



# Cassia County Board of Commissioners REGULAR MEETING MINUTES

Monday, February 27, 2023

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

8:30 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.

## Quarterly Jail Inspection with Minidoka County Commissioners

- a) Tour and inspection of the facility and operations were conducted. A common complaint among detainees at the jail was discussed which had to do with the food program. It was explained that there have been some supply shortages with the contracted food supplier but that the inmates are still being given more than the minimum required calories each day.
- b) Repairs in the kitchen were reviewed as well as to the roof. They fixed the drain in the kitchen but the roof repair is ongoing. Next will be repairs to the office in the kitchen where mold was discovered and attributed to ongoing roof leaks.
- c) Commissioner Searle said he asked the maintenance supervisor to inspect the building and come up with a list of needed maintenance items since the building was now 32 years old. These items will be looked at and discussed for the coming fiscal year.
- d) The jail is down two deputies with staffing at a minimum. Several deputies still need to attend POST for certifications. Training opportunities are limited, and some may not be certified until next year or later.

## ACTION AGENDA ITEMS

- 1) 9:46 AM Call to order
- 2) Pledge of Allegiance and prayer
- 3) 9:47 AM Roll call

### **Roll Call.**

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

- 4) 9:48 AM Calendar, meetings, committee reports, and correspondence were reviewed.
  - a) 3/1/2023 - ITD's public meeting to view selected design plans for I-84 Interchanges at Burley and Heyburn - Kunau
  - b) 3/1/2023 - Meeting with State Insurance Fund on underground tanks - Searle
  - c) 3/2/2023 - Region IV Development meeting - Kunau
  - d) 3/2/2023 - Idaho Public Safety Communications meeting - Searle
  - e) 3/3/2023 - South Central Public Health budget meeting - Kunau

9:49 AM Mr. McMurray entered the meeting

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**Instrument # 2023000580**

BURLEY, CASSIA, IDAHO

3-6-2023 01:00:44 PM No. of Pages: 11

Recorded for : CASSIA COUNTY COMMISSIONERS

JOSEPH LARSEN

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COMMISSIONERS MINUTES

A handwritten signature in blue ink, appearing to be "JL", is written over the "Fee: 0.00" and "Ex-Officio Recorder Deputy" text.

5) 10:48 AM Approve payables for 2/27/2023

10:48 AM **Motion and Action:** Approve payables as presented on 2/27/2023, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.

Motion passed unanimously.

6) 10:50 AM Approve minutes from 2/21/2023

10:50 AM **Motion and Action:** Approve minutes from 2/21/2023 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

7) 10:51 AM Approval of Clerk's Office recommendations regarding junior college Certificates of Residency

10:51 AM **Motion and Action:** Approve Clerk's Office recommendations to approve one junior college Certificate of Residency as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.

Motion passed unanimously.

8) 10:52 AM Personnel Matters - Change of Status Requests

- a) CCSO - Preston Zaver - Corporal Patrol Deputy city - promotion
- b) CCSO - Justin Merrell - Certified patrol deputy city - demotion and transfer
- c) Assessor - Cyndi Teal - Administrative Assistant 1 - promotion
- d) Assessor - Janet Molina - Appraiser Trainee - cost of living
- e) Assessor - Becky Mallory - Administrative Assistant 2 - demotion
- f) Assessor - Mirella Mancias - Chief Deputy Appraiser - promotion

10:58 AM **Motion and Action:** Approve Change of Status Requests as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

g) 1:31 PM A corrected change of status was submitted.

i) It was discussed that the rate of pay and the effective date were modified.

ii) The change of status is for Mirella Mancias - Chief Deputy Appraiser - promotion

1:32 PM **Motion and Action:** Rescind the previous approval of Change of Status for Mirella Mancias that was approved this morning, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.

Motion passed unanimously.

1:33 PM **Motion and Action:** Approve the Change of Status received at 1:30 PM as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

9) 12:42 PM Executive Sessions

12:42 PM **Motion and Action:** Enter Executive Session pursuant to Idaho Code § 74-206 (1) (b) to consider personnel issues, Idaho Code § 74-206 (1) (c) to deliberate acquisition of an interest in real property, Idaho Code § 74-206 (1) (f) to communicate with legal counsel regarding pending/imminently-likely litigation, and Idaho Code § 74-206 (1) (i) to communicate with risk manager/insurer regarding pending/imminently-likely claims, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.

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

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

1:16 PM Upon exit of Executive Session, the board took the matter under advisement.

