



# Cassia County Board of Commissioners REGULAR MEETING MINUTES

Monday, December 5, 2022

Cassia County Courthouse ▪ Commission Chambers  
1459 Overland Ave ▪ Room 206 ▪ Burley ID 83318

9:00 AM

The Cassia County Board of Commissioners met today at the place and time as posted by agenda pursuant to Idaho Code § 74-204 for Open Meetings Law.

## **ACTION AGENDA ITEMS**

- 1) 9:02 AM Call to order
- 2) Pledge of Allegiance and prayer
- 3) 9:05 AM Roll call

### **Roll Call.**

**Present:** Leonard M. Beck - Chair, Bob Kunau - Member, Kerry McMurray - Assistant to Board (Not voting), Cally Velasquez - Deputy Clerk (Not voting).

- 4) 9:05 AM Calendar, meetings, committee reports, and correspondence were reviewed.
  - a) South Central District Health Board meeting via phone at 3 PM - Kunau
  - b) Correspondence received from North Canyon Medical was reviewed and referred to Mr. McMurray for to follow up with the jail.

9:07 AM Commissioner Searle entered the meeting.

- 5) 9:08 AM Approve payables for 12/5/2022

9:09 AM **Motion and Action:** Approve payables as presented on 12/5/2022, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.

Motion passed unanimously.

- 6) 9:11 AM Approve minutes from 11/21/2022 and 11/28/2022

9:11 AM **Motion and Action:** Approve minutes from 11/21/2022 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

9:12 AM **Motion and Action:** Approve minutes from 11/28/2022 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

CASSIA COUNTY COMMISSION  
REGULAR SESSION  
Monday, December 5, 2022

**Instrument # 2022005139**

BURLEY, CASSIA, IDAHO

12-12-2022 10:43:49 AM No. of Pages: 10

Recorded for : CASSIA COUNTY COMMISSIONERS

JOSEPH LARSEN Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COMMISSIONERS MINUTES

EV

7) 9:13 AM Approval of Clerk's Office recommendations regarding junior college Certificates of Residency

9:14 AM **Motion and Action:** Approve Clerk's Office recommendations to approve 18 and deny two junior college Certificates of Residency as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.

Motion passed unanimously.

8) 1:28 PM Personnel Matters - Change of Status Requests

a) Road & Bridge - Dee Yeaman - Supervisor - Retirement

1:28 PM **Motion and Action:** Approve Change of Status as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.

Motion passed unanimously.

9) Executive Sessions - None at this time

10) 9:16 AM Review and approve document and information from erstadt regarding proposed new building and set aside funds for project

- a) Mr. McMurray reported that erstadt had responded to the Board's request for modifications in their standard contract. They continue to maintain that they will hold ownership of the plans instead of the County.
- b) They are willing to allow a nonexclusive license for Cassia County to use those instruments for purposes of constructing, maintaining, altering and adding to the project so long as the County performs their obligations under the agreement which would be to provide them with other consultants that are needed and pay for such.
- c) They are also unwilling to give an estimate on the cost of the building and they will not perform any of the engineering for the plans they create. It will be the responsibility of the County to hire an engineer. Their cost of \$35,000.00 will not include any engineering, just the architectural plans.
- d) Commissioner Searle suggested the possibility of exploring what another company might offer. He received communication from one of the other companies inquiring as to the status of their decision. Mr. McMurray advised that during this negotiation phase with erstadt, the Board must first conclude whether or not they can pursue a working relationship before seeking input from another company.
- e) 10:13 AM The Board asked Mr. McMurray to reach out the erstadt and ask their representative to appear before the Board for questions and discussion.

10:19 AM **Motion and Action:** Approve setting aside up to \$7,000,000 for the possible construction of a new county building, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously

11) 10:25 AM Consider and act on proposal for MCCJC staffing matters - Searle

- a) After discussion with members of the Joint Jail Committee it was recommended to be presented before both County's Boards for approval three items in the ongoing struggle to keep the jail adequately staffed. Those items being proposed were:
  - i) The addition of two graveyard jail tech positions,
  - ii) To approve premium double time pay for all of the on-call jail deputies as they are called in.
- b) Lieutenant Renz had estimated the additional costs to be about \$7,200.00. It was also clarified that the premium pay measures were only to be effective until March 1, 2023, to alleviate shortages while current jail deputies attend training academies.
- c) Commissioner Kunau was not in favor of the premium pay idea. He expressed concern that it could lead to a large disparity in pay among the officers depending on who works the on-call shifts. Captain Thompson advocated for it as it has proven to work in the past several months since it was originally approved and instituted.
- d) Commissioner Searle reiterated that the premium pay stopgap measures that were approved and instituted in late March of this year have proven an effective help in the matter.
- e) Captain Thompson and Sheriff Warrell discussed the avenues for hiring that they are participating in. It was discussed that there will be a cooperative effort between the Sheriff's Office and the Jail to maximize the availability of applicants. In the event that there is an applicant that, during the interview process, shows to be a better fit for a different open position than being currently interviewed for, communication between the two departments can help fill those gaps more effectively.
- f) Commissioner Searle reported that both Commissioner Schenk and McClellan from Minidoka County were in agreement with the proposed efforts.

