



Cassia County Board of Commissioners

MEETING MINUTES

Monday, March 6, 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) 9:08 AM Call to order
- 2) Pledge of Allegiance and prayer
- 3) 9:10 AM Roll call

Roll Call.

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

- 4) 9:11 AM Calendar, meetings, committee reports, and correspondence were reviewed.
 - a) 3/8/2023 - Meeting with IHC on Ambulance Contract - Searle
 - b) 3/8/2023 - Transportation meeting at 7:00 AM - Beck
 - c) 3/8/2023 - Solid Waste meeting at 9:00 AM - Beck
 - d) Simply Hope requested letter of support for a grant they are pursuing
 - e) 9:12 AM Prosecutor Larsen entered the meeting.
 - f) HB236 regarding the Public Defense Commission was discussed. There were concerns by some that it leaves out certain groups of people with legal expertise from the selection committee.
 - g) 9:24 AM Dept of Interior sent a letter inviting the Commissioners to participate in an Environmental Impact Statement on solar panels in the area.
- 5) 9:24 AM Approve payables for 3/6/2023

9:24 AM **Motion and Action:** Approve payables as presented on 3/6/2023, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.
Motion passed unanimously.

- 6) 9:29 AM Approve minutes from 2/27/2023

9:29 AM **Motion and Action:** Approve minutes from 2/27/2023 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

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Instrument # 2023000657

BURLEY, CASSIA, IDAHO

3-13-2023 12:01:16 PM No. of Pages: 10

Recorded for : CASSIA COUNTY COMMISSIONERS

JOSEPH LARSEN

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COMMISSIONERS MINUTES

EV

7) 12:00 PM Approval of Clerk's Office recommendations regarding junior college Certificates of Residency

12:00 PM **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) 12:01 PM Personnel Matters - Change of Status Requests

- a) Road and Bridge - Ryan Ward - Supervisor - Promotion
- b) MCCJC - Ryan Lindsay - Detention Deputy Certified - Certification
- c) MCCJC - Eric Martinez - Detention Deputy Certified - Certification
- d) MCCJC - Paul Gibson - Pre-Trial Probation Officer - Transfer

12:03 PM **Motion and Action:** Approve Change of Status Requests as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

9) 12:26 PM Executive Sessions

12:27 PM **Motion and Action:** Enter Executive Session pursuant to Idaho Code § 74-206 (1) (b) to consider personnel issues and Idaho Code § 74-206 (1) (c) to deliberate acquisition of an interest in real property, **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.

12:47 PM Upon exit of Executive Session, the board took the matter under advisement.

10) 12:05 PM Sign vehicle title for 2020 Dodge Charger for salvage

- a) The Sheriff's Office decided to keep the vehicle and repair it instead of salvaging it so no signature will be needed.

11) 12:06 PM Review and act on Burley Lions Spudman Triathlon Special Event Resource Request

12:08 PM **Motion and Action:** Approve the Burley Lions Spudman Triathlon Special Event Resource Request as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

12) 12:09 PM Execute Resolution No. 2023-006 to destroy temporary records in the Building Department

12:11 PM **Motion and Action:** Approve Resolution No. 2023-006 to destroy temporary records in the Building Department as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

13) 12:12 PM Execute Resolution No. 2023-007 to destroy various Clerk's Office records

12:12 PM **Motion and Action:** Execute Resolution No. 2023-007 to destroy various Clerk's Office records as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

14) 12:13 PM Discuss and determine course of action necessary for fuel tank compliance.

- a) It was discovered that the DEQ records did not list these tanks as temporarily out of use.
- b) It will cost up to \$1,300.00 to bring the tanks into compliance with DEQ.

12:15 PM **Motion and Action:** Approve spending up to \$1,300.00 to have the fuel tanks brought into compliance with DEQ, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

SCHEDULED ACTION AGENDA ITEMS

15) 9:21 AM Execute Quit Claim Deed from Cassia Fair Foundation to Cassia County for property to be donated to Cassia County from Cassia Fair Foundation - Prosecutor

- a) Janet Brackenberry, the President of the Cassia County Fair Foundation appeared before the Board to sign over a quit claim deed of property to Cassia County.
- b) She believed this had been done already back in January of 2022 when the Fair Foundation first acquired the property.

