

COMMISSIONER MINUTES

#550

April 24, 2006

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

PREVIOUS WEEK'S MINUTES

The minutes for April 17, 2006 were discussed. A motion was made and seconded to approve and proceed with publication of an appropriate synopsis. Voting was unanimous by the Board.

CALENDAR

The Board reviewed the calendar for April 2006.

CORRESPONDENCE

The Board reviewed the following:

1. An invitation from Chris Simonson, Fire Management Officer, to an open house at the Southern Idaho Interagency Dispatch Center in Twin Falls.

CHANGE OF STATUS

The Board reviewed one (1) Change of Status form from the County Road and Bridge Department and it was moved and seconded to approve the change of status and voting was unanimous by the Board.

FINAL PLAT REVIEW

Mark Sanderson met with the Board to discuss and receive approval to develop the Jackson River Estates Subdivision. It was moved and seconded to approve the Jackson River Estates Subdivision Plat and voting was unanimous by the Board.

BOARD OF EQUALIZATION

At 9:30am it was proposed and seconded to convene as the County Board of Equalization. Voting was unanimous by the Board.

It was proposed and seconded to delete the Home Owners exemptions on the following parcels: (See attached list). Voting was unanimous by the Board. Notices will be sent to the property owners

HISTORICAL SOCIETY

The Cassia County Historical Society has requested an internet hookup to better serve the citizens of the County. After discussion and explanation by Mr. McMurray regarding the cost and availability of the internet, it was moved and seconded to approve the internet connection for the Historical Society and voting was unanimous by the Board.

COUNTY ROAD AND BRIDGE MATTERS

Chairman Crane presented a report on the County Road and Bridge Department matters. He discussed employee issues, one position is open and being advertised until Friday, April 28, 2006. Heber Carpenter has resigned as a member and as the Secretary of the Road and Bridge Department. Chairman Crane recommended that Carl Boden be appointed as a member of the Board. It was moved and seconded to accept the resignation of Heber Carpenter and approve the appointment of Carl Boden as a member of the Board and voting was unanimous by the Board.

MINERAL RIGHTS APPRAISAL

Mr. McMurray reported on details needed to pursue an appraisal of the mineral rights of the County owned property in question. After discussion it was moved by Commissioner Handy and seconded by Commissioner Christensen to contract with Kleinfelder Inc. a testing lab in Boise, regarding the valuation of the mineral rights and voting was unanimous by the Board.

SOUTH CENTRAL DISTRICT BOARD OF HEALTH

The Board reviewed the appointments of Linda Montgomery and Don Billings to the South Central District Board of Health. It was moved and seconded to approve the nomination of these individuals and voting was unanimous by the Board.

HOWELL CANYON ROAD SNOW REMOVAL AND MAINTANCE REPORT

The Board reviewed and discussed the Howell Canyon Road Snow Removal and Maintenance Report from the Burley Highway District through March 2006.

GUARDIAN AD LITEM

The Board reviewed the Guardian ad Litem representation report from Steve Tuft, attorney at law.

CONFLICT PUBLIC DEFENDER REPORT

The Board reviewed the conflict public defender report from the Kent Jensen Law Office

HEALTH INSURANCE REVIEW

Tim Preston and Kelly Bowen reported on the Cassia County Experience with the Medical and Vision plans for Fiscal Year 2006 to date. (See attached report) The outlook is very positive at this time. Mr. Barrus reported that his employees are not very pleased with the efforts of MBA to assist with questions and problems. Tim explained that a letter has been prepared for those on Plan D to explain benefits to those who are affected. Tim and Kelly reported on various doctors that have been contacted in regards to becoming part of the county plans.

BURLEY HIGH TRACK REBUILD PROJECT

Tim Preston gave a report on the Burley High Track and thanked the County Commissioners for their influence in getting the monies to repair and upgrade the track.

DEPARTMENT HEAD MEETING

Assessor: Marty Holland reported that values have increase significantly throughout the State including Cassia County. The legislature has increased the home owner's exemption from \$50,000 to \$75,000 which causes a "tax shift" from homeowners to landowners. They are in the process of preparing the notices to reflect the changes imposed by the legislature. Those who purchased land in the past year, that are in prime locations, have a 1 year period that they can still receive a tax break. Industrial Properties, with ongoing construction, are still taxed as operating property until they become income producing. He also reported on the impact that the proposed windfarm will have on the tax rolls for the State as well as the County. He also reported on the deferral of taxes that is potentially available

Sheriff's Department: Sheriff Jim Higen reported on the current flood threat in the County. He reported that their office is functioning very well and all is under control. He indicated that there will be some flooding in the Snake River, but the location is unknown at this time.

Treasurer: Gayle Erekson has spoken with the State Tax Commission regarding the mineral rights on county owned property. The Tax Commission's main concern is the geothermal rights in the county. The tax notices are being prepared to be sent out soon.

Janitorial/Maintenance: Sharon Higgins reported on the water damage to the County facilities as a result of the severe rain storms we have recently experienced.

Extension Office: Richard Garrard reported that all is going very well in their office. The 4-H program is going well, with many steers and hogs in for weighing. There are so many that all may not be able to be sold because of limits on the numbers that can be sold at the 4-H auction. He also reported on the challenges that the farmers have faced with difficult weather conditions. He is working with Gordon Edwards to assist in the control of "puncture vine" throughout the County. He feels that grass being planted will be the best control measure in destroying the noxious weeds.

