



Cassia County Board of Commissioners

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

Board Chairman:
Dennis Crane

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Board Members:

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

Monday, August 4, 2014

The Board of Cassia County Commissioners met in regular session on Monday, August 4, 2014, at 9:00 a.m. in the Commission Chambers of the Cassia County Courthouse.

THOSE PRESENT: County Commissioners:

Paul Christensen

Clerk of the Board:

Prosecuting Attorney:

County Administrator:

Others:

Craig Munoz, Custodian

Timothy Schneider, Public Defender

Gordon O. Edwards, Weed & Pest

George Warrell, Undersheriff

Darwin Johnson, Criminal Justice Center

Lisa Heisel, Treasurer's office

Dennis Crane, Chairman

Bob Kunau

Joseph W. Larsen

Al Barrus

Kerry D. McMurray

Jay Lenkersdorfer, The News Journal

Ruthe Hobbs

Sam Adams, Road and Bridge

Jay Heward, Sheriff

Amber Prewitt, Misdemeanor Probation

Dwight Davis, Assessor

Craig Rinehart, Coroner

- 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, BEER AND LIQUOR LICENSES, BUDGET MATTERS
 - a) 9:05 AM CALENDAR
 - i) Waterways Meeting at 1:30 p.m. Thursday, August 7, 2014, at the Commissioner Chambers
 - ii) Fair Board Meeting at 7:00 p.m. Tuesday, August 5, 2014, at the Fair Board office
 - b) 9:05 AM CORRESPONDENCE
 - i) Letter from Ronald Kelsey regarding Adult Misdemeanor Probation read by Barrus who will draft a response
 - ii) Once prepared, the proposed letter was presented and read to the Board by Barrus

CASSIA COUNTY COMMISSION

REGULAR SESSION

Monday, August 4, 2014

10:07 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE AND SEND A PROPOSED LETTER OF REPSONSE TO RONALD KELSEY. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- c) 9:147 AM PERSONNEL
 - i) CHANGE OF STATUS
 - (1) ADMINISTRATION
 - (a) Involuntary Termination of Custodian Julie Anne Bell

9:26 AM

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

- (2) Larsen discussed with the Board the problems created in the Auditor’s office with submission of Change of Status Requests for involuntary and voluntary terminations when time has elapsed before that office receives notice. Issues of concern include insurance premiums, payroll already paid, and Cobra notification requirements as well as the time taken to correct problems.
- (3) Following discussion, it was determined that department heads or elected officials can approve the termination of an employee but the issue is timely notification to the Auditor’s office to effectuate those payroll changes. Larsen will send a memo to elected officials and department heads regarding timely notification of said situations.

- d) 10:55 AM APPROVAL OF MINUTES

10:55 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE MINUTES OF THE BOARD FROM JULY 28, 2014. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

10:55 AM

MOTION: COMMISSIONER KUNAU MOVED TO APPROVE MINUTES OF THE BOARD FROM JULY 31, 2014. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- e) 9:14 AM JUNIOR COLLEGE RESIDENCY APPLICATIONS
 - i) The Board reviewed 24 Junior College Residency Applications from CSI; 1 for the fall of 2013 and 23 for the fall of 2014.

9:14 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE 24 JUNIOR COLLEGE RESIDENCY APPLICATIONS FROM CSI AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- f) 10:13 AM COUNTY PAYABLES

CURRENT EXPENSE FUND	104	\$38,248.22
SOCIAL SERVICES	105	\$296.21
DISTRICT COURT FUND	106	\$2,056.43
COUNTY ROAD & BRIDGE FUND	107	\$1,474.65
AMBULANCE SERVICE	110	\$15,502.50

REVALUATION FUND	114	\$69.32
911 COMMUNICATIONS FUND	115	\$544.39
JUSTICE FUND	130	\$55,211.93
PHYSICAL FACILITIES FUND	144	\$18,916.15
	TOTAL	\$132,319.80