10:45 AM **Motion and Action:** Approve the addition of two jail tech graveyard positions, approve premium pay for current on-call jail deputies when they are called out and premium pay for all extra shifts covered for the months of January and February with ongoing reevaluation until March 1, 2022, as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

12) 10:47 AM Review and approve Ambulance contract with Cassia Regional Hospital – Searle

- a) The ambulance contract with Cassia Regional Hospital is due for renewal.
- b) The contract was originally renegotiated and became effective January 1, 2022 with the option to renew for one year beginning October 1, 2022, to coincide with the County's fiscal year.
- c) Mr. McMurray advised that a one-page addendum would be the typical avenue in renewing the contract. Searle said he would talk to Prosecutor Larsen in preparing that addendum to present to the hospital for their signature and then to the commissioners for their approval.

10:52 AM **Motion and Action:** Approve the extension of the ambulance contract from October 1, 2022 to September 30, 2023, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

**CASSIA COUNTY COMMISSION**  
**REGULAR SESSION**  
**Monday, December 5, 2022**

### **SCHEDULED ACTION AGENDA ITEMS**

13) 9:24 AM Review and discuss City of Burley Annexations - Clerk's Office

- a) Three notices of annexation that were approved by the State Tax Commission were reviewed with the Board, as requested by Chair Beck.
- b) David Waldron for the City of Burley appeared to answer any questions the Board might have had.
- c) One annexation was to help in the planned commercial development of said property. The city owns the parcels on the north, east, and northwest boundaries of this parcel.

14) 9:34 AM Review Annual Snowmobile Report - Clerk's Office

- a) Deputy Auditor Michelle Wallace briefly reviewed the report.
- b) The report requires the clerk's signature once approved.

9:38 AM **Motion and Action:** Accept the Annual Snowmobile Report as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member  
Motion passed unanimously.

15) 9:39 AM Review and Approve Annual Vessel Report - Clerk's Office

- a) Deputy Auditor Wallace reviewed the report with the Board.
- b) The carryover dollar amount was \$32,860.18.

9:51 AM **Motion and Action:** Approve signing the Annual Vessel Report as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

16) 9:52 AM Review and Approve Chair signature on the FY2022 Local Assistance and Tribal Consistency Fund (LATCF) Agreement

9:52 AM **Motion and Action:** Approve signing the FY2022 LATCF Agreement as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

17) 9:53 AM Board of Equalization for Subsequent Roll - Assessor

9:53 AM **Motion and Action:** Enter into Board of Equalization, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member  
Motion passed unanimously.

- a) Chief Deputy Assessor Mart Adams reviewed the subsequent roll for the Board. He discussed what the subsequent roll entails.
- b) After exemptions, the net increase in taxable value was \$7,590,364.00. The list contained approximately 70 new occupancies.
- c) Treasurer Greener explained her role in the process as far as the timing of billing taxes on these entries.

**CASSIA COUNTY COMMISSION**  
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10:11 AM **Motion and Action:** Exit Board of Equalization, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member  
Motion passed unanimously.

10:11 AM **Motion and Action:** Approve signing the County Abstract, the Market Value Recap by Taxing District and Market Value Recap by Taxing District A2 reports as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member  
Motion passed unanimously.

10:13 AM **Motion and Action:** Rescind previous motion as the Chairman's signature is not required on those documents, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member  
Motion passed unanimously.

10:53 AM Recess until 1:30 PM  
1:27 PM Reconvene

18) 1:29 PM Sage Cove Subdivision Appeal Hearing

1:29 PM **Motion and Action:** Enter into Sage Cove Subdivision Appeal Hearing, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

- a) In the matter of the appeal hearing, the parties involved were the appellant, Rural and Agricultural Association Inc., a nonprofit organization, and the respondent, Silver Canyon Construction LLC.
- b) Chair Beck requested that Prosecutor Larsen conduct a Conflict Poll of the Board. It was determined that Chair Beck and Commissioner Searle both had conflicts. Commissioner Kunau had no conflict of interest in the matter. Commissioner Kunau declared procedure for and conducted the hearing.
- c) 1:32 PM Ted Larsen, legal counsel for appellant, introduced himself and listed the individual members of the corporation he was representing. The primary focus of this appeal was on ground water related matters. Concern was expressed that there would be sufficient water to support seven additional wells necessary for the new subdivision, as it was stated that there are already two domestic wells drawing on the aquifer in question. It was asserted that the original ground water analysis report was conducted on the wrong aquifer. It was discussed that the conditional use permit had little to no discussion about the findings required to satisfy the conditions for approval of the preliminary plat application. Larsen requested the approval of the subdivision be rescinded.

- d) 1:51 PM Rhett Miller, legal counsel for Silver Canyon Construction, LLC., represented the respondent for the matter. Miller argued that Silver Canyon had complied with all of the restrictions in place and burdens imposed by the county code. Silver Canyon's right to use its property is just as valid as that of its neighbors. Miller stated that the record provided sufficient evidence that the aquifer proposed for water supply was sufficient to service the proposed subdivision of seven lots. Miller further stated that there was a second report that was provided that analyzed the aquifer identified as the appropriate aquifer for the property in question, with said report also concluding that there was sufficient water.
- e) 2:09 PM Commissioner Kunau stated that he will take a week or two to make a decision on the matter and pronounced the hearing in recess.