10) 11:00 AM Sign Professional Services Agreement with erstad for design services of new office building

11:00 AM **Motion and Action:** Approve signing Professional Services Agreement with erstad as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member  
Motion passed unanimously.

11) 10:59 AM Sign vehicle title for 2020 Dodge Charger for salvage

- a) Commissioner Searle discussed that additional information is needed on the matter.
- b) He requested that the matter be placed on the next meeting agenda.

12) 12:34 PM Review and execute Resolution 2023-005 to surplus Assessor Office Plotter

12:36 PM **Motion and Action:** Approve Resolution 2023-005 to surplus Assessor Office Plotter as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member  
Motion passed unanimously.

13) 12:37 PM Consider bid for elevator repairs - Kunau

- a) It was discussed that there will be a state inspection for the elevator within the next two years. It was stated that the elevator may not pass the inspection at that time. If that should occur, the elevator could no longer be used.
- b) A bid was received from TK Elevator (TKE) in the amount of \$169,485.000.
- c) Commissioner Kunau will meet with representatives from TKE in the coming days to gather additional information. The matter will be placed on next week's agenda.

14) 12:36 PM Sign Affidavit of Lost Title and Application for Title for one county vehicle - Auditor's Office

12:37 PM **Motion and Action:** Approve signing the Affidavit of Lost Title and Application for Title as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member  
Motion passed unanimously.

#### **SCHEDULED ACTION AGENDA ITEMS**

15) 10:45 AM Review & approve Idaho Dept of Parks & Recreation Agreement re: Boat Safety Grant - Taylor

10:47 AM **Motion and Action:** Approve signing the Idaho Dept of Parks & Recreation Agreement re: Boat Safety Grant as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member  
Motion passed unanimously.

16) 9:51 AM Review and sign the Equitable Sharing Agreement and Certification - Thompson

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

17) 9:53 AM Department Head Reports

a) 9:53 AM Adult Misdemeanor Probation - Amber Prewitt

- i) Their office is down one probation officer. The job opening has been posted for three weeks, with no applications having been received thus far. Current employees are working overtime to cover the shortage.
- ii) They currently have 1083 on active probation and 367 on pretrial.
- iii) Ms. Prewitt took over DUI Court cases so as to maintain continuity with those participants.

b) 9:55 AM Treasurer - Laura Greener

- i) Ms. Greener gave the Board January's statement of treasurer's cash that showed they were in balance. She also noted that interest rates are good right now.
- ii) She reported having collected 60.58% of the taxes for December's tax drive. Last year in December was 61.88% and December 2021 was 61.01%.
- iii) Taxes cancelled for homeowner exemptions that were signed up after the abstract were discussed. Greener stated that there were 46 parcels cancelled in 2021 and in 2022 but the value of 2021's cancellations was \$35,078.27 versus 2022's cancellations of \$29,940.52.
- iv) Finally, she noted that she still has three public administrator cases she is working on.

c) 9:56 AM Road and Bridge - Ryan Ward

- i) Ward informed Commissioner Beck that he was out plowing roads this morning.

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- d) 10:05 AM Assessor - Mart Adams
  - i) Mr. Adams expressed appreciation to the various people involved with helping his office transition since he became the Assessor.
  - ii) He informed the Board about three pieces of legislation affecting the Assessor's Office that are in the works. One affects the DMV side where it will allow the Commissioners to set an administrative fee. The other two affect homeowners' exemptions.
- e) 10:07 AM Weed and Pest Control - Michael Ottley
  - i) Ottley gave the Board calendars from the Idaho Noxious Weed Control Association. He was appointed as Vice-Chair of the association.
  - ii) He has been working with Representative Pickett on HB94. Ottley testified before the House on the 14<sup>th</sup> and will testify tomorrow before the Senate. HB94 has to do with serving notice to land owners regarding weeds on their properties.
  - iii) In the past three years, 67 certified letters have been sent, 10 of which were left unanswered. This house bill clarified the nature of the notice served and even extends the time given to the land owner because of how the mail system works. It has support of the IWCA and the Farm Bureau Association.
  - iv) As far as the Lava Ridge Wind Project, he is working on a letter opposing the plan. He believes that the plan measures for weed remediation are insufficient. He stated that there were at least five noxious weeds identified on the properties to be built on with little response as to how the project will try to keep those weeds from spreading to surrounding areas and counties.
- f) 10:16 AM Extension Office - Joel Packham
  - i) Mr. Packham was just asked to speak tomorrow and Wednesday at the Idaho Water Users Association meeting.
  - ii) The Idaho Water User's Association is presenting training for pesticide application certification.
- g) 10:17 AM Coroner - Craig Rinehart
  - i) Rinehart reported having three fatalities in the last ten days.
  - ii) He asked the Board to consider charging a storage fee to funeral homes for storage after 24 hours. He said there were a couple of cases with storage in the cooler for five days because the funeral homes just didn't come to pick up in a timely fashion. He is concerned about the hardship families go through because of the delays and thought a fee would encourage the funeral homes to act more quickly.
  - iii) It was noted that Ada County charges \$100.00 for the first four days and \$65.00 per day thereafter.
- h) 10:23 AM Sheriff – George Warrell
  - i) As reported earlier the jail is down two deputies with no success for applicants. The Sheriff's Office has one opening for a deputy and two from the COPS grant. One deputy is out on military leave and isn't expected to come home until the fall of 2023 and the other is out on medical leave. The Sheriff was able to raise \$9,500.00 at a banquet to help the deputy on medical leave and mentioned a fundraiser happening at Morey's Steak House on 3/16/2023 for her.
  - ii) There were calls made of a potential school shooting last week to high schools throughout the state. Commissioner Searle felt our department responded quickly and handled the situation well. Sheriff Warrell said he'd like to talk with his staff this week to see how they could do things differently and handle the situation when it is a hoax. The incident last week got out of hand in Twin Falls where there was a lot of misinformation being spread. He will also be working with the school district in this effort.



