



Cassia County Board of Commissioners MEETING MINUTES

Monday, July 31, 2023

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

8:00 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.

8:02 AM Quarterly Jail Inspection with Minidoka County Commissioners

- a) A quarterly tour and inspection of the jail by both Boards of Commissioners was conducted. Items that the Boards were asked to focus on during the inspection were physical or operations weaknesses with regards to security, treatment of inmates, and sicknesses or infections. No weaknesses were observed at this time.
- b) Mr. Worthington, the maintenance supervisor, updated the Boards on ongoing building projects, both planned and finished. They also discussed new security system upgrades they were planning on installing in the coming months.
- c) The Joint Boards visited with a few inmates to inquire about treatment and conditions at the jail. Inmates reported conditions as adequate or improving.

ACTION AGENDA ITEMS

- 1) 9:06 AM Call to order
- 2) Pledge of Allegiance and prayer
- 3) 9:08 AM Roll call

Roll Call.

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

Also present from Minidoka County: Wayne Schenk - Chair, Jared Orton - Member, Dan Schaeffer - Member, Tonya Page - Clerk (Not voting), Lance Stevenson - Minidoka Prosecuting Attorney (Not voting).

- 4) 10:53 AM Calendar, meetings, committee reports, and correspondence were reviewed.
 - a) 8/1/2023 - IT Committee meeting - Searle
 - b) 8/1/2023 - 911 Committee meeting - Searle
 - c) 8/3/2023 - Veteran's Service Board meeting - Kunau
 - d) 8/3/2023 - Retirement party for Corporal Cranney with honors
 - e) Beck acknowledged letters the commissioners received regarding questions about the fair board. He requested that any questions the other commissioners have be directed to him and he will take them to the fair board for answers. He said the fair board has been responsive to questions directed at them.
 - f) Beck reported on his attendance at the solid waste meeting. Efforts remain ongoing for a recycling and power generation facility to be leased on those properties.

**CASSIA COUNTY COMMISSION
REGULAR SESSION
Monday, July 31, 2023**

Instrument # 2023002455

BURLEY, CASSIA, IDAHO

8-7-2023 03:16:05 PM No. of Pages: 9

Recorded for : CASSIA COUNTY COMMISSIONERS

JOSEPH LARSEN

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COMMISSIONERS MINUTES

EV

- g) 10:57 AM Beck noted correspondence received from the Forest Service regarding exploratory efforts at the former Black Pine mine. He asked the board to consider whether a letter for comments needs to be submitted to the forest service.
- h) 11:42 AM Beck mentioned having a meeting with Maria Brown from the community who has been seeking commissioner support for the organization of a central committee to plan the upcoming semi quinentennial celebration of the Declaration of Independence.
 - i) A question was raised as to why this responsibility needs to fall on the commissioners rather than the community. It was also discussed who should be involved with the committee so as not to infringe on other celebration plans that are generally held by neighboring cities for the holiday.
 - ii) This will be visited again next week after Chair Beck contacts Chair Schenk from Minidoka County for his input.
- i) 12:06 PM Mr. McMurray distributed information for an upcoming CAFO hearing for Big Sky Dairy for the commissioners to review in preparation for that hearing. Searle added that he will continue his study of the recently held hearing for Peter Grush's application for a zoning amendment so that he can participate in the rendering of a decision scheduled for 8/14/2023.

5) 10:56 AM Approve payables for 7/31/2023

10:56 AM **Motion and Action:** Approve payables as presented on 7/31/2023 in the amount of \$48,106.86,

Moved by Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

- 6) 11:00 AM Review and approval of Alcohol License applications for which there is a transcribable verbatim record of the proceedings as required by Idaho Code § 23-1015.
 - a) El Torito Market - Bottled/canned beer OFF and ON premises
 - b) Estrellitas Market - Bottled/canned beer OFF premises
 - c) Hansen's Hub - Bottled/canned beer OFF premises
 - d) One Punch Pizza - Bottled/canned beer ON premises, Retail wine
 - e) Shakers - Declo Liquor License, Draft, Bottled/canned beer ON premises, Retail wine, Wine by the drink
 - f) Smith's Food & Drug #123 - Bottled/canned beer OFF premises, Retail wine
 - g) Taqueria El Mirador - Bottled/canned beer OFF and ON premises, Retail Wine

11:05 AM **Motion and Action:** Approve the seven presented Alcohol License applications, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.

