

COMMISSIONER MINUTES

#553

August 28, 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 August 21, 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.

CHANGE OF STATUS

The Board reviewed five (5) Change of Status forms, three (3) from the MCCJC, one (1) from the Assessor's Office and one (1) from the County Administration Department. It was moved and seconded to approve the changes of status and voting was unanimous by the Board.

CALENDAR

The Board reviewed the calendar for August & September 2006.

CORRESPONDENCE

The Board reviewed the following:

1. A letter from Delta Dental that acknowledged Kelly Bowen being appointed as the Cassia County Producer of Record, effective October 1, 2006.
2. A letter from the Snake River Alliance inviting the Board to attend a public hearing at the College of Southern Idaho Taylor Building on August 30, 2006.
3. A news release from the Department of Environmental Quality seeking comment on draft water quality improvement plans in Walcott Sub basin.
4. A letter to Dr. Brek Pilling clarifying the cases that he should bill the county for. It was moved and seconded to sign and execute the letter and voting was unanimous by the Board.

JUNKYARD MATTERS

Dee Yeaman presented some pictures of the Cole junkyard along the Declo by-pass road. He stated that he has received numerous telephone calls from some citizens of the County regarding various junkyards in the County. He explains the process required to register a formal complaint and most do not want to sign a complaint. The Board discussed the formal complaint process, where pictures and written statements are required, but without a complaint by a citizen in the area, there is not anything the County can do.

COLE JUNKYARD REVIEW

Bill and Darlene Cole appeared before the Board to discuss the junkyard located on their property on the Declo by-pass road. They explained the progress they have made in cleaning up the site. They explained that they have contacted an individual in Montana that has the "crushing" device to compact the metal junk and prepare it for disposal. They have not been able to confirm the exact arrival date on the crushing device, but were informed that it would arrive around the end of August or early in September. The discussion involved the definition of which vehicles are "junk" and which are not. Mr. Barrus and other Board members explained that licensed or operational vehicles are not junk. The Coles explained that some of the junk in their junkyard is the property of their son and his family. Commissioner Christensen read the letter that was sent to the Coles, which explained the requirements that they had to meet. They stated that they would have difficulty

meeting the date of September 15, 2006 to have the clean-up completed, but would do their best. Mr. & Mrs. Cole stated they would like to have some mobile homes remaining on their property wherein their children or other family members could reside. Commissioner Christensen reminded them that they needed to submit an application to do so and the Building Department would have to complete an inspection to ensure that all was in accordance with the County Building Codes. The Board also extended the date for completion of the crushing operation until the 25th of September, 2006. They will come back to give an updated report of progress at 11:00am on the 25th of September.

DEPARTMENT HEAD MEETING

Assessor: Linda Mabry reported that things are going well and Marty Holland will return to the office on Thursday.

Detention Center: Dennis Dexter reported that the population today is 138, with 46 from the State, 55 from Cassia County, 26 from Minidoka County and 9 from other County jurisdictions. There are 105 males and 33 females. 75 have been sentenced and 63 have not been sentenced. There are currently 4 staff vacancies, with 1 individual in the hiring process.

Sheriff's Department: Sheriff Jim Higen reported that he has three (3) deputies on light duty because of medical conditions. The light duty officers fulfill responsibilities within the Sheriff's office and do not function as patrol officers while on light duty. Rhonda Dudley has requested to be assigned back to the Detention Center and not function as the Transport Officer. Sheldon Wilkinson has requested that he assume Transport Officer Responsibilities. Sheriff Higen will be gone for a week to Washington D.C. for personal reasons. He reported that the West Nile Virus has not caused the panic that was anticipated, within the Sheriff's areas of responsibility. Local Doctors are the ones that see the most impact because of citizens being concerned, with flu symptoms that could be West Nile Virus. He stated that the Virus is here to stay and we must make mosquito abatement a concern during the following years.

Janitorial/Maintenance: Sharon Higgins reported that everything is going ok. She is concerned that the lawn tractor will probably need replaced very soon. She will look around to see what is available for purchase and get pricing for the Board's consideration.

Clerk: Larry Mickelsen discussed items that should be retained on the inventory unless the items are actually gone. He also requested that the Department Heads encourage their employees to enroll in the direct deposit program.

GUARDIAN AD LITEM MATTERS

The Board reviewed the Guardian Ad Litem report from Steve Tuft. Mr. McMurray reported that Judge Duff expressed concern regarding the Cassia County Child Protection Cases and the attorneys appointed to represent the Guardian Ad Litem cases.

2007 CASSIA COUNTY HOLIDAY SCHEDULE

The Board reviewed the 2007 Holiday schedule. It was moved and seconded to follow the State schedule for the 2007 holidays, which does not include the "trade day," and voting was unanimous by the Board.

