



Cassia County Board of Commissioners

REGULAR MEETING MINUTES

Monday, January 30, 2023

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) 9:06 AM Call to order
- 2) Pledge of Allegiance and prayer
- 3) 9:07 AM Roll call

Roll Call.

Present: Leonard M. Beck - Chair, Kent R. Searle - Member, Bob Kunau - Member, Kerry McMurray - Assistant to Board (Not voting), McCord Larsen - County Attorney (Not voting), Cally Velasquez - Deputy Clerk (Not voting).

- 4) 9:08 AM Calendar, meetings, committee reports, and correspondence were reviewed.
 - a) 1/30/2023 - 2/2/2023 IAC Midwinter Legislative Conference
- 5) 9:12 AM Approve payables for 1/30/2023

9:14 AM **Motion and Action:** Approve payables as presented on 1/30/2023, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.
Motion passed unanimously.

- 6) 9:16 AM Approve minutes from 1/9, 1/12 and 1/17

9:17 AM **Motion and Action:** Approve minutes from 1/9/2023 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

9:17 AM **Motion and Action:** Approve minutes from 1/12/2023 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

9:18 AM **Motion and Action:** Approve minutes from 1/17/2023 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

CASSIA COUNTY COMMISSION
REGULAR SESSION
Monday, January 30, 2023

Instrument # 2023000275

BURLEY, CASSIA, IDAHO

2-6-2023 09:59:16 AM No. of Pages: 8

Recorded for : CASSIA COUNTY COMMISSIONERS

JOSEPH LARSEN

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COMMISSIONERS MINUTES

EV

7) 9:19 AM Approval of Clerk's Office recommendations regarding junior college Certificates of Residency

9:19 AM **Motion and Action:** Approve Clerk's Office recommendations to approve 12 and deny one junior college Certificates of Residency as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.

Motion passed unanimously.

8) 10:54 AM Personnel Matters - Change of Status Requests

a) Assessor - Julie Salinas - administrative assistant 2 - voluntary resignation

10:55 AM **Motion and Action:** Approve Change of Status Request as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

9) 10:12 AM Executive Session

10:13 AM **Motion and Action:** Enter Executive Session pursuant to Idaho Code § 74-206 (1) (d) to consider records that are exempt from public disclosure, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 3).

Yes: Kent R. Searle - Member, Bob Kunau - Member, Leonard M. Beck - Chair.

10:17 AM Upon exit of Executive Session, the board took the matter under advisement.

10:18 AM **Motion and Action:** Approve recommendations of the Social Services Director regarding indigent matters, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.

Motion passed unanimously.

10:28 AM Executive Session

10:28 AM **Motion and Action:** Enter Executive Session pursuant to Idaho Code § 74-206 (1) (b) to consider personnel issues, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 3).

Yes: Kent R. Searle - Member, Bob Kunau - Member, Leonard M. Beck - Chair.

10:54 AM Upon exit of Executive Session, the board took the matter under advisement.

10) 9:20 AM Discuss proposed building dimensions and needs

- a) Commissioner Kunau said that they were looking in the neighborhood of 9,000 square feet per floor. He said that based on current square footage of the Assessor's Office, Treasurer's Office and Clerk's Offices, those three departments could all be put on the first floor of the new building and it would be somewhat of an enhancement. The needs of the Public Defender's Office for the future is up in the air. He suggested putting the juvenile probation on the first floor of the courthouse since quite a bit of space will be freed up with the relocation of the Treasurer and Clerk's Offices. Then the Extension Office can expand to the full basement of the courthouse. Then Misdemeanor Probation could be put on the second floor of the new building. The Public Defender's Office could possibly be housed in the current Assessor's Office because of the planned relocation of that department.
- b) It was recognized that if Misdemeanor Probation is moved, the contract with Minidoka County sharing half of the current rent will need to be revisited.
- c) Commissioner Searle echoed Kunau's suggestions except for putting Juvenile Probation into the Assessor's Office and moving the Public Defender to the first floor of the Courthouse.
- d) Kunau obtained a quote from a construction company if they decided to modify the basement room of the Mason's lodge to accommodate the Public Defender's Office temporarily. He said they could make seven offices in that space and the cost given was \$10,000.00.