- i) 10:28 AM Building & Zoning – Kerry Mc Murray
  - i) January was a fairly slow month for the building department with only three new permits being applied for.
  - ii) The down time allowed time the employees to work on certification and training.
- j) 10:29 AM I.T. Department - David Burgess
  - i) Mr. Burgess gave his report on help desk tickets. In the last 30 days there were 105 tickets, which is five less than the last 30 days. Seven tickets remain open with three of them coming in over the weekend.
  - ii) He started recording the amount of time spent on each ticket and was able to determine that the most amount of time is spent on software issues. In the last 30 days, over 300 minutes were spent related to that.
  - iii) A new password policy was implemented over at the Sheriff's Office that he hopes to implement County wide. Instead of an eight-digit password that includes special characters, he instituted a 20-character pass phrase policy, based off of FBI CJIS (Criminal Justice Information Standards). It has been shown that an eight-digit password is harder to remember than a 20-digit passphrase and the latter is infinitely more secure than the former.
- k) 10:34 AM Clerk - Joe Larsen
  - i) Early voting for the March 14, 2023 election started today and will run for two weeks. Polling places have been changed as the Church of Jesus Christ of Latter-Day Saints locations were no longer viable options for elections purposes.
  - ii) Mr. Larsen was appointed the chair for the IAC Recorders and Clerks Recorder Committee where he will be working to retool the guidelines for recorders and try to standardize a Recorder's Handbook.
  - iii) Indigent cases are still winding down with a few cases still in suspension. He is hoping to terminate services with the software company that provides for indigent tracking in the next few months and just use spreadsheets to track payments and so forth.
  - iv) The office is seeing a larger number of public records requests they are working on.
  - v) The Courts are transitioning to be stand alone. Soon the deputy clerks will have two office emails where one will be dedicated strictly to courts using Microsoft Office 360 as that works well with their Odyssey software.
  - vi) The outside audit should wrap up in mid-March and he will report on the results at that time.
- 18) 11:01 AM Executive Session pursuant to Idaho Code § 74-206 (1) (b) - to discuss personnel matters  
Commissioner Searle suggested combining items 18 & 19.
- 19) 11:01 AM Executive Session pursuant to Idaho Code § 74-206 (1) (b) - to discuss personnel matters.

11:01 AM **Motion and Action:** Enter Executive Session pursuant to Idaho Code § 74-206 (1) (b) to consider personnel issues, Idaho Code § 74-206 (1) (c) to deliberate acquisition of an interest in real property, Idaho Code § 74-206 (1) (f) to communicate with legal counsel regarding pending/imminently-likely litigation, and Idaho Code § 74-206 (1) (i) to communicate with risk manager/insurer regarding pending/imminently-likely claims,

**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.

12:03 PM Upon exit of Executive Session, the board took the matter under advisement.

