



# Cassia County Board of Commissioners MEETING MINUTES

Monday, May 1, 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) 8:59 AM Call to order
- 2) Pledge of Allegiance and prayer
- 3) 9:01 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) 9:01 AM Calendar, meetings, committee reports, and correspondence were reviewed.
  - a) 5/18/2023 - Joint meeting in Minidoka for FY2024 joint budgets at 12:30 PM
  - b) 5/22/2023 - Joint meeting in Cassia at 2:30 PM to finalize the FY2024 joint budgets
  - c) 5/4/2023 - Veterans' Board meeting at 7:00 PM - Kunau
  - d) 5/3/2023 - Meeting with PMT to inspect equipment at the Law Enforcement building - Searle
  - e) 5/4/2023 - Idaho Public Safety Communications meeting in Idaho Falls - Searle
  - f) 5/12/2023 - Grand Opening for the Cassia County Historical Building from 11:00 AM to 1:00 PM
  - g) Beck received a letter from Sawtooth Ranger District regarding a communications tower and building to be constructed at the Thompson Ridge electronics site. Project was proposed by BYU Idaho.
  - h) 9:10 AM The City of Rocks has requested the Road & Bridge Department spray another mile of roads with mag chloride with payment. They are also working on an agreement to haul some gravel to an area near Bath Rock for a mile in exchange for use of the road grader.
- 5) 9:09 AM Approve payables for 5/1/2023

9:10 AM **Motion and Action:** Approve payables in the amount of \$261,773.42 as presented on 5/1/2023, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

- 6) 9:13 AM Approve minutes from 4/24/2023

9:13 AM **Motion and Action:** Approve minutes from 4/24/2023 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

CASSIA COUNTY COMMISSION  
REGULAR SESSION  
Monday, May 1, 2023

**Instrument # 2023001281**

BURLEY, CASSIA, IDAHO

5-8-2023 10:34:28 AM No. of Pages: 9

Recorded for : CASSIA COUNTY COMMISSIONERS

JOSEPH LARSEN

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COMMISSIONERS MINUTES

EV

7) 9:14 AM Approval of synopsis for March 2023

9:14 AM **Motion and Action:** Approve synopsis for March 2023 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

8) 9:15 AM Approval of Clerk's Office recommendations regarding junior college Certificates of Residency

9:15 AM **Motion and Action:** Approve Clerk's Office recommendations to approve five junior college Certificates of Residency as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.  
Motion passed unanimously.

9) 9:17 AM Personnel Matters - Change of Status Requests

- a) CCSO - Mackenzie Peterson - Certified Patrol Deputy / City - new hire
- b) MCCJC - Kale Paslay - Detention Deputy - new hire
- c) It was determined to hold off on the change of statuses until a correction could be made. The new hire for certified patrol deputy mistakenly was listed as City patrol when it should have been County patrol.

12:02 PM returned to Change of Status requests

- d) CCSO - Mackenzie Peterson - Certified Patrol Deputy/ County - new hire
- e) MCCJC - Kale Paslay - Detention Deputy - new hire
- f) Assessor - Daniela Gomez - DMV Clerk - new hire
- g) Assessor - Nanette Evans Hooker - DMV Clerk - evaluation
- h) Assessor - Isabel Mancias - DMV clerk - evaluation

12:06 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.

10) 10:24 AM Executive Sessions

10:24 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.

10:44 AM Upon exit of Executive Session, the board took the matter under advisement.

10:56 AM **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.