16) 9:29 AM East and West Cassia Soil and Water Conservation District request for funding

- a) Mark Webb for East Cassia and Richard Kunau for West Cassia Soil and Water Conservation District presented their requests for funding for FY2024 in the amount of \$8,000.00
- b) They reviewed their activities and projects over the last year.

9:49 AM **Motion and Action:** Approve funding East Cassia and West Cassia Soil Districts \$8,000.00 each as requested, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

9:40 AM Prosecutor Larsen left the meeting.

17) 9:51 AM Decide on courthouse elevator repairs - Kunau

- a) The elevator currently will not pass an inspection the next time one is conducted. With a failed inspection, the elevator will be out of operation until it is upgraded to bring it back into code compliance.
- b) TKE estimates repairs could take upwards of six weeks but they don't expect to begin working on the elevator for at least 18 weeks which is about mid-July at the earliest.
- c) We will need to find other rooms to make accommodations for public meetings during the time that the elevator is out of service.

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- d) The estimated cost is between \$169,000.00 and \$170,000.00 for repairs.

9:55 AM **Motion and Action:** Approve the modernization proposal from TK Elevator Corporation in the amount of \$169,485.00 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

- e) It was noticed that the front page of the contract has an incorrect date that the company would finish repairs by December 31, 2020. The Board will sign the contract as soon as they received word that it was okay to change the date to December 31, 2023.

18) 9:56 AM Review and approve Pacific Office Automation contract for Treasurer's Office printer

9:58 AM **Motion and Action:** Approve the Pacific Office Automation contract for Treasurer's Office printer as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

19) 9:59 AM Water advisory committee presentation

- a) 10:01 AM Brian Stevens from the Bureau of Reclamation reported on the current state of the system. He reported they are currently at 85,000 acre-feet of water less in the reservoir system from this same time last year. Base flows are a little better than last year so they are slowly gaining on last year's numbers. The reservoir system is 47% full. They are currently anticipating between 98% and 100% of normal run-off, which is the bulk of their reservoir system. Last year was 88% for February.
- i) The Snake River above the Palisades is 99% of normal and below the Palisades is 114% of normal.
 - ii) Comparatively, we're just slightly better than last year. Last year they ended up at about 2.5 million acre-feet of storage out of 4 million acre-feet capacity where he is anticipating closer to 2.7 million acre-feet this year. This is attributed to the recent precipitation.
 - iii) There isn't any need for flood control at this point in time.
 - iv) There is potential to rental this year from the Rainbow Chart. Flow augmentation for this year is about 60,000 acre-feet, which they anticipate releasing sometime between May and June.
 - v) The only two years worse for base flow than this year were 1993 and 2022.
 - vi) Snowpack is about 108% of normal and about 10 inches higher than last year so that is looking better than last year.
- b) 10:08 AM Jaxon Higgs representing Southwest Irrigation District (SWID) gave his report with a PowerPoint slide show. He reported that SWID delivers large quantities of surface water, called soft conversions, to replace groundwater pumping, through three canal companies and a pipeline.
- i) Since the 1990's, surface water deliveries have increased over the years.
 - ii) Higgs showed several graphs of different well water levels over the years that they monitor. Most show an overall decline in the levels since 2004 and 2007. Other graphs show that conversion efforts starting in 2010 have benefitted the well levels at certain times of the year.
- c) 10:26 AM Gary Spackman, Director of Idaho Department of Water Resources (IDWR) reported on the health of the aquifer and the progress of negotiations with groundwater and surface water groups.
- i) He quoted a long-time acquaintance when referring to the health of the aquifer by saying, "If we know anything about the Eastern Snake Plain Aquifer, it is that it leaks." In other words, when the

water levels rise in the aquifer, the spring flows increase and creates a continual discharge, which is counter to trying to maintain aquifer levels. He cited that in 2017, with the flooding, the sentiment was that there was enough water to sustain the aquifer.