Motion passed unanimously.

- 7) 11:10 AM Personnel Matters
 - a) There were none to be considered.
 - b) A certificate of appreciation for Corporal Tina Cranney was handed to the board for their signatures. No motion was needed for the signatures as it was not seen as an action of the board but a commendation.

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8) 9:09 AM Executive Session

9:09 AM **Motion and Action:** Enter Executive Session pursuant to Idaho Code § 74-206 (1) (b) to consider personnel issues, **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.

a) 9:09 AM Minidoka County's Board also entered into an executive session pursuant to Idaho Code § 74-206 (1) (b).

b) 9:21 AM Prosecutor Larsen entered the meeting and joined the boards in executive session.

9:35 AM Upon exit of Executive Session, the board took the matters discussed under advisement.

10:12 AM Executive Session

10:12 AM **Motion and Action:** Enter Executive Session pursuant to Idaho Code § 74-206 (1) (b) to consider personnel issues, **Amended Motion and Action:** to include 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, **Amended Motion and Action:** to also include 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.

10:52 AM Upon exit of Executive Session, the board took the matter under advisement.

11:54 AM Executive Session

11:55 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.

12:06 PM Upon exit of executive session, the board took the matter under advisement.

9) 11:10 AM Consider Petroleum Storage Tank Fund (PSTF) annual policy renewal

a) Searle recommended the board needs to consider whether they will continue to maintain the tanks or deactivate them but that they need the insurance coverage for now.

b) Beck reviewed the renewal application questions and answers for the board's approval.

- c) 11:48 AM Kunau said, in relation to the county having a fuel system, he suggested it should be an above ground tank installed in the back parking lot of the sheriff's office. He was unsure if the cost to install the system would be more than continuing to rely on the City of Burley's fuel station.

11:14 AM **Motion and Action:** Approve the continuation of insurance for these tanks, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

10) 11:15 AM Decide on reduction of solid waste fees - Beck

- a) Beck requested Treasurer Greener join the board for discussion.
- b) 11:26 AM Treasurer Greener joined the meeting for discussion on the matter. Beck reviewed the information from a report she had provided earlier on estimated savings with a decrease in solid waste charges.
- c) Beck asked the board to consider dropping residential charges from \$48.00 to \$45.00. He felt they could not substantiate a 10% decrease in fees for every category as he was aware that the charged fee from the solid waste district to the county was going to increase within the next five years by almost \$200,000.00.
- d) Of the 7,192 residential accounts, an estimated 250 of them are on circuit breakers. Those households only pay half of the solid waste fee which would go from \$24.00 per month to \$22.50.
- e) McMurray said it was his understanding that the proposed estimated decrease of 6.25% to residential homes did not need a hearing as statute indicated a hearing would be required only if they were going to institute a new fee or increase the current fee by 5% or more.
- f) Kunau brought up a push in the past for the City of Burley to build a transfer station in city limits. He asked if any future City of Burley plans would affect the county's residents, especially those who live just outside of city limits. It was also questioned whether Minidoka County would be affected because the northern part of the city lies in their county.
- g) Counties are assessed fees based on the tonnage delivered the previous year. If north Burley were involved with any city plans for a transfer station, this might affect Minidoka County as well as Cassia.
- h) Beck will speak with Josh Bartlome about possible corollary consequences on both counties and the city if they decide to decrease the charges for residential homes.
- i) Greener requested that the board come to a decision by the end of August if the decreased fees needed to be implemented. The matter was taken under advisement for further investigation and requested to be revisited again next week.

11) 11:16 AM Consider Fair Board's purchase request for fencing

- a) Kunau asked if this was a rental agreement or purchase agreement. Beck contacted Trevor Stapleman to get clarification.
- b) