

## COMMISSIONER MINUTES

#547

January 23, 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.

### ROAD & BRIDGE INTERVIEW

Carl Boden met with the Board to be interviewed to serve as a member of the County Road and Bridge Board.

### EXECUTIVE SESSION

At 9:12am 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 personnel matters. Following the discussion, it was proposed and seconded that the Board return to regular session at 9:24am. Voting was unanimous by the Board.

Following Executive Session, the Board will conduct further investigation and discussion with the parties involved and the Board instructed the Clerk to place a temporary hold on the payments of claim numbers 1783-64 and 1783-67.

### OUTSIDE AUDITOR REPORT

Jeff Poulson and Ed Evans met with the Board to discuss the results of the Outside audit of County Financial dealings performed by Evans and Poulson, PA. The result of the audit resulted in a "clean" audit with no negative findings. One recommendation was to ensure that all claims for payment of credit cards is accompanied with all original receipts.

### COUNTY INSURANCE

Tim Preston and Kelly Bowen reported on the expenditures year to date for the county health and vision claims. Tim and Kelly are both comfortable with the claim procedures of MBA.

### PREVIOUS WEEK'S MINUTES

The minutes for January 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 January 2006.

### CORRESPONDENCE

The Board reviewed the following:

1. An email Re: IRS Audit concerning County owned vehicles being driven to the employee's home each night.

### DEPARTMENT HEAD MEETING

**Detention Center:** Dennis Dexter reported there are currently 146 incarcerated, with 32 from Minidoka County, 50 from Cassia County, 53 from the State of Idaho, 6 from the Federal Government and 3 from other jurisdictions. Larry Osterhout was able to get 4 cell blocks painted while the population was down. They have openings for 1 Custodial Officer and 1 Jail Tech. Revenue receipts are still very favorable.

**Sheriff's Department:** Captain Cary Bristol reported they are testing for a Dispatch position.

Things are going normal in all of their areas of responsibility.

**Treasurer:** Gayle Erekson reported that the collections for December were good. Some citizens make notes that the taxes paid are not fair, but they pay them anyway. The Treasurer is receiving more checks in the mail rather than the citizens coming into the office. The mortgage companies will pay their taxes through email rather than check.

**Janitorial/Maintenance:** Sharon Higgins reported that she is still looking for a part time custodian for the annex. The parking lot in front of the law enforcement needs to be re-stripped because cars park where they are not supposed to. The Fire Department inspection for the Court Houses will be conducted on Thursday the 26<sup>th</sup>.

**Fair Board:** Corey Parish reported that they are preparing for the spring activities. He explained why some costs were higher than the previous year, mainly due to advertising for activities. Personnel expenses were also higher than the previous year. He also referred to an auto accident that damaged the fairgrounds fence, which will now be replaced with a larger gateway. The County Administrator advised that the auto insurance which All State is sending as payment for the damage totals \$575.00. When that money arrives, it will be sent to the Fairboard for deposit in their account for payment on repairs that will be done. Upon request of the County Administrator and approval by the County Clerk, this manner of handling the insurance proceeds was approved by the Board of Commissioners.

**Extension Office:** Richard Garrard reported that things are going normal and just fine within his office. They have had good results from the pesticide training. The Department of Agriculture will be in their office this week to review records on the spraying done in the County last year.

**Weed Department:** Gordon Edwards reported that there are some problems are being resolved and they are preparing requests for grants. They meet next week to be informed of the grant money available through the State Legislature. He also reported that the Organic Dairies cause a lot of problems with noxious weeds because the weeds cannot be sprayed and the weeds flourish in the feed crops that are grown.

**County Administrator:** Kerry McMurray handed out USERRA rights posters. We are to remove the old posters and replace them with the new ones. Planning and Zoning met last week and developed new CAFO regulations. CAFO applications are coming into the County and one is for an Organic Dairy.

**Clerk:** Larry Mickelsen reported that the IRS is auditing the use of County-owned vehicles that employees take home each night. The IRS considers this to be a taxable benefit and the County will determine what the fringe benefit calculation should be. We are pleased with the report of the annual Audit from Evans and Poulson, which resulted in a “clean” audit.

**County Attorney:** Al Barrus reported that they are really busy and that felony filings are way up. Some of the increase is related to child protection holds and for domestic violence.

### **EIS VEGETATION TREATMENT ON BLM LANDS**

The Board reviewed the letter to the BLM, RE: Programmatic EIS (Draft) for Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States. It was moved and seconded to sign and execute the letter and voting was unanimous by the Board.

### **EXECUTIVE SESSION**

At 10:38am 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, the Board Signed Notice of Lien and Application for Medically Indigent Benefits for Cases #206006, 206009, 206010, 206011, 206012, and 206013. Signed Certificates of Denial for Case #205143 and 205144. Presented Cases #206004, 206009, 206010, and 205147.

### **SOIL & WATER CONSERVATION DISTRICT**

Ken Woodworth, Richard Kunau and Jack Peterson met with the Board to give their annual report and to discuss the activities of the East and West Cassia Soil and Water Conservation Districts. They also reported on the accomplishments of the Conservation Districts during the past year related to community contributions. They are currently working with animal and waste conservations projects. They had over 100 volunteers working on clean up of an existing windbreak project near the Cottrell State Police weigh station. They conduct education workshops on water, grazing, stock control and other related issues. Their funding is from various organizations throughout the State and from grants, with a total funding of \$2,238,000. They reported on projects along the Snake River to clean and reinforce the banks of the river. They are providing education on nitrate and phosphate problems and usage. They also educate landowners on crop rotation techniques and do encourage the beneficial use of windbreaks.

### **BLM/USFS**

Ken Miller reported the BLM is losing a fish biologist and the position will be rehired in Twin Falls rather than in Burley. Still no news on the new State Director, the position is still open. Fire Temp positions are still open and there have been a significant number of applications, and the positions close on March 31, 2006. The Cottrell Mountain Wind Energy Project Final Environmental Impact Statement was presented for review to the County Commissioners and cooperative agencies. Through future discussions the citizens will better understand the process and adaptive management procedures. A Technical Steering Committee of involved interests will discuss and educate everyone concerned. Any additional comments must be submitted by February 17, 2006. Critical comments should be provided to the BLM by January 31, 2006. The targeted release date of the entire project will be about the end of March 2006.

Scott Nannenga reported that snow pack is 150% of normal. They have requested to the State of Idaho that the USFS be allowed to release water at Black Pine through the gates, that has a high metal and mineral content, at the rate of 30 gallons per minute rather than have the water go over the spillway. There have been some applications to mine Oakley stone. There have been about 125 permittees request grazing permits.

### **BOARD OF EQUALIZATION**

At 11:45am 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 approve Deletion of the Home Owners exemptions on the following parcels: **(See Attached List of Deleted Homeowners for 2006)** Voting was unanimous by the Board. Notices will be sent to the property owners

At 11:54am it was proposed and seconded to return to regular session. Voting was unanimous by the Board.

### **COUNTY EXPENDITURE**

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

CURRENT EXPENSES	104	\$10,109.33
INDIGENT FUND	105	\$129.95
DISTRICT COURT FUND	106	\$6,896.51
COUNTY ROADS AND BRIDGE FUND	107	\$2,170.14
WEED & PEST FUND	108	\$249.98
COMMUNITY COLLEGE TUITION FUND	113	\$500.00
911 COMMUNICATIONS FUND	115	\$364.29
COUNTY SNOWMOBILE FUND	118	\$4,676.07
JUSTICE FUND	130	\$164,158.69
MINI-CASSIA DRUG ENFORCEMENT TASK FORCE	136	\$10,148.87
PHYSICAL FACILITIES FUND	144	\$1,854.38
WIDOW'S BENEFIT FUND	198	\$1,003.74
	<b>TOTAL</b>	<b>\$202,261.95</b>

**EXECUTIVE SESSION**

At 1:30pm 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 personnel matters. Following the discussion, it was proposed and seconded that the Board return to regular session at 2:18pm. Voting was unanimous by the Board.

Following Executive Session, the Board removed the temporary hold on claim numbers 1783-64 and 1783-67. It was moved and seconded to approve the purchase of the pickup from Goode Motor and voting was unanimous by the Board.

**COUNTY ROAD & BRIDGE BOARD**

The Board reviewed the applicants for the County Road & Bridge Board opening. It was moved and seconded to appoint Doug Ward of Almo to the Road & Bridge Board and voting was unanimous by the Board. Letters will be sent to Mr. Ward and others who have applied.

**EXECUTIVE SESSION**

At 2:51pm 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)(f) 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 pending litigation. Following the discussion, it was proposed and seconded that the Board return to regular session at 2:57pm. Voting was unanimous by the Board.

Following Executive Session, the Board authorized the County Administrator to contact our defense attorney and ask that they not mediate the matters.

**EXECUTIVE SESSION**

At 2:58pm 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, it was proposed and seconded that the Board return to regular session at 3:15pm. Voting was unanimous by the Board.

Following Executive Session, the Board discussed the employee issues with the Department Head.

**RECESS**

Meeting was recessed until 9:00 a.m., Monday, January 30, 2006.

**OTHERS IN ATTENDANCE AT TODAY'S MEETING**

Renee Wells, SIP; Linda Woodworth; Chuck Larson;

**ATTEST:**

/s/Larry A. Mickelsen

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Larry A. Mickelsen, Clerk

**APPROVED:**

/s/Dennis D. Crane

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Dennis Crane, Chairman