Weed Department: Gordon Edwards reported that the weed department is running “fast and furious” throughout the area. Power County and Owyhee County are working with Gordon to facilitate the control of noxious weeds that impact all of the counties. It is becoming a very high level problem. Soil sterility can be helpful in controlling some of the noxious weeds.

County Administrator: Kerry McMurray stated that the building department is very busy at this time. The P&Z Commission approved a swine CAFO, and a gravel pit conditional use permit last week and more hearings are pending.

Clerk: Larry Mickelsen reported that with the IICM in Boise this week, that the Courts will be short staffed this week, but all functions will be ongoing as normal.

County Attorney: Al Barrus reported that they are taking applications for an open position, but things are going fine at this time.

TAX MATTERS

Lloyd Cox reported that he is paying \$883.00 annually in property taxes on property that generates about \$350.00 in rent. He feels that people cannot pay their bills because the economy is not growing and people do not want to invest in a business in this area.

EXECUTIVE SESSION

At 10:49am 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, it was proposed and seconded that the Board return to regular session at 11:10am. Voting was unanimous by the Board.

Following Executive Session, Case #206037 was presented to the Board. The Board signed a Release of Medically Indigent Lien for Cases #202156 and 204073.

COUNTY EXPENDITURE

The Board reviewed the County’s Payables Approval Report dated April 20, 2006. A motion was made and seconded to approve the report. Voting was unanimous by the Board.

CURRENT EXPENSES	104	\$7,722.64
DISTRICT COURT FUND	106	\$2,654.86
COUNTY ROADS AND BRIDGE FUND	107	\$5,000.00
911 COMMUNICATIONS FUND	115	\$286.00
COUNTY SNOWMOBILE FUND	118	\$736.09
JUSTICE FUND	130	\$38,469.79
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$8,734.67
PHYSICAL FACILITIES FUND	144	\$1,994.41
ADULT MISDEMEANOR PROBATION	149	\$194.00
	TOTAL	\$65,792.46

BUREAU OF LAND MANAGEMENT

Ken Miller reported on a newspaper article regarding fire dispatch and notification. He said the BLM is doing their best to help mitigate the potential for flooding in the county. Commissioner Christensen explained the flood potential and necessary measures to be taken, as determined by the Oakley Flood Control District. Mr. Miller reported that there is another week for the protest period regarding the Cottrell Wind Energy project. He said the information regarding the project is readily available for anyone who wants to protest. He reported on the fire fighters that are and will be hired to assist in fire control, but the fire season is not determined at this time. Reported that there has not been a new State Director of the BLM appointed yet, and when one is appointed, he will come to meet with the Commissioners.

U.S. FOREST SERVICE

Scott Nannenga reported that it will be later than the 4th of July before the campgrounds at Lake Cleveland will be open to the public. He also reported on a letter from the group that wants to change the names of some mountains in the area because they believe the names are disrespectful of women. Her position was not supported or approved by the U.S. Forest Service. He discussed the allotments for grazing and the dates they will be available. He reported that the significant water amounts have had impact on the Black Pine Mine and the solution they have developed to keep the water from contaminating other waters. They may have to develop a water treatment facility to treat the water for contaminants. Scott will meet with the Commissioners and Mr. McMurray on June 1, 2006, to inspect the Rock Creek facilities after the Memorial Day Holiday campers have utilized the facilities. There is an ongoing project to trap and enable the tracking of the sage grouse. He discussed the water rights of the SRBA and the delays that could result from litigation concerning water rights pertaining to Howell Canyon and Pomerelle expansion.

FLOOD MEASURES

The Board conducted an extensive discussion regarding the potential for flooding within the County and the potential necessity to declare a flood emergency. The decision will be made whether or not to declare an emergency at the meeting with the Oakley Canal Company.

OAKLEY DIVERSION CANAL

At 1:30pm the Board departed for Oakley for a 2:00pm meeting with the Oakley Flood Control District and some landowners, in the Oakley Canal Company Office to discuss potential flood control issues. The discussion was led by Mike Cranney and it included, easements, a diversion canal, funding, the preliminary calculations to use existing canal for percolation by Arnie Wetzstein of NRCS, and "rights of way" in the event that any emergency flood prevention measures must be taken. He also stated that they are better prepared to handle water emergencies than ever before. The affected landowners, the City of Oakley, the Oakley Canal Company and other entities that will be involved in any water projects, will be involved in preparing a Memorandum of Understanding (MOU) outlining all responsibilities, etc. Commissioner Christensen questioned the Oakley Canal Company water release schedule and requested to see a copy of their plan for flood control. He also discussed the ninety two (92) year trends for the snow melt and water run-off for the area. At 2:54pm, Commissioner Handy moved to declare a flood emergency for Cassia County. The motion was seconded by Commissioner Christensen and the voting to declare the flood emergency was unanimous by the Board. The meeting ended at 3:00pm.

RECESS

Meeting was recessed until 9:00 a.m., Monday, May 1, 2006.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Renee Wells, SIP; Denise Olson; Lloyd Cox;

ATTEST:

/s/Larry A. Mickelsen

Larry A. Mickelsen, Clerk

APPROVED:

/s/Dennis D. Crane

Dennis Crane, Chairman