10:13 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE COUNTY PAYABLES DATED AUGUST 4, 2014. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- g) 9:37 AM COUNTY ROAD AND BRIDGE
 - i) Chairman Crane had not items to report today.
- h) 9:37 AM BUILDING AND GROUNDS MATTERS
 - i) McMurray indicated that a walkthrough of the Cassia County Judicial Center (CCJC) was needed soon as the year of warranty with Starr Corporation is about to expire.
 - ii) The engineers have not gotten back to him regarding heating and cooling issues in elected clerk's office.
 - iii) The replacement flag pole was sent from manufacturer and is currently in transit to the CCJC.
 - iv) A bid from Global Surveillance for two security cameras, one for Elections office and another for the Recorder's vault. Security cameras were requested by Larsen to secure marked/voted and unmarked/unvoted ballots in the election during early voting and to monitor use and preservation of records and equipment in the vault.
 - v) The amount totaled \$2,226.00 which includes a 360 degree camera, if needed.

9:45 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE PURCHASE OF GLOBAL SURVEILLANCE EQUIPMENT FOR THE ELECTIONS OFFICE AND THE RECORDER'S VAULT WITH THE CAVEAT OF BEING JUDICIOUS WITH THE CAMERA COSTS IN THE VAULT. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- vi) McMurray suggested going over open house duties during the Department Head Meeting.
- i) 9:15 AM GATEWAY MATTERS
 - i) Commissioner Kunau reported on emails regarding clarifications on some Sage Grouse Issues.
- j) 9:15 AM BEER AND LIQUOR LICENSES
 - i) The Board went on the record at 9:15 a.m. to consider issuance of a beer and liquor license.
 - ii) Chairman Crane indicated that the applicant had passed the Sheriff's office investigative procedure and he recommended approval of the presented license.
 - (1) Clarks for Shopping, Inc. – beer off premise

9:16 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE ALCOHOLIC BEVERAGE LICENSE AS PRESENTED. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- iii) The Board went off the record at 9:17 a.m.
- k) 11:15 AM BUDGET MATTERS
 - i) The Board discussed increases in rate of pay for FY2015 as requested by Administrator McMurray for custodians. Contracting for lawn mowing services was also discussed and Commissioner Kunau commented on how much nicer the grounds appear.

- ii) The Board discussed two open patrol deputy positions in law enforcement. It was determined the amount for those openings would go back into general fund to help with fund balances to operate the County next year if those positions are not filled. It was determined that those funds were not to be used for increase in rates of pay and overtime for other deputies or for any other purpose.
- iii) Commissioner Christensen desired to hold on wage increases for custodians indicating that it could spawn morale issues with other employees if they get increases and others don't. They then discussed not to include Custodian Supervisor Craig Munoz in the proposed increases and only include the other custodial workers.

11:13 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE CUSTODIAN STARTING WAGES AT \$9.00 PER HOUR AND TO INCREASE CUSTODIAL WORKERS BY \$0.50 PER HOUR FOR FY2014. COMMISSIONER KUNAU SECONDED THE MOTION.

DISCUSSION: CHAIRMAN CRANE INDICATED THAT HE DID NOT AGREE WITH THAT MOTION TO NOT INCLUDE CUSTODIAN SUPERVISOR CRAIG MUNOZ.

11:18 AM

SUBSTITUTE MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE CUSTODIAN STARTING WAGES AT \$9.00 PER HOUR AND TO INCREASE THE CUSTOCIAN SUPERVISOR AND CUSTODIAL WORKERS BY \$0.50 PER HOUR. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- iv) The Board determined to keep the purchase of just one vehicle in law enforcement for FY2014.
- v) The Board discussed requested capital improvements in the amount of \$40,000 for the Fair. There was discussion about the County matching funding for capital improvements of that raised by the Fair Board.
- vi) The Board determined that with current deficits, foregone balance depletion, and possible PILT funding issues that it might be wise to wait a year before providing an increase for capital expenditures.

11:31 AM

MOTION: COMMISSIONER KUNAU MOVED TO BUDGET CAPITAL IMPROVEMENTS AT THE FAIR AT A LIMIT OF \$10,000 ACCOMPANIED BY A MATCHING FUNDING AT THE BOARD'S DISCRETION. COMMISSIONER CHRISTENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- vii) Larsen indicated that the County Building Reserve line item could be reduced to accommodate that.
- viii) Larsen presented to the Board a need to establish an Adult Misdemeanor Probation Fund where both Minidoka and Cassia County are subsidizing what has been in the past a self-funding department.