11:59 AM Upon exit of Executive Session, the board took the matter under advisement and direct

**CASSIA COUNTY COMMISSION**  
**REGULAR SESSION**  
**Monday, May 1, 2023**

12:01 PM **Motion and Action:** Direct Mr. McMurray to draft a letter in regards to indigent defense on the first level contract to Mr. Zollinger to terminate the contract, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

11) 9:19 AM Discussion and approval of a dairy building for the fairgrounds - Beck

- a) The people involved with dairy projects at the fairgrounds over the last couple years have requested that they be provided the opportunity to leave their animals at the fairgrounds for the week of the fair. There is currently not enough building space to allow for such.
- b) The Fair Board has sought for a building for that purpose. Coast to Coast has a 26' x 70' building that will not have a cement stub wall. They would dig 4'-6' into the ground and anchor the building on pillars. The Board would use some material to line the building with.
- c) The expected cost is less than \$28,000.00. The Auditor's Office advised that such permanent structures must be purchased by the County.
- d) Kunau asked if the building would be sufficiently strong enough. Beck said that it would do but he much preferred there being a stub wall constructed.
- e) The structure would displace a few food booths but they are making efforts to relocate those and some exhibits to draw people to the south side. They currently have twice the amount of vendor requests that they can provide space for.
- f) Coast to Coast is requesting part of the payment up front with the balance upon completion.
- g) Searle asked if this building fit in with long term plans for improvement and also mentioned he would like a stub wall. The Fair Board wasn't opposed to a stub wall but Coast to Coast seemed hesitant to do one and indicated there wouldn't be enough time to construct one before the fair this year.
- h) The dairy board asked for a building where the old weed & pest building is but Beck felt it would take away too many parking spots and seemed a bigger project than can be handled at the moment. This building can be moved if need be.

9:24 AM **Motion and Action:** Approve the expenditure of up to \$28,000.00 for a dairy building on the fairgrounds pending Commissioner Beck making contact with Coast to Coast and the Fair Board about a stub wall, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member

Motion passed unanimously.

12) 9:29 AM Review and approve form contract for Appointed Conflict Attorney Contract for Legal Representation of Indigents - McMurray

- a) The County has not been able to secure second level conflict attorneys. Mr. McMurray was directed to prepare a contract for such. The contract rate is \$120.00 per hour.
- b) Mr. McMurray was directed to either hand deliver or mail the contract to the respective attorneys for their acceptance.
- c) The initial contract will go from June 1, 2023 to September 30, 2023 with an automatic one-year renewal from October 1, 2023 to September 30, 2024 unless one party or the other terminates.
- d) All of the attorneys receiving the contract have previously accepted appointments from the court. The PDC is requiring the contracts for funding.

**CASSIA COUNTY COMMISSION**  
**REGULAR SESSION**  
**Monday, May 1, 2023**

9:32 AM **Motion and Action:** Approve the form contract for Appointed Conflict Attorney Contract for Legal Representation of Indigents as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member  
Motion passed unanimously.

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

13) 9:35 AM Decide on proposed zoning ordinance amendments

- a) The proposed changes were reviewed individually to allow for discussion on the merits of each proposal.
- b) On 9-5-6 Administrative Appeals, paragraph B, the time of 28 days would remain the same to keep things uniform. For the same reason of uniformity, item B in 9-5-7 will be changed to 28 days.
- c) On 9-8-2 Schedule of Regulations, it was determined to leave out the proposed sentence beginning, "If the use is not listed in these regulations..."
- d) All other proposed changes were agreed upon. Mr. McMurray will prepare the Ordinance for next week.

10:05 AM **Motion and Action:** Approve all of the proposed zoning ordinance amendments as has been reviewed, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

- e) 12:06 PM Amendment proposal 9-8-2 was revisited to include legal advice from Prosecutor Larsen regarding the proposed striking of existing language beginning, "The Zoning Administrator shall interpret....". This detail had not been reviewed the first time. He said that the job of interpreting code is up to the Board of Commissioners. He felt that eliminating that language didn't negate the administrator's ability to help people understand the zoning chart or limit his responsibility to enforce the code. He didn't believe that leaving the language as it was created too big of an issue either and was aware of his responsibility to defend the County should any legal action against the County be pursued.
- f) McMurray objected to the word, "interpret" as that gave him the burden of legislation which is the responsibility of the Commissioners. He believed it would be better to strike the language to clarify that his position as the administrator would be advise an applicant to seek an amendment to the ordinance if they wanted to do something outside of the zoning chart.
- g) Larsen concurred that the easiest solution is to strike the language as has been proposed.

