



BOARD OF COUNTY COMMISSIONER MINUTES

October 17, 2011

The Cassia County Board of Commissioners met this day with Chairman Dennis Crane, Paul Christensen and Bob Kunau, Board Members; Alfred E. Barrus, Prosecuting Attorney; Joseph W. Larsen, Clerk of the Board, and Kerry D. McMurray, County Administrator, present.

PREVIOUS WEEK'S MINUTES

The Board of County Commissioner Minutes for October 10, 2011, were discussed. A motion was made and seconded to approve. Roll call vote was unanimous with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.

CALENDAR

The Board reviewed the calendar.

1. District IV Elected Officials Meeting on Thursday, October 20, 2011, at the Gooding Planning and Zoning room.
2. Planning and Zoning Meeting on Thursday, October 20, 2011, at the Burley City Council Chambers.
3. Idaho Taxpayer's Conference to be held on Thursday, December 1, 2011.

CORRESPONDENCE

The Board reviewed the following:

1. South West Conservation District Division IV Fall Meeting starting at 2:30 p.m. Wednesday, November 2, 2011, at the Burley Masonic Hall.
2. Invitation for Meals on Wheels 6th Annual Pumpkin Caper starting with breakfast at 6:30 a.m. on October 27, 2011, at the Golden Heritage Senior Center
3. Thank you from Lexi Ottley for the purchase of her lamb at the Cassia County Fair
4. Cassia Head Start Open House from 10:00 a.m. to 12:00 p.m. on October 17, 2011
5. Bonneville Power Administration Journal for October 2011
6. Annual Evaluation Letter from the University of Idaho Extension Joel Packham.
7. FLAG meeting letter of comment to provide to BLM. Was no quorum at meeting. Timbri sent out a copy of letter and asked for changes of that committee. By 21st this Friday will canvass committee.
8. Invitation to attend the 5th Judicial District Drug Court Graduation to be held at 6:30 p.m. Wednesday, October 26, 2011, at CSI in Twin Falls.
9. Letter from Matt Voile, Section Manager for Noxious Weeds/Invasive Species with the Idaho State Department of Agriculture regarding implementation of a new EPA pollution discharge permit for the application of pesticides to waters of the US.

POSTAGE METER LEASE DISCUSSION

Treasurer Patty Justesen introduced Mountainland Business Systems representatives as a proposed replacement company for the County's current automated postage processing system

through Pittney-Bowes. They recommended a Hasler IM460 system with a ten (10) pound scale as the best solution for replacing our current system. Service Manager, Lonnie Hill reviewed other entities their company has postage contracts with. Customer Support Engineer, Mark Thurston presented a contractual buyout proposal with Pittney-Bowes. There are currently four (4) quarterly payments remaining and quarterly pickup fee that would be paid by Mountainland Business Systems to the County to satisfy the remaining contractual obligation with Pittney-Bowes. The contract with Mountainland includes a sixty-three (63) month contractual term with the first twelve (12) months including free meter rental at \$159 per month and the ensuing fifty-one (51) months at \$209 per month. Justesen indicated that customer service was inadequate with Pittney-Bowes. Auditor Larsen inquired if the new system included the possibility for department categorization for postage usage budgeting purposes. Mountainland indicated that it did. Larsen recommended that the Board consider usage of that possibility to allocate costs for postage with each County department. Commissioner Christensen made a motion to proceed with the proposed recommendations pending review of the current and the new contract, seconded by Commissioner Kunau, followed by a unanimous yea vote.

ASSESSOR'S OFFICE ISSUES

Assessor Dwight Davis indicated that the GIS position for a mapper recently closed and he had received four (4) applicants. Another opening will be posted this week for an Evaluation Tech as Jennifer Clarkson will be moving and will terminate her employment at the end of November. Davis indicated that there were erroneous assessments on three (3) parcels. Their department had discovered that when categories had been changed on said parcels the previous category had not been deleted which resulted in a double assessment to the property owner. Statute requires that the assessment must stand. However, the Board can cancel or refund said taxes. Davis asked for the taxes based on the assessed value of the following parcels to be cancelled: Parcel LR07156 in the assessed value of \$30,553, Parcel LR07157 in the assessed value of \$33,818, and Parcel LR07158 in the assessed value of \$24,425. Said parcels are all located near Thompson Flats. Commissioner Christensen made a motion that Treasurer Patty Justesen cancel said taxes as presented to eliminate the double taxation to the landowners, seconded by Commissioner Kunau, followed by a unanimous yea vote.

MISDEMEANOR PROBATION

McMurray presented that he had reviewed correspondence from IAC director, Dan Chadwick regarding recent media attention to Adult Misdemeanor Probation charges. Chadwick indicated that the issue was in a state of fluctuation right now and to not get too concerned. He recommended that we keep doing what we are presently doing and allow time for it to get sorted out within the State. Concerns started with Ada County who was involved in a lawsuit regarding charges for misdemeanor supervision. Adult Misdemeanor Probation supervisor, Amber Prewitt and Sheriff Kidd discussed with the Board different ways to proceed with drug testing charges. Judge Bollar had advised that we err on the side of caution when implementing said charges. McMurray suggested that this be a topic of discussion at the District IV Elected Officials Meeting in Gooding next week. He further indicated that it should be discussed with Minidoka County where that entity is part of a joint powers agreement. Christensen asked that the Board be kept in the loop regarding updates to the situation. Prewitt also reported on the progress of the remodeling taking place for the drug testing lab.