11) 9:44 AM Adopt Resolution No. 2023-004 to destroy certain Extension, 4-H and Weed Department records

9:46 AM **Motion and Action:** Approve Resolution No. 2023-004 to destroy certain records from Extension, 4-H and the Weed Department as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member

Motion passed unanimously.

12) 9:46 AM Approve Notice of Hearing for February 21, 2023 to hear Title 9 and Title 10 proposed amendments

- a) It was requested to allow one hour for the hearing.
- b) All information to be presented at the hearing will be placed on the county web page.
- c) Notice of the public hearing will be placed in the newspaper.

9:49 AM **Motion and Action:** Approve Notice of Hearing for February 21, 2023 to hear Title 9 and Title 10 proposed amendments as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

13) 10:55 AM Sign Certificate of Appreciation for Bruce Beck

- a) It was discussed that Bruce Beck has served for 23 years on the Planning and Zoning Committee.
- b) Mr. Beck is retiring and the Board wishes to thank him for his service.

10:56 AM **Motion and Action:** Sign the Certificate of Appreciation for Bruce Beck as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

14) 10:58 AM Vote on CAT Board election ballot

CASSIA COUNTY COMMISSION
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10:59 AM **Motion and Action:** Approve voting for Charlie Howell to be a representative on the CAT Board, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

15) 11:00 AM Discussion of a water committee

- a) From public comments taken at a hearing for proposed amendment changes held on 1/9/2023, the purpose of the discussion was to discuss who might participate in an ad hoc committee formed to investigate water needs.
- b) Beck offered a list of possible participants in that committee, concentrating on the delivery side of the equation. Those he wanted to consider included representatives from the Milner Irrigation District, Burley Irrigation District, Southwest Irrigation District, Raft River Water District, IDWR and Idaho Ground Pumpers Association.
- c) Kunau suggested bringing in someone from the livestock industry.

SCHEDULED ACTION AGENDA ITEMS

16) 9:30 AM Auditor's Quarterly financial statement per I.C. 31-1611

- a) Overall, for the first quarter of the fiscal year, revenues are about 10% above year-to-date elapsed and expenditures are about 5% below year-to-date elapsed time. The overall expenditures do not reflect any of the County's usual first half payments for joint budgets, which include the Joint Juvenile Probation and Juvenile Detention. It also does not include the Fair, Historical Society or Solid Waste payments. Those payments are scheduled for late January to early February and will be reflected on the second quarter's reports.
- b) The physical facilities fund has exceeded the budgeted expenditure due to the unanticipated purchase of the Mason's Lodge building, which the budget will be amended for.
- c) The Treasurer/Auditor Joint Quarterly Report shows that the Auditor's Office balances with the Treasurer's Office.

17) 9:39 AM Discuss and sign agreement between Idaho Dept. of Transportation and Noxious Weed Dept.

9:42 AM **Motion and Action:** Approve signing the agreement between the Idaho Department of Transportation and the Noxious Weed Department as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

18) 9:51 AM Sign plat for Sage Cove Subdivision

- a) Prosecutor Larsen made the Board aware that a request for judicial review of the approval was submitted on January 24, 2023. I.C. 67-5274 covers the matter of a stay in this instance. He said that the submitter of the request didn't apply for a stay but that he said it would be appropriate for Commissioner Kunau to observe a stay until that review could be carried out. Commissioners Searle and Beck have previously recused themselves from the matter due to conflict of interest.
- b) The requestor of the judicial review is seeking for an order requiring that the Board of Cassia County Commissioners and Planning & Zoning deny the application for the Sage Cove Subdivision.
- c) Kunau said that based on what he's read and studied, he saw no purpose for a stay and opted to sign the final plat as presented.

19) 10:02 AM Designate polling places for the March 14, 2023 Consolidated Election I.C. 34-302

- a) Elections Director Susan Keck reviewed the polling places to be designated.
- b) There will be an overall reduction in polling places.
- c) All voters that will be affected by any change in polling places will be notified.