12:18 PM **Motion and Action:** Approve the amendment proposed in 9-8-2 striking language that the administrator shall interpret the zoning chart as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

14) 10:06 AM Mini Cassia Commerce Authority, Periodic update - Inouye

- a) Mr. Inouye met with Idaho Power last week. He wanted to make the Board aware that he was cognizant that with increase in businesses in the area comes the increased need for infrastructure such as water renewal projects and transmission lines for increased power needs.
- b) He said a megawatt could serve about 1,000 homes and that a business such as the milk processing plant on 16<sup>th</sup> Street would use approximately 3-3.5 megawatts. He added that a potato processing plant would use upwards of 15-16 megawatts. The difference is that the milk processing plant uses a lot of natural gas in their drying operations.

**CASSIA COUNTY COMMISSION  
REGULAR SESSION  
Monday, May 1, 2023**



- c) He briefly reviewed that current projects in the area are still being developed as before.

10:11 AM Prosecutor Larsen entered the meeting.

15) 10:44 AM Sign Coopers Corner Subdivision final plat

10:46 AM **Motion and Action:** Approve signing Coopers Corner Subdivision final plat as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member  
Motion passed unanimously.

16) 10:47 AM Review and approve State & Local Federal Relief Funds (SLFRF) annual compliance report

10:54 AM **Motion and Action:** Approve the SLFRF annual compliance report as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

17) 12:19 PM Working lunch to discuss new building proposal

- a) 12:52 PM Discussion began on the matters. Commissioner Beck mentioned some items that they needed to discuss were the size of the building and the exact location of it. He initially thought a large footprint would be better per square foot but it was pointed out that the cost of the trusses for a larger footprint would outweigh the cost of adding a second floor onto a smaller building.
- b) He asked if a 15,000 square foot building would fit on either lot. Commissioner Kunau pointed out that if you maximized the usage of the area, it could be 18,750 square feet. Kunau didn't want to have a large lawn because it creates issues with maintenance and upkeep. He preferred to utilize as much area as possible for the building itself.
- c) The needs of the various departments were discussed. It was discussed that it would be appropriate to consider moving the Elections, Recorder, Auditor, Treasurer, and DMV into the new space.
- d) Kunau would like to see a basement that at least is partially used for storage.
- e) 1:04 PM Ms. Keck provided the Commissioners with two different mockup floor plan versions to help the Board visualize how much space would be needed for each of the departments plus room to grow as needed. She iterated her understanding that the goal of this new building was to consolidate similar public services into one location, to provide adequate space for existing departments, and to provide room for expansion as our county continues to grow.
- f) One version showed everything on one main level, however the Assessor felt there was not enough room for his department with that plan. The second plan showed Elections, Recorder and Assessor on the main floor with the Auditor and Treasurer on the second floor. They included the possibility of having the IT Department in that building as well but had not consulted with that department yet to determine their needs. The consensus among the departments polled was that two floors was a better option having all things considered. Ms. Keck stressed the current needs of the Recorder and Elections Office for more space. The Recorder's vault will exceed capacity within the next ten years or less due to the growth in the County. By law various physical copies of records must be retained indefinitely in the vault.
- g) 1:28 PM Treasurer Greener spoke to the needs of her department. Although she liked the idea of being on the main floor for collecting payments during tax drives, she felt it would be better and safer to keep the Treasurer's Office on the second floor, away from main foot traffic because her department and the Auditor's Office handle all of the monies from the various county departments on a daily basis.

**CASSIA COUNTY COMMISSION**  
**REGULAR SESSION**  
**Monday, May 1, 2023**

- h) 1:34 PM Assessor Adams spoke to the needs of his department. He hasn't been able to spend a lot of time looking over the floorplans but said that whatever they currently have, they will need double. He also asked if Driver's License could be combined with DMV as is done in other counties. Currently the Driver's License is in the Sheriff's Office.
- i) Commissioner Beck reiterated the request for each department to measure their current area and get back with them on that. Beck also said that there was a good possibility he would be in Boise later in the week and he might reach out to erstad and give them some of these preliminary drawings to see if that would help them in their design.
- j) 2:26 PM Searle discussed that the coroner had requested an office in Cassia County.

