.
- iii) Kunau recommended that “(Required)” be added after the Explanation of Proposed Change wording.
- iv) The recommended changes will be added and presented at the next meeting for final approval.

22) 10:52 AM DELIBERATE ON AFFIDAVIT FOR RECORDING OF CERTIFIED DEATH CERTIFICATE INFORMATION

- i) Deputy Recorder Tammi Pollard presented the proposed affidavit for recording in lieu of recording a certified death certificate, which is a private document.
- ii) Abenroth would like to wait until he has time to consult the statutes and with Vital Statistics regarding this matter and would like to consult with Larsen on the matter.
- iii) Kunau suggested they allow for Abenroth to do more research on the matter before approval.

23) 10:56 AM APPROVAL OF TAXING DISTRICTS LEVIES

- i) Deputy Auditor Carrie Merrell presented the levies for county taxing districts for the Board's review, acceptance, and signing.
- ii) Merrell answered questions of the Board regarding the L-2 Levy form approvals.

11:07AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE THE TAXING DISTRICTS LEVYS AS PRESENTED. CHAIRMAN CRANE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

24) 11:08 AM SOLID WASTE TRANSFER STATION OFFICE BUILDING DISCUSSION

- i) McMurray briefed the Board on the Solid Waste Transfer Station office building construction.
- ii) The Board discussed who should manage the project, and it was the consensus that the Solid Waste District should manage it, not the County.
- iii) The Board also discussed the budget for the project and the bids.

25) 11:13 AM FOLLOW-UP ON PROPOSED MEMO TO DEPARTMENT HEADS REGARDING SUBMISSION OF CONTRACTS AND AGREEMENTS TO THE PROSECUTING ATTORNEY FOR LEGAL REVIEW

- i) The Board reviewed and approved a proposed memo for disbursement to department heads regarding timely submission of contracts and agreements for review of the Prosecuting Attorney.

26) 11:15 AM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board