EXECUTIVE SESSION

At 9:00 a.m. it was proposed by Commissioner Christensen and seconded by Commissioner Kunau that the Board convene in Executive Session under Idaho Code Section 67-2345(1)(d) with Commissioner Christensen voting yea, Commissioner Crane voting yea, and Commissioner Kunau voting yea. The purpose and general tenor of the meeting was to discuss medical indigent matters. Welfare Director Susan Keck previewed a hearing to be held at 11:00 a.m. this morning. Keck presented the following to the Board: Case # 2011-107, # 2011-081, #2011-101, # 2011- 114; and # 2011-102. The Board reviewed and approved the following: Order of Dismissal on Case # 2011-082; Stipulation for Enlargement of Timing Limitations on Case # 2011-068, # 2011-075, # 2011-084, and # 2011-086; Release of Medically Indigent Lien on Case # 2011-082, #206131, and # 2011-095; Notice of Lien and Application for Medically Indigent Benefits on Case # 2011-113, # 2011-114, and # 2011-115; Assignment on Case # 206084, # 206101, # 2010-147, and # 2011-022; Certificate of Approval on Case # 2011-107, # 2011-081, and # 2011-101; Order of Reimbursement on Case # 2011-081, # 2011-107, and # 2011-101; and Certificate of Denial on Case # 2011-114 and # 2011-102. Following the discussion, the Board returned to regular session at 9:18 a.m.

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OTHER AGENDA ITEMS

1. The Board reviewed thirty-eight (38) CSI Residencies for approval. A motion was made and seconded to approve the report and the roll call vote was unanimous with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.
2. The Board reviewed the County’s Payables Approval Reports dated October 17, 2011, for FY2011 expenditures and FY2012 expenditures. A motion was made and seconded to approve the report and the roll call vote was unanimous with Commissioner Kunau, Commissioner Christensen and Chairman Crane all voting yea.

FY2011		
CURRENT EXPENSES	104	\$3,266.94
INDIGENT FUND	105	\$21,545.65
DISTRICT COURT FUND	106	\$1,015.22
COUNTY ROADS & BRIDGES FUND	107	\$318.31
JUSTICE FUND	130	\$1,588.48
ADULT MISDEMEANOR PROBATION	149	\$272.74
BOX ELDER CO. BOOKMOBILE TRUST	151	\$10,387.00
	TOTAL	\$38,394.34

FY2012		
CURRENT EXPENSES	104	\$43,424.54
DISTRICT COURT FUND	106	\$1,296.80
COUNTY ROADS & BRIDGES FUND	107	\$3,527.28
AMBULANCE SERVICE	110	\$13,916.67
REVALUATION FUND	114	\$353.70
911 COMMUNICATIONS FUND	115	\$1,350.77
COUNTY ELECTION FUND	116	\$110.64
JUSTICE FUND	130	\$21,009.30
D.A.R.E TRUST	137	\$298.60
PHYSICAL FACILITIES FUND	144	\$1,306.04
ADULT MISDEMEANOR PROBATION	149	\$7,691.56
	TOTAL	\$94,285.90

3. The Board reviewed the County's employee dental carrier with Delta Dental renewal for 2012. Administrator McMurray read a letter from Delta Dental indicating there would be no increase for 2012 administrative fees. Renewal is automatic unless notified by December 1, 2011. Commissioner Christensen made a motion to approve automatic renewal of said contract, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
4. The Board reviewed the Burley Highway District's Howell Canyon Report of September 30, 2011.
5. The Board reviewed Solid Waste fees. Treasurer Patty Justesen talked with McMurray regarding the review of solid waste users that may be above the normal use before tax notifications go out. Industrial and business usage was primarily those that need to be reviewed. Information regarding usage comes from the City of Burley, the landfill, and other waste provider services. The Board asked that Justesen provide information to justify any recommendations of adjustment of costs to present at a future Board meeting.
6. The Board reviewed the by-laws regarding membership and quorums for the Federal Lands Advisory Group (FLAG) Committee. Crane asked for the Board to make recommendations for someone to serve on that committee who may have an interest in federal lands.
7. The Board reviewed the City of Rocks Maintenance Agreement with the Idaho Transportation Department (ITD). The State will meet next week. McMurray talked with Devin Rigby from ITD and Rigby indicated that one ITD Board member had an issue with the thirty (30) day termination language in the proposed contract. The ITD proposed changes indicates that the contract is in force for five (5) years. The Board concurred with that but preferred an amendment to provide for termination upon thirty (30) days' notice with mutual agreement between both parties after five years. McMurray indicated that this is only for sanding, plowing, and other maintenance as the road ownership remains with ITD. The Board will wait to hear back from ITD regarding the proposed aforementioned changes. Commissioner Christensen made a motion to sign the original contract with said proposed changes if accepted by ITD, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
8. The Board discussed waterways matters. Commissioner Crane indicated that Lex Kunau was stepping back with waterways involvement. Crane recommended that the County create a waterways committee to consider matters going forward. McMurray indicated that the statute

requires such and presented proposed by-laws for establishing a Waterways Advisory Committee at the direction of the Board. The Board suggested that the following be considered for forming said committee: Brent Winn from the City of Burley, Deputy Noah Shiner from Cassia County, and the Board would take recommendations for three (3) additional members to serve who have a connection with waterways. Kidd suggested consideration of Dick Ranklev as a possibility. The Board will take considerations under advisement.