- ii) An agreement made in 2015 named 19 sentinel wells as monitors for how well the aquifer is doing. Due to good water years in 2017 through 2019, the trajectory appeared very good but that trajectory has since reversed direction due to lack of water in 2021 and 2022.
 - iii) Spackman reported that it has been stressed that it is his responsibility under the law to protect and deliver water to the holders of senior priority water rights and that the holders of junior priority rights are to either mitigate or be curtailed.
 - d) 10:50 AM Representative Doug Pickett took a few minutes to speak. He pointed out that also in attendance was Representative Jack Nelsen from District 26. He said he would take the information he's heard today and relay it to the members of the Legislature in Boise. He expressed appreciation for those who made efforts to bring awareness to and to address the issues involved. He also offered his support to address the matter.
 - e) 10:53 AM Representative Jack Nelsen supported everything Representative Pickett said. He added that the Legislature has appropriated money to support recharge efforts.
 - f) 10:53 AM Sara Jane Ward Raft River Ground Water District and Raft River Flood District offered her support and assent to everything that has been said thus far. She cautioned that some serious work was needed in order to address the issue of water shortage.
 - g) 10:56 AM Don Terry, manager of the Burley Irrigation District (BID) also assented to everything said so far and reiterated the water issue is a serious matter. He reported pumping 50,000 acre-feet less this year than the last year and the year before that.
 - i) In the years 2018-2020, they averaged a carryover of 105,000 acre-feet. He also asked people to consider that they lose half of their water through evaporation and ground seepage.
 - ii) No decisions have been made to raise the fee for assessments.
 - h) 10:59 AM Commissioner Beck read Mr. Mullen's Report. He said the estimated being at $\frac{3}{4}$ of a full water right this year.
 - i) 10:59 AM David Baker, owner of Apex Drilling, reported on his experiences with drilling wells over the last few years. He reported seeing needs to deepen wells in areas that have never needed it before.
 - j) 11:09 AM Brent Stoker offered his view from researching water issues that occurred over 115 years ago. He cautioned that history will repeat itself if we can't learn from it. He asked that there be a way to measure all water being used in order to get a handle on the actual issues.
- 20) 11:12 AM Presentation with BLM on Gateway West project
- a) Kathrine Farrell from BLM appeared to answer questions and provide information on the Gateway West project. She also took notes as to questions and concerns she could relay to PacifiCorp at their initial meeting in a few days.
 - b) The Commissioners all expressed concern at the chosen route the transmission lines were going to take as it was not in the corridor that they worked to establish for the project many years ago.
 - c) Brent Stoker introduced Nick Takas of Six S Ranch. They cautioned any attempts to cross ranch land would be futile as the owners have spent considerable time and efforts to preserve wild life habitats on their lands.

UNFINISHED BUSINESS ACTION AGENDA ITEMS

21) 12:21 PM Discussion on proposed zoning amendments

- a) This item is to be tabled until a legal review can be given to the Board on the matter.

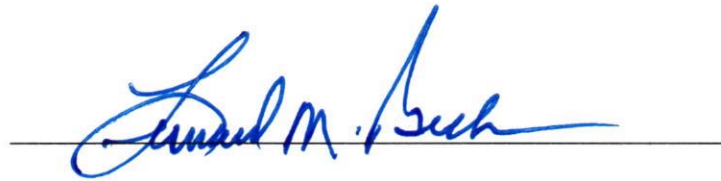
22) 12:22 PM Review and decide on Lava Ridge resolution

- a) Chair Beck discussed with Commissioner Schenk of Minidoka County items he wanted brought out in the resolution.
- b) Commissioner Schenk said he would get back with him in the next week or two with possible additional attachments.