11:38 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CREATE AN ADULT MISDEMEANOR FUND AS REQUESTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- ix) Larsen also suggested establishing an Employee Accrual Fund to take care of paying out accruals of employees who terminate their employment. Department's "A" budget available funds are hampered by that payout to hire replacement employees. Larsen did caution that

the Board should establish criteria where that can be used under their direction to discourage those accruals from accumulating above what the County policy allows.

- x) An amount was budgeted currently under the Commissioners budget until it is determined where the appropriate location of that budgeted amount should be.
- xi) Lead Auditor Evans expressed concern about sick bank payout each year. The Board asked the Auditor's office to put together a narrative for the Board regarding that.
- xii) Larsen discussed the critical nature of levy restrictions for the Justice Fund. We have just about reached those limits. The Justice Fund will have a negative balance at the end of FY2014 and could require a transfer from County reserves to be made whole. Full funding of PILT and other unanticipated revenues are the only things that could allay that negative balance.
- xiii) The Board also discussed the increase in rate of pay of \$0.50 per hour that joint powers budgets managed by Minidoka County are budgeted to receive.

2) 9:27 AM JACKSON HERD DISTRICT – REVIEW COMMITTEE WORK – DELIBERATE ON ORDINANCE NO. 2014-08-01

- a) Barrus discussed the Jackson Herd District Committee's review recommendations for changes with that District.
- b) County mapper Todd Quast provided a map of the proposed boundaries enumerated in a proposed ordinance.
- c) Barrus indicated that the underlying reason for changes is that the County can't put Federal land in a herd district. Proposed boundary changes were included to reflect that requirement.
- d) Barrus read proposed Ordinance No. 2014-08-01.
- e) The Board discussed taking out of the Jackson Herd District a tract of land non-contiguous with Federal land.
- f) It was determined to eliminate Section 26 from that district as well as the Federal land.
- g) Barrus indicated an accident on roads currently in the herd district could be problematic.

9:35 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE ORDINANCE NO. 2014-08-01 AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

3) 9:35 AM REVIEW Veterans Service Officer (VSO) REPORT FOR JULY

- a) Commissioner Kunau read the report of the VSO Georgianna Greenwell

4) 10:25 AM REPORT BACK FROM PROSECUTOR REGARDING REQUEST FOR USE OF MAPPING DEPARTMENT

- a) Barrus reviewed Idaho Code 27-104 which discusses Cemetery Maintenance District Law. It includes the necessity of a petition with designated boundaries that must be filed with the Clerk and presented to the Board of Commissioners for public review.
- b) Commissioner Christensen said it may present a conflict for the County to prepare documents with those proposed boundaries.
- c) Chairman Crane said that when a recent water district formation was presented to the Board, they had hired their own legal counsel and prepared their own maps.

10:30 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED THAT THE APPROPRIATE PROCESSES ACCORDING TO STATUTE BE FOLLOWED IN THE PROPOSED FORMATION OF A CEMETERY AS PRESENTED BY VAUGHN EGAN AND THAT THE COUNTY MUST BE SEPARATE FROM THAT FORMATION

OF THAT PROCESS. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- d) Barrus will prepare a response letter to Mr. Egan.
- e) At 11:56 a.m. Barrus read to the Board a letter he prepared for their review to send to Mr. Egan.

11:57 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE AND SEND THE LETTER TO MR. EGAN AS PREPARED BY BARRUS REGARDING HIS PROPOSED MAP REQUESTS FOR THE FORMATION OF A CEMETERY DISTRICT. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