#### **UNFINISHED BUSINESS ACTION AGENDA ITEMS**

##### **18) 1:49 PM Discuss FY2024 Budget Matters**

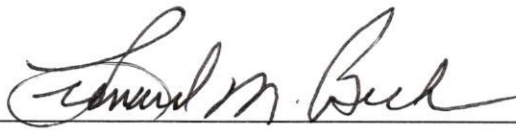
- a) In light of growing reserves in the county such as for Solid Waste, Beck asked if the Board should consider perhaps a reduction in solid waste fees for residential, commercial and industrial categories.
- b) Beck pointed out the reserve balance is \$1.1 million and increasing by approximately \$100,000.00 each year. The gate receipts that the county gets back are averaging about \$13,000.00 per month.
- c) 1:59 PM Deputy Auditor Evans presented updated budget reports and spreadsheets to the Board for review. She asked for direction from the Board about specific requested items.
- d) Clerk Larsen wanted to make the Board aware that the County had received quite a bit of Federal monies in the last week that included the third quarter's sales tax base and excess, SRS monies and highway user revenues. The total county share that came in from those state and federal entities was \$792,002.28. In general, the budgeted revenues have been coming in higher than anticipated.
- e) The federal forest monies are allocated to the Road & Bridge fund. Those were budgeted at \$10,000.00 for FY2023. The County has received \$15,861.00 for that fund. The highway user's revenues, of which the County has received just under \$7,000.00, is also allocated to Road & Bridge.
- f) There was discussion about swapping vehicles between different departments so clarification was needed as to which vehicle requests needed to be budgeted for.
- g) 2:28 PM The need to add or change a law enforcement position to sergeant to adequately provide supervisory staff to County Patrol was discussed. Beck asked the Sheriff where he could consider reducing his budget to justify the advancements in his officers. He requested this item be brought up again next week when the Sheriff could answer the question.
- h) Evans reported anticipation of having additional reserve funds in Misdemeanor Probation as revenues continue to grow and surpass expectations and budget expenses are kept down. These extra funds can accommodate any extras that Prewitt may ask for as well as cost of living increases. If Prewitt doesn't ask for a significantly larger 'B' budget, then the recommended pay increases could be absorbed 100% by fund balances. Neither county would be required to fund at a higher level. This same scenario is anticipated with Public Defense.
- i) Beck reminded the Commissioners that they have two more Mondays to decide on what cost of living increase they will agree to. He didn't want there to be any indecision when they meet with Minidoka in a few weeks' time to work on the joint budgets.

##### **19) 3:20 PM Adjourn**

3:20 PM **Motion and Action:** Adjourn, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

**CASSIA COUNTY COMMISSION  
REGULAR SESSION  
Monday, May 1, 2023**


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**

**57% OF FISCAL YEAR ELAPSED**

\* UNAPPROVED DEMANDS APPEAR IN ACTUALS AND ALSO AS AN INVOICE .