19) 2:14 PM Adjourn

2:14 PM **Motion and Action:** Adjourn, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.



APPROVED:



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Leonard M. Beck, Chair

DEPUTY CLERK OF THE BOARD:



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Cally Velasquez

# SUMMARY CLAIMS APPROVAL REPORT INCLUDING BUDGET BALANCES

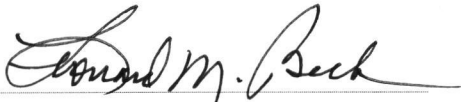
**BOTH UNPAID CLAIMS & DEMANDS GENERAL GOVERNMENT FUNDS**
**18% OF FISCAL YEAR ELAPSED**
**\* UNAPPROVED DEMANDS APPEAR IN ACTUALS AND ALSO AS AN INVOICE .**


Fund	Budget	Actual	Demand/Claims Amt	Budget Remaining	% Budget Remaining
0001 GENERAL FUND (CURRENT EXPENSE)	5,237,898.00	989,542.60	71,590.79	4,248,355.40	81%
0002 ROAD & BRIDGE	579,720.00	80,297.62	17,862.18	499,422.38	86%
0003 EMERGENCY MEDICAL SERVICES	20,000.00	0.00	1,500.00	20,000.00	100%
0006 DISTRICT COURT	374,120.00	71,357.70	4,327.50	302,762.30	81%
0008 JUSTICE FUND	12,291,405.00	1,684,552.53	208,550.89	10,606,852.47	86%
0012 M-C MISDEMEANOR PROBATION	1,098,450.00	166,243.76	15,714.79	932,206.24	85%
0013 911 COMMUNICATIONS	871,000.00	5,436.58	4,332.77	865,563.42	99%
0018 CASSIA COUNTY FAIR	270,708.00	12,844.09	1,392.00	257,863.91	95%
0020 REVALUATION	452,825.00	70,011.77	7,259.00	382,813.23	85%
0027 NOXIOUS WEED & PEST	426,030.00	51,923.89	4,320.89	374,106.11	88%
0028 SNOWMOBILE	86,450.00	6,866.86	333.53	79,583.14	92%
0029 PHYSICAL FACILITIES	274,300.00	479,469.90	7,505.44	-205,169.90	-75% *
0048 EMPLOYEE BENEFITS FUND	3,621,490.00	438,903.79	85,171.09	3,182,586.21	88%
		<b>Total Amount Paid</b>	<b>429,860.87</b>		


STATE OF IDAHO  
CASSIA COUNTY

WE, THE CASSIA COUNTY COMMISSIONERS, BEING DULY SWORN DO HEREBY CERTIFY AND DECLARE THAT  
WE HAVE REVIEWED THE DEMANDS ENUMERATED AND REFERRED TO IN THE FOREGOING REGISTER, AND THAT THE SAME ARE  
TO THE BEST OF OUR KNOWLEDGE ACCURATE AND ARE JUST CLAIMS AGAINST THE COUNTY, AND THAT THERE ARE FUNDS  
AVAILABLE FOR PAYMENT THEREOF IN THE COUNTY TREASURY.

APPROVED FOR DISTRIBUTION AS OF 12-5-2022

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

\* **WARNING:** This fund is over budget



# Cassia County Commissioner Meeting

## Attendance Log

Date: 1-2-05-2020

NAME (Please Print)	TOWN	REPRESENTING
1. DAVID WAGNON	Burley	
2. J. Thompson		CCSC
3. JOE LARSEN	Burley	CLERK
4. Sharene Ahlin		CLERK's office
5. George Warrell	Oakley	Sheriff
6. Michelle Wallace	Rupert	CLERK's OFFICE
7. Bob Quasi	Bois	Zoning & Building
8. Wlad Adams	Burley	ASSESSOR'S
9. Laura Gheuer	Burley	Treasurer
10. Rhett Miller	Burley	Silver Canyon Const.
11. VON GIBBY	Burley	Rural & Agri Association
12. Debra Gibby	Burley	Rural & Ag Association
13. Ted Larson	Jerome	Appellants
14. Craig Searle		
15. Kurt Geary	Burley	
16. Nikki Geary	Burley	
17. Tyrel Brower	Burley	Silver Canyon
18. Season Brunk	Burley	Silver Canyon
19. Paul Aston	ACEQUIA	SILVER CANYON
20. Brent Stoker	Burley	Appellants
21. Mike Searle	Burley	Appellant
22. Debra Searle	Burley	Appellant
23. Chelsea Gibby	Burley	Appellant
24. Tim M	Burley	Appellant

# Cassia County Commissioner Meeting

## Attendance Log

Date: \_\_\_\_\_

NAME (Please Print)	TOWN	REPRESENTING
1. Scott Searle	Burley	appellant
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