9. The Board discussed the execution of a deed on surplus property which was offered for sale at public auction, at which no bid was offered and subsequently sold to Denton and Virgene Darrington. Following discussion, Commissioner Christensen made a motion to issue a new deed to correct clerical errors on the original deed for said purchased surplus property, seconded by Commissioner Kunau, followed by a unanimous yea vote.
10. The Board discussed County Road and Bridge matters. Chairman Crane had talked with Road and Bridge Supervisor, Sam Adams and he indicated that grading was completed and that there was a holdup on permits from the Army Corp of Engineers for the new bridge in the narrows near Almo.
11. The Board reviewed matters concerning proposed boat inspections involving the Weed and Pest Control Department. Supervisor Gordon Edwards had talked with Auditor Larsen and Administrator McMurray regarding the establishment of costs in funding this program. McMurray indicated that it could cost \$6000 per employee for unemployment insurance and may be cost-prohibitive. The Board determined to take this under advisement as it will need further review.
12. The Board discussed County building matters. Administrator McMurray had emailed the Justice Center Building Committee regarding architect presentations and the Board's ranking of those architect firms. One committee member came to the Administration to review the presentations from the architects on the new Justice Center. A decision by the Board was deferred until next Board meeting as to the precedence in interviewing proposed architects.
13. The Board discussed the procedure for appeal of building permit fees and penalties. Contractor Terry Laumb from Albion had begun construction of a building addition without securing a building permit in a timely manner. County ordinance requires a penalty of double costs for not filing for a permit in a timely basis. Laumb was appealing those charges. McMurray recommended that the fee appeal be considered by the Board. Prosecuting Attorney Al Barrus was asked to draft a response letter on behalf of the Board. Commissioner Christensen indicated that the Board should stand by the established ordinance.
14. The Board reviewed and discussed a letter of support for Family Health Services (FHS) for a grant to replace Burley's three clinic buildings with one new facility. Medical, dental, and behavioral services are proposed to be consolidated into one facility for efficiency and convenience. A motion was made by Commissioner Christensen to support said proposal with the proposed letter of support, seconded by Commissioner Kunau, followed by a unanimous yea vote.
15. The Board reviewed a request for approval for costs from Brandon Salvesen, Maintenance Supervisor of the Mini-Cassia Criminal Justice Center for a new dishwasher in the jail kitchen at a total expense of \$7245.00. The proposal for purchase was compared with rental and it was determined that three and one-half (3 ½) years rent would be the same as to

purchase. A motion was made by Commissioner Kunau to approve said purchase, seconded by Commissioner Christensen, followed by a unanimous yeas vote.

16. The Board reviewed a proposed TouchPay DMV payment system contract to be used in the Assessor's Office. TouchPay will charge a 3.5% fee for administration that would be paid by the user of those services. It will incur no cost to the County. Stevenson's Computer Consultants, the State of Idaho, and TouchPay have worked together to appropriately implement this pay system. Commissioner Christensen made a motion to approve said request with TouchPay, seconded by Commissioner Kunau, followed by a unanimous yeas vote.
17. The Board reviewed the Idaho Department of Labor's request for contact information for employment questionnaires. The Board recommended that Auditor Larsen be the contact person for said information and requested that Larsen respond the Department of Labor indicating such.
18. The Board reviewed the US Forest Service Decision Notice and Finding of No Significant Impact (FONSI) for the Grape Creek Cattle & Horse Grazing Allotment Analysis. The decision allowed for continue grazing on the Grape Creek allotment in Almo with some modifications.
19. The Board discussed Gateway West Transmission Line Task Force items. Comments on the Administrative Draft EIS need to be addressed before the October 28, 2011, deadline. The Board reviewed a draft letter to the BLM from Mike Poulton, Chairman of the Cassia County Public Lands Committee requesting consideration of Alternative 7I as a proposed power line route as opposed to 7H which was cited as having a significant impact and obstruction to our private and public land resources in Cassia County.

RECESS

Meeting was recessed until 9:00 a.m., Monday, October 24, 2011.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Kari Merrill – Weekly News Journal; Mark Thurston, Casey Diamond, and Lonnie Hill – Mountainland Business Systems

ATTEST:

APPROVED:

/s/ _____
Joseph W. Larsen, Clerk of the Board

/s/ _____
Dennis Crane, Chairman of the Board