23) 12:47 PM Adjourn

12:48 PM **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

42% 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	2,063,810.18	168,914.88	3,174,087.82	61%
0002 ROAD & BRIDGE	579,720.00	207,078.99	4,389.38	372,641.01	64%
0004 AMBULANCE SERVICES	262,850.00	86,362.68	21,029.17	176,487.32	67%
0006 DISTRICT COURT	374,120.00	141,703.42	4,968.48	232,416.58	62%
0008 JUSTICE FUND	12,291,405.00	4,984,507.47	212,872.97	7,306,897.53	59%
0012 M-C MISDEMEANOR PROBATION	1,098,450.00	445,552.80	17,699.57	652,897.20	59%
0013 911 COMMUNICATIONS	871,000.00	55,112.25	1,716.56	815,887.75	94%
0015 CONSOLIDATED ELECTIONS	217,865.00	9,410.02	4,850.99	208,454.98	96%
0016 SOCIAL SERVICES-ASSISTANCE	747,118.00	80,328.11	7,700.00	666,789.89	89%
0018 CASSIA COUNTY FAIR	270,708.00	77,118.50	1,392.00	193,589.50	72%
0020 REVALUATION	452,825.00	178,306.62	6,959.00	274,518.38	61%
0027 NOXIOUS WEED & PEST	426,030.00	104,057.37	4,574.43	321,972.63	76%
0029 PHYSICAL FACILITIES	274,300.00	630,755.95	179.72	-356,455.95	-130% *
0048 EMPLOYEE BENEFITS FUND	3,621,490.00	1,260,239.35	114,549.43	2,361,250.65	65%
		Total Amount Paid	571,796.58		

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

3-6-2023


COMMISSIONER


COMMISSIONER


COMMISSIONER

* WARNING: This fund is over budget

Cassia County Commissioner Meeting

Attendance Log

Date: 3/6/2023

	NAME (Please Print)	TOWN	REPRESENTING
1.	Earl Darken	Albion	Water District 140
2.	Paul Darken	Albion	Cassia Fair Foundation
3.	Pet Field	Albion	
4.	Doreen McMurray	East & West Burley	East & West Cassia SWCD
5.	Hannah Sanders	Raft River	East Cassia SWCD
6.	Mark A Webb	Burley	East Cassia SWCD
7.	Kathy Poulton	Oakley	West Cassia Soil
8.	Brent J Stoker	Burley	West Cassia Soil
9.	Jordan Seare	Burley	West Cassia Soil
10.	Richard Kynes	Declo	West Cassia Soil
11.	Rachelle Osterhaut	Declo	West Cassia & East Cassia SWCD
12.	Brent Stoker	Burley	West Cassia Soil & Water
13.	Michelle Wallace	Rupert	Auditors
14.	Jaxon Higgs	Burley	SWID
15.	DAVID BAKER	BURLEY	APEX DRILLING
16.	Henry Baker	Burley	" "
17.	Matt Nelson	Burley	Oak Valley Dairy
18.	Jack Nelson	Sevone	Representative 26B
19.	John Ardema	Burley	Oak Valley
20.	Spencer Black	Almo	ICA / Black livestock
21.	SARA JANE WARD	Almo	Raft River Ground Water + Flood District
22.	Doag Pickett	Oakley	Pickett Ranch
23.	Don Pickett	Oakley	Pickett Ranch
24.	Brian Stevens	Burley	US Reclamation

Brian Stevens

Burley

Cassia County Commissioner Meeting

Attendance Log

Date: 3/6/17

NAME (Please Print)	TOWN	REPRESENTING
1. David Helda	Declo	Millenbury East Valley Cattle
2. Logan Bosma	Twin Falls	Skyline Dairy
3. Michael Otthey	Elba	CCNWC
4. Connor Bosma	Oakley	Skyline Dairy
5. Justin Praegitzer	Oakley	Skyline Dairy
6. Clancy Rogers	Oakley	Skyline Dairy
7. Nick Takas	Declo	Six S Ranch
8. Don Terry	Burley	Burley irrigation district
9. Craig Seaxle	Burley	SWID
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