COUNTY PROSECUTING ATTORNEY EXCUSED

At 10:15am, County Attorney Al Barrus was excused from the meeting to attend court trial procedures in the District Court. He returned to the meeting at 11:35am.

EXECUTIVE SESSION

At 10:37am 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 10:50am. Voting was unanimous by the Board.

Following Executive Session, the Board Signed Notice of Lien and Application for Medically Indigent Benefits for Cases #206088, 206089, and 206090. Signed Order of Dismissal for Case #206047. Denied Case #206075.

CASSIA COUNTY RESOLUTION 2006-08-7

The Board reviewed Resolution 2006-08-7 for destruction of election related items. It was moved and seconded to sign and execute the resolution and voting was unanimous by the Board.

COUNTY EXPENDITURE

The Board reviewed the County's Payables Approval Report dated August 25, 2006. A motion was made and seconded to approve the report. Voting was unanimous by the Board.

CURRENT EXPENSES	104	\$30,155.77
DISTRICT COURT FUND	106	\$3,846.41
COUNTY ROADS & BRIDGES FUND	107	\$7,322.67
JR COLLEGE TUITION FUND	113	\$700.00
REVALUATION FUND	114	\$379.87
911 COMMUNICATIONS FUND	115	\$285.81
JUSTICE FUND	130	\$16,008.68
BOX ELDER CO. BOOKMOBILE TRUST	151	\$2,270.00
		<u>\$60,969.21</u>

EXECUTIVE SESSION

At 11:12am 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)(a) 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 11:35am. Voting was unanimous by the Board.

Following Executive Session, the Board took the matter under advisement.

U.S. FOREST SERVICE

Scott Nannenga reported that there is a new Acting Forest Supervisor, Doug Gochner. He will be with the local office until at least November, and he is a local citizen from the Burley area. The fire season is almost over and there will not be any campfire restriction in the near future. The Forest Service has about a dozen permittees that are past due in payment of their fees, but they will not have their permits revoked if they will pay their fees. They will receive notice that if they do not pay on time next year, their permit will be cancelled. Camping fees will not be charged after Labor Day. He also discussed the ATV trails that are utilized and the legal requirements of those who use them.

BUREAU OF LAND MANAGEMENT

Ken Miller reported that the BLM is in the process of hiring some new people. They are hiring 2 wildlife biologists that will be in the Burley office. They need to hire an administrative person for the Burley office. There is still no State Director for the BLM. The Burley office has had about 10,000 acres of fire this season. The fire season is about over now, but they will still continue to monitor. He reported that there have been a lot of accidents related to fires this year. No fatalities, but some costly accidents. They have lost about 40% of their fire fighting force due to students returning to school. The Cottrell Mountain Electrical Generation agreement has been signed, with 98 electrical generation wind towers being approved for construction. The notice of availability will come out in the Federal Record this week. Windland Inc. has been granted the right-of-way, but may not begin construction until 2007 or 2008; however there will not be any construction in 2006. He reported that the new grazing rights are now available. There will be some public concerns expressed and Judge Winmill may become involved. The BLM is involved with the Raft River Fire Department in obtaining land for a new building.

TRAIL IDENTIFICATION

Kerry McMurray discussed the road and trail issues with Ken Miller and Gordon Edwards. Ken discussed the money involved with the Trail Identification that needed to be spent. He reported that money for GIS issues may be requested. Kerry remarked that the County Weed Control Supervisor, Gordon Edwards could help with the GIS issues as he is out involved with the weed control. Gordon stated that the weed control personnel could obtain the information regarding the roads and trails and give the BLM the information as it is obtained. Ken will discuss the issues with Kerry tomorrow and they will formulate a plan to identify the trails. Gordon stated that he would like to see a full-time weed control agent on the staff of the BLM. This could be a mutually beneficial circumstance for the County and the BLM. Ken agreed to look into having a full-time Weed Control Specialist.

VACATION CARRYOVER

Upon presentation by Mr. McMurray, it was moved and seconded to approve Sara Haynes to carry 15 ½ hours of vacation time over, and use this time by October 31, 2006. Sara is training a new employee and taking the vacation time at this time would cause a hardship in the office.

RECESS

Meeting was recessed until 9:00 a.m., Tuesday, September 5, 2006.

OTHERS IN ATTENDANCE AT TODAY'S MEETING

Renee Wells, SIP

ATTEST:

/s/Larry A. Mickelsen

Larry A. Mickelsen, Clerk

APPROVED:

/s/Dennis Crane

Dennis Crane, Chairman