10:11 AM **Motion and Action:** Approve the designation of polling places as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

20) 10:18 AM Discuss and approve indigent levy reduction

- a) Notification was received from the State Tax Commission that advised that due to recent changes in law, that the County will need to identify the amounts that were levied for public indigent defense.
- b) It will be necessary for the county to declare those amounts to the state tax commission for the last three tax years so that they can reduce the maximum amount that the County may levy for.

10:27 AM **Motion and Action:** Approve the amounts stated on the report for the last three years' indigent public defense as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member

Motion passed unanimously.

21) 11:03 AM Adjourn

11:03 AM **Motion and Action:** Adjourn, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

APPROVED:



Leonard M. Beck, Chair

DEPUTY CLERK OF THE BOARD:



Cally Velasquez

SUMMARY CLAIMS APPROVAL REPORT INCLUDING BUDGET BALANCES

BOTH UNPAID CLAIMS & DEMANDS GENERAL GOVERNMENT FUNDS**33% 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	1,547,788.90	19,072.34	3,690,109.10	70%
0002 ROAD & BRIDGE	579,720.00	142,864.82	100.00	436,855.18	75%
0004 AMBULANCE SERVICES	262,850.00	65,333.51	21,029.17	197,516.49	75%
0006 DISTRICT COURT	374,120.00	108,053.65	219.25	266,066.35	71%
0008 JUSTICE FUND	12,291,405.00	3,617,610.38	43,717.77	8,673,794.62	71%
0012 M-C MISDEMEANOR PROBATION	1,098,450.00	316,760.24	2,585.78	781,689.76	71%
0016 SOCIAL SERVICES-ASSISTANCE	747,118.00	56,025.11	12,331.75	691,092.89	93%
0017 COMMUNITY COLLEGE	200,000.00	500.00	81,800.00	199,500.00	100%
0018 CASSIA COUNTY FAIR	270,708.00	20,882.64	46,675.00	249,825.36	92%
0019 HISTORICAL SOCIETY	45,000.00	0.00	22,500.00	45,000.00	100%
0020 REVALUATION	452,825.00	134,483.77	282.25	318,341.23	70%
0027 NOXIOUS WEED & PEST	426,030.00	76,341.38	259.58	349,688.62	82%
0029 PHYSICAL FACILITIES	274,300.00	512,002.53	94,838.74	-237,702.53	-87%
0048 EMPLOYEE BENEFITS FUND	3,621,490.00	806,918.75	248,775.70	2,814,571.25	78%
0061 COURT INTERLOCK FUND	5,000.00	1,863.00	217.00	3,137.00	63%
Total Amount Paid			594,404.33		

STATE OF IDAHO
CASSIA COUNTY

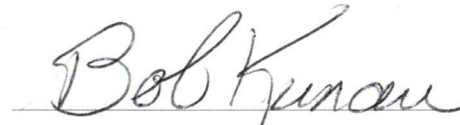
WE, THE CASSIA COUNTY COMMISSIONERS, BEING DULY SWORN DO HEREBY CERTIFY AND DECLARE THAT
WE HAVE REVIEWED THE DEMANDS ENUMERATED AND REFERRED TO IN THE FOREGOING REGISTER, AND THAT THE SAME ARE
TO THE BEST OF OUR KNOWLEDGE ACCURATE AND ARE JUST CLAIMS AGAINST THE COUNTY, AND THAT THERE ARE FUNDS
AVAILABLE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

APPROVED FOR DISTRIBUTION AS OF

1-30-2023


COMMISSIONER


COMMISSIONER


COMMISSIONER

* WARNING: This fund is over budget

Cassia County Commissioner Meeting

Attendance Log

Date: 1/30/2023

NAME (Please Print)	TOWN	REPRESENTING
1. David Heide	Bebo	East Valley Development
2. Heather Whithead-Evans	Burley	Auditors
3. J. Thompson		CCSO
4. Michael Otley	Elba	CCWC
5. Rhett Miller	Burley	Silver canyon construction LLC
6. George Warrrell	Dakley	Sheriff
7. Tyson Nelson	Burley	Gubby Group
8. Susan Keck	Almo	County Elections.
9. Sharene Akin		Auditors
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