

COMMISSIONER MINUTES

#594

December 7, 2009

The Cassia County Board of Commissioners met this day with Chairman Dennis Crane, Paul Christensen and Clay D. Handy, Board Members; Alfred E. Barrus, Prosecuting Attorney; Wendy L. Marr, Deputy Clerk of the Board, and Kerry D. McMurray, County Administrator, present.

SPRINGDALE AREA

The Board met with David Baker and Henry Baker of Apex Drilling and Steve Baker of Pump Service Inc. to discuss a recently published article in the Times News that reported Nitrate concerns in the Springdale area. They felt the article was misleading and as a result have done their own research into the matter. They explained that only 7-8 years ago allowable nitrate levels were at 50 but have since been lowered to 10 without proper data explaining the reason in the drop. They explained the procedures and regulations for drilling wells currently as compared to 20-40 years ago.

TAX & WEED MATTERS

The Board held a hearing with property owner Marty Bedke to discuss taxes that have been levied against her property by the Cassia County Weed Control Department for noxious weed clean-up. Mrs. Bedke requested that the County remove all penalties and interest charges due to the financial hardship it is causing her and her family. Al Barrus outlined the proper procedures in Idaho Code that would have needed to be followed in a timely matter to challenge and appeal the decision. Gordon Edwards explained the procedures he follows for sending out a notice of intent which includes Idaho Code; how to respond and appeal. A notice is only sent if the property owner is in non-compliance. Minutes from May 8, 2006 were reviewed in which the notice sent to the Bedke's was addressed. The Board, upon consideration of the matter, determined to not remove the tax lien, penalties and interest charges. Upon motion to that effect being made, seconded and unanimously approved, the Board directed Mr. Barrus to prepare a letter of response, which they then executed for mailing to Bedkes.

COUNTY EXPENDITURE

The Board reviewed the County's Payables Approval Report dated December 1, 2009. A motion was made and seconded to approve the report and the roll call vote was unanimous with Commissioner Handy, Commissioner Christensen and Chairman Crane all voting yea.

CURRENT EXPENSES	104	\$13,864.12
INDIGENT FUND	105	\$2,013.80
DISTRICT COURT FUND	106	\$311.17
COUNTY ROADS & BRIDGES FUND	107	\$416.40
WEED & PEST FUND	108	\$6.41
REVALUATION FUND	114	\$235.06
JUSTICE FUND	130	\$3,169.27
COURT FACILITIES	141	\$10,275.86
PHYSICAL FACILITIES FUND	144	\$41.94
ADULT MISDEMEANOR PROBATION	149	\$1,567.51
	TOTAL	\$31,901.54

The Board reviewed the County's Payables Approval Report dated December 4, 2009. A motion was made and seconded to approve the report and the roll call vote was unanimous with

Commissioner Handy, Commissioner Christensen and Chairman Crane all voting yea.		
CURRENT EXPENSES	104	\$7,638.61
INDIGENT FUND	105	\$2,447.94
DISTRICT COURT FUND	106	\$71.59
911 COMMUNICATIONS FUND	115	\$28,236.29
JUSTICE FUND	130	\$65,547.08
NARCOTICS SEIZED ASSETS FUND	134	\$140.00
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$930.88
PHYSICAL FACILITIES FUND	144	\$2,592.98
ADULT MISDEMEANOR PROBATION	149	\$726.74
	TOTAL	\$108,332.11

PREVIOUS WEEK'S MINUTES

The Minutes for November 23, 2009 were discussed. A motion was made and seconded to approve and proceed with publication of an appropriate synopsis. Roll call vote was unanimous with Commissioner Handy, Commissioner Christensen and Chairman Crane all voting yea.

EXECUTIVE SESSION

At 10:05 am it was proposed by Commissioner Handy and seconded by Commissioner Christensen 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 Handy voting yea. The purpose and general tenor of the meeting was to discuss medical indigent matters. Following the discussion, the Board returned to regular session at 10:25 am. Following Executive Session the Board heard case # 2009077, 2009009 and 2009129, signed notice of lien for case # 2009131, 2009130, 2009129, 2009128 and 2009127, denied 2009126, 2009113 and 2009112, signed release of lien for case #2009084, 206106, 203046, 203045, 97106, 98053, 98048, 98033, 98016, 97083, 98067 and 2009032, signed certificate of approval for additional treatment for case # 2009077, 2009009, 2009116 and 2009063, signed order for dismissal for case # 2009084, signed order of reimbursement for case # 2009116 and 2009063 and signed stipulation for enlargement of time limitations for case # 2009096. The Board signed a Memorandum of Agreement between The Department of Homeland Security, US Citizenship and Immigration Services and Cassia County.

CORRESPONDENCE

The Board reviewed the following:

1. An invitation from Idaho Power and Rocky Mountain Power on December 14th and 15th to discuss the Gateway West Transmission Line Project.
2. An invitation from the Twin Falls Republican Central Committee Lincoln Days Celebration.
3. A safety notice from Clow regarding fixes for fire hydrants in Idaho.
4. An invitation to a Boundary and Annexation Survey Workshop.

CALENDAR

The Board reviewed the calendar for December 2009.

CSI

The Board reviewed and signed CSI Residency Certificates.

SHERIFF'S OFFICE

The Board reviewed the findings of the Sheriff's office in review of computer aided dispatch systems bids. The Sheriff's office recommended acceptance of the proposal submitted

by Cushing Technologies, Inc for their Public Safety Information Management Systems (PSIMS) at a cost of \$86,000.00, as being the lowest responsive bid. Upon review a motion was made and seconded to follow the recommendations of the committee and award the project to PSIMS.