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20) 12:05 PM Reports from USFS and BLM

- a) 12:05 PM BLM Burley Office Field Manager- Ken Crane
  - i) Gateway West is ramping up. BLM is having a kick off meeting with contractors from PacifiCorp learning what they have in mind for the area.
  - ii) Commissioner Searle expressed frustration after learning that the planned route was not what he and Commissioner Kunau worked towards years ago. Mr. Crane expressed the same sentiments that BLM had no more say in the development than the County.
  - iii) It was suggested to have the project manager from PacifiCorp come and give information on the project since they had many questions.
  - iv) They are getting ready for spring grazing. A few areas will remain closed as the ground has not yet recovered from past fires and fences along private lands remain unrepaired as those repairs fall to the private land owners' responsibility.
  - v) Also of note is that the Air Force has approached them looking for possible emitter sites. More information on that will be coming in the next few months.
- b) 12:23 PM U.S. Forest District Ranger- Kevin Draper
  - i) The contract for fencing has finally been let out to a company in Nevada.
  - ii) They've been working with permittees on grazing grounds.

21) 2:00 PM Inspection of Coroner's facility in Rupert

- a) Mr. Rinehart showed the Board his office and the cooler set up.
- b) Lucky Bourn, Minidoka County's Coroner was also in attendance.

**UNFINISHED BUSINESS ACTION AGENDA ITEMS**

22) 1:16 PM Discuss water supply advisory committee

- a) Various people were contacted and have agreed to be in attendance for next week's meeting.

23) 1:17 PM Review and decide on Lava Ridge resolution

- a) There have been some changes to the resolution. Commissioner Beck will get that printed off for their review for next week if they don't come back to discuss it later today.
- b) The county zoning map shows an electrical transmission corridor that was created by ordinance which basically encourages companies to locate their transmission lines within that corridor. Otherwise, there are significant setback requirements that have to be met and they must obtain conditional use permits with private land owners. These requirements were actually taken from Bonneville Power's own setback requirements.
- c) Commissioner Searle expressed opposition to the Lava Ridge Wind Project, especially in light of the developments with the Gateway project.

24) 1:29 PM Discussion on proposed zoning amendments

- a) It was discussed that the two main points of opposition to the ordinances had to do with language restricting the uses on property to what was on the chart and removing the building administrator's ability to make judgment calls.
- b) It was decided that hold back on the matter until the Prosecuting Attorney's Office could make a thorough review of the Boundary County Supreme Court case to ensure an accurate understanding of the outcomes and the County's responsibility in that regard.


1:34 PM Recess to meet at the coroner's new facility in Rupert.

25) 2:33 PM Adjourn

2:33 PM **Motion and Action:** Adjourn, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.



APPROVED:

A handwritten signature in black ink, reading "Leonard M. Beck", written over a horizontal line.

Leonard M. Beck, Chair

DEPUTY CLERK OF THE BOARD:

A handwritten signature in black ink, reading "Cally Velasquez", written over a horizontal line.

Cally Velasquez

# SUMMARY CLAIMS APPROVAL REPORT INCLUDING BUDGET BALANCES

BOTH UNPAID CLAIMS &amp; DEMANDS GENERAL GOVERNMENT FUNDS

40% 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	1,894,445.46	6,216.18	3,343,452.54	64%
0006 DISTRICT COURT	374,120.00	128,396.78	1,635.75	245,723.22	66%
0008 JUSTICE FUND	12,291,405.00	4,560,532.01	25,420.44	7,730,872.99	63%
0012 M-C MISDEMEANOR PROBATION	1,098,450.00	391,514.41	17,666.25	706,935.59	64%
0013 911 COMMUNICATIONS	871,000.00	49,703.64	5,408.61	821,296.36	94%
0016 SOCIAL SERVICES-ASSISTANCE	747,118.00	76,613.61	3,714.50	670,504.39	90%
0027 NOXIOUS WEED & PEST	426,030.00	95,356.91	239.11	330,673.09	78%
0029 PHYSICAL FACILITIES	274,300.00	630,595.76	241.72	-356,295.76	-130%
0048 EMPLOYEE BENEFITS FUND	3,621,490.00	1,120,308.92	52,249.17	2,501,181.08	69%
		<b>Total Amount Paid</b>	<b>112,791.73</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

2-27-2023



COMMISSIONER



COMMISSIONER



COMMISSIONER

\* WARNING: This fund is over budget

# Cassia County Commissioner Meeting

## Attendance Log

Date: 2/27/2023

NAME (Please Print)	TOWN	REPRESENTING
1. J. Thompson		CCSO
2. G. WAARELL		Sheriff
3. Amber Prewitt		Probation
4. Craig Riechert	Cassia	Coroner
5. Laura Greener	Cassia	Treasurer
6. Joel Packham	Cassia	H of I Extension
7. Michael Otley	Elba	CCNWC
8. Martin Adams	Burley	Assessor
9. Shannon Taylor		CCSO
10. Ken Crane	Burley	BLM
11. JOE LARSEN	Burley	CLERK
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