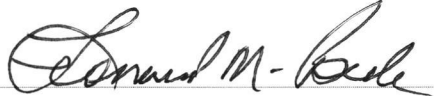
| Fund                                | Budget        | Actual       | Demand/Claims Amt | Budget Remaining | % Budget Remaining |
|-------------------------------------|---------------|--------------|-------------------|------------------|--------------------|
| 0001 GENERAL FUND (CURRENT EXPENSE) | 5,237,898.00  | 2,754,736.84 | 3,020.06          | 2,483,161.16     | 47%                |
| 0002 ROAD & BRIDGE                  | 579,720.00    | 331,138.82   | 3,024.60          | 248,581.18       | 43%                |
| 0004 AMBULANCE SERVICES             | 262,850.00    | 107,391.85   | 21,029.17         | 155,458.15       | 59%                |
| 0006 DISTRICT COURT                 | 374,120.00    | 181,056.23   | 53.71             | 193,063.77       | 52%                |
| 0008 JUSTICE FUND                   | 12,291,405.00 | 6,481,553.42 | 117,899.36        | 5,809,851.58     | 47%                |
| 0012 M-C MISDEMEANOR PROBATION      | 1,098,450.00  | 589,927.85   | 296.98            | 508,522.15       | 46%                |
| 0013 911 COMMUNICATIONS             | 871,000.00    | 97,634.34    | 899.10            | 773,365.66       | 89%                |
| 0015 CONSOLIDATED ELECTIONS         | 217,865.00    | 38,731.84    | 1,886.81          | 179,133.16       | 82%                |
| 0016 SOCIAL SERVICES-ASSISTANCE     | 747,118.00    | 140,919.40   | 3,165.88          | 606,198.60       | 81%                |
| 0020 REVALUATION                    | 452,825.00    | 215,214.03   | 1,637.56          | 237,610.97       | 52%                |
| 0027 NOXIOUS WEED & PEST            | 426,030.00    | 152,153.17   | 859.16            | 273,876.83       | 64%                |
| 0029 PHYSICAL FACILITIES            | 274,300.00    | 724,061.94   | 118.52            | -449,761.94      | -164% *            |
| 0048 EMPLOYEE BENEFITS FUND         | 3,621,490.00  | 1,764,683.87 | 106,485.51        | 1,856,806.13     | 51%                |
| 0053 NARCOTICS SEIZED ASSETS FUND   | 40,000.00     | 16,989.14    | 1,397.00          | 23,010.86        | 58%                |
| <b>Total Amount Paid</b>            |               |              | <b>261,773.42</b> |                  |                    |

STATE OF IDAHO  
CASSIA COUNTY

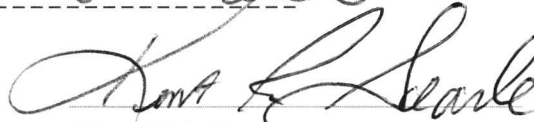
WE, THE CASSIA COUNTY COMMISSIONERS, BEING DULY SWORN DO HEREBY CERTIFY AND DECLARE THAT  
WE HAVE REVIEWED THE DEMANDS ENUMERATED AND REFERRED TO IN THE FOREGOING REGISTER, AND THAT THE SAME ARE  
TO THE BEST OF OUR KNOWLEDGE ACCURATE AND ARE JUST CLAIMS AGAINST THE COUNTY, AND THAT THERE ARE FUNDS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

APPROVED FOR DISTRIBUTION AS OF

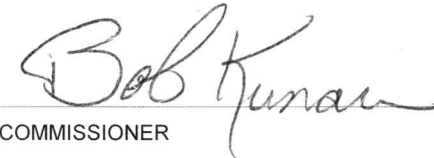
5-1-2023



COMMISSIONER



COMMISSIONER



COMMISSIONER

\* WARNING: This fund is over budget



# Cassia County Commissioner Meeting

## Attendance Log

Date: 5-1-2023

| NAME (Please Print)        | TOWN   | REPRESENTING |
|----------------------------|--------|--------------|
| 1. George Warrell          | Oakley | Sheriff      |
| 2. J. Thompson             |        | CCSO         |
| 3. Wlad Adams              | Barley | Assessor     |
| 4. Winston Inouye          | Barley | MCCA         |
| 5. Heather Whitehead-Evans | Barley | Auditor's    |
| 6. Sharene Ahlin           |        | Auditor's    |
| 7. Kelly Hurd              |        |              |
| 8. Susan Kern              | Almo   | Elections    |
| 9. Laura Gerner            | Barley | Treasurer    |
| 10.                        |        |              |
| 11.                        |        |              |
| 12.                        |        |              |
| 13.                        |        |              |
| 14.                        |        |              |
| 15.                        |        |              |
| 16.                        |        |              |
| 17.                        |        |              |
| 18.                        |        |              |
| 19.                        |        |              |
| 20.                        |        |              |
| 21.                        |        |              |
| 22.                        |        |              |
| 23.                        |        |              |
| 24.                        |        |              |