CHANGE OF STATUS

The Board reviewed five changes of status forms, two from the Cassia County Sheriff's Office and three from the Mini-Cassia Criminal Justice Center. It was moved and seconded to approve the changes of status and roll call vote was unanimous with Commissioner Handy, Commissioner Christensen and Chairman Crane all voting yea.

COUNTY ROAD & BRIDGE

The Board discussed County Road & Bridge Department matters. No information has been received on the Wickel pipe matters. This item will be placed on hold until further information is received. County Administrator Kerry McMurray requested all minutes from the County Road & Bridge given that the Board has been dissolved, so that the minutes can be maintained by the County. The Board reviewed an application requesting permission from ATC Communications for an upgrade and placement of telecommunications facilities and appurtenances for existing customers and future growth on the Elba/Almo road from Elba to the intersection of highway 77. Upon review a motion was made and seconded to approve the request. This approval is based upon the fiber optic being encased. If not encased, the fiber optic will need to be buried at five (5) feet, instead of four (4) feet.

GATEWAY WEST TRANSMISSION LINE

The Board discussed questions regarding Gateway West Transmission Line matters. The Commission will meet with Taskforce Leadership next week to discuss status and financial issues associated with the project and ongoing taskforce matters. No payments will be made until then.

BUILDING DEPARTMENT

The Board discussed Albion Fire District concerns about building permits that are being submitted. Mr. McMurray presented a proposed change of language to the permit application. Upon review a motion was made and seconded to approve the changes and use the new application.

COUNTY MEDICAL INSURANCE

The Board met with Kelly Bowen to discuss employee medical benefits -insurance. Amendment #1 to the Benefit Plan was presented that discussed "Never Events". The Board will not sign the amendment. An Education and Wellness program for Cassia County employees was discussed with several options for participation. The Board reviewed a letter regarding an Elected Officials medical benefits. Upon review a motion was made to sign and execute the letter.

EXECUTIVE SESSION

At 11:30 am it was proposed by Commissioner Christensen and seconded by Commissioner Handy that the Board convene in Executive Session under Idaho Code Section 67-2345(1)(b) with Commissioner Crane voting yea, Commissioner Christensen voting yea, and Commissioner Handy voting yea. The purpose and general tenor of the meeting was to discuss employee matters. Following the discussion, the Board returned to regular session at 11:38 am.

Following Executive Session the Board decided to not change the character of the time off on the payroll submittals, but rather to continue forward with the employee's original request.

EXECUTIVE SESSION

At 11:39 am it was proposed by Commissioner Christensen and seconded by Commissioner Handy that the Board convene in Executive Session under Idaho Code Section 67-

2345(1)(b) with Commissioner Crane voting yea, Commissioner Christensen voting yea, and Commissioner Handy voting yea. The purpose and general tenor of the meeting was to discuss employee matters. Following the discussion, the Board returned to regular session at 11:45 am.

Following Executive Session the Board approved the new hire in the Clerk's Office; a motion was made and seconded to sign the change of status.

The Board discussed the monthly synopses of the commissioner minutes. Kerry McMurray will prepare a letter to the Clerk, requesting that the synopses be caught up to date and that they be reviewed by the Board before being published.

AMBULANCE CONTRACT

The Board discussed a request for proposals for the Cassia County Ambulance Service Contract. A publication of the bid openings will be published on Monday, December 14, 2009. Submittals will be presented to the Cassia County Board of Commissioners on January 4, 2010 at 9 am. Upon review of the request for proposals a motion was made and seconded to proceed with the request for proposal process and publication for Cassia County Ambulance Service.

EVANS & POULSEN

The Board reviewed Evans and Poulsen's Outside Auditor Engagement Letter. Upon review a motion was made and seconded to sign the letter.

SURVEYOR CONTRACT AMENDMENTS

The Board reviewed a 1st Amended Restatement Surveyor Contract between Cassia County and Steven C. Pearson with Desert West Land Surveys. Upon review a motion was made and seconded to sign the contract.

EMPLOYEE BENEFITS

The Board discussed Employee Christmas Bonuses. Upon review a motion was made and seconded to proceed with a \$50.00 gift certificate for each employee. Gift Certificates are taxable to the employees and need to be included on their W-2s. The Certificates will be prepared and presented to the employee's next week.

P.U.C. APPLICATIONS

The Board reviewed three Public Utilities Commission Notice of Application for case no. IPC-E-09-28, case no. INT-G-09-03 and case no. IPC-E-09-30.

USDA-APHIS

. Kerry McMurray read a letter regarding the Grasshopper and Mormon Suppression program. The matter will be forwarded to Richard Garrard, County Extension Agent for review and determination of an appropriate response by the Board.

GEOHERMAL GRANT

A motion was made and seconded to add this item to the agenda as an emergency. The Board finds that the information was received late Friday by the Admin Office and response date for the grant is December 11, 2009 before the Board will meet again, and therefore needs to be determined today. The item was added to the agenda. A grant opportunity was presented and upon review a motion was made and seconded to authorize the County to pursue grant funding to retrofit ground source heat pumps. Mr. McMurray was authorized to respond.

LUNCH

At 12:15 pm the Board departed for lunch at Canton, where Kerry McMurray, County Administrator reported on personnel matters and the general county operations during their working luncheon

RECESS

Meeting was recessed until 9:00 a.m., Monday, December 14, 2009.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Margi Owens, Weekly News Journal; Jay Michaels, KMVT; Gayle Erekson, Treasurer; Marty Holland, Assessor; Todd Quast and DeAnn Taylor, 911.

ATTEST:

/s/Wendy L. Marr

Wendy L. Marr, Deputy Clerk

APPROVED:

/s/Dennis D. Crane

Dennis Crane, Chairman