- 5) 10:24 AM REVIEW IPUC CASE NO. IPC-E-14-18 – NOTICE OF APPLICATION
 - a) Commissioner Kunau reviewed IPUC Case No. IPC-E-14-19 regarding rate structure change and the Board felt there was no reason to respond.
- 6) 10:35 AM BOARD OF COUNTY COMMISSIONERS MEET WITH ELECTED OFFICIALS AND DEPARTMENT HEADS
 - a) Chairman Crane discussed with elected officials and department heads the open house plans during Fair week for the CCJC and the Courthouse from 2:00 p.m. to 4:00 p.m. on Friday, August 15th. The Clerk, Sheriff, and Jail Administrator will take care of the CCJC open house tour.
 - b) Chairman Crane went over a memo that was prepared and handed out to all department heads and elected officials regarding FY2015 funding.
 - c) Chairman Crane asked for all those present to sign for the record that they were in attendance. All departments and elected officials were representative.
 - d) Chairman Crane addressed all department heads and elected officials. He indicated that if PILT funding were not to be allocated to the County, we would be in serious trouble. The only alternative at that point would be a reduction in workforce. There is a chance with present Federal government officials in place that PILT could not get allocated.
 - e) Chairman Crane reported that he had heard in the community talk about the costs of construction of the CCJC, the courthouse renovation, and proposed work at the Assessor's office. He pointed out that money used for those projects was money saved over the past several years after the bond for funding a new courthouse failed. Money has been set aside in a Building Reserve account anticipating that an order could come from the courts that would require the County to replace the courthouse. He felt everyone had done a good job to assist with the building of the CCJC, remodeling of the courthouse, and the moving of departments all to save money. He felt the County had used funds wisely.
 - f) Sheriff Heward and Undersheriff Warrell stated they felt in the long run we are losing employees and that they are the most important asset to our County. A message is sent out that everything else is more important than the employees. It effects PERSI and those who want to retire have to work longer. They thought to set wage and salary increases first and then work around that with other expenses. They felt that would help to keep employees since we put a lot of time, training and money sending them to POST.
 - g) Commissioner Christensen stated that there has been a 3% increase in rate of pay each of last two years and that benefits have cost a considerable amount of money more each year. Employee wage and salary increases don't ever decrease year after year and it is costly to bear each year with limited resources. The County can't sustain those expenses, but the County is maintaining health benefits and PERSI to preserve employment of County employees.
 - h) The Board indicated that the long term goal was preservation of the County's financial position.

- i) Larsen explained insurance increases experienced and shortfalls in revenue sources.
 - j) The Board indicated that two years without any inflationary clause in the City of Burley's contract for law enforcement has knocked us down in the ability to carry forward fund balances. We only have so much revenue and so much ability to pay expense expectations.
 - k) Commissioner Christensen told Mini-Cassia Criminal Justice Center Supervisor Darwin Johnson the Board determined for them to go ahead and act upon changes he proposed eliminating lawns in the courtyard and perimeter bushes that pose a potential security risk.
- 7) 10:40 AM COMMISSIONERS TO CONSIDER PRELIMINARY BUDGET AND AUTHORIZE PUBLICATION
- a) Larsen and Lead Auditor Heather Evans presented a revenue summary and preliminary budget for the Board to authorize for publication according to Idaho Statute.
 - b) Carryover funds, fund balances, allocation of revenues, and the potential need even if PILT was fully funded to utilize County reserves to help increase fund balances that depleted over the past several years.
 - c) Christensen asked for the Auditor's office to implement decisions that were made today in the published budget.

11:17 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE AND PUBLISH THE PRELIMINARY COUNTY BUDGET AS PRESENTED BY THE AUDITOR'S OFFICE. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

11:18 AM EXECUTIVE SESSION

MOTION: COMMISSIONER CHRISTENSEN MOVED TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL MATTERS UNDER IDAHO CODE SECTION 67-2345(1)(A). COMMISSIONER KUNAU SECONDED THE MOTION. A ROLL CALL VOTE WAS UNANIMOUS WITH CHAIRMAN CRANE, COMMISSIONER CHRISTENSEN, AND COMMISSIONER KUNAU VOTING IN THE AFFIRMATIVE. THE BOARD RETURNED TO REGULAR SESSION AT 11:18 AM.

8) 11:18 AM INDIGENT MATTERS

11:18 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.

Larsen presented the following cases for review and approval of the Board:

- a) Case Presentation: 2014058
- b) Medical Records/Utilization Management Review: 2014058

11: 28 AM

MOTION: COMMISSIONER CHRISTENSEN MOVED TO APPROVE THE MEDICAL INDIGENT ACTIONS AS PRESENTED. COMMISSIONER KUNAU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD RETURNED TO REGULAR SESSION AT 11:28 AM.

9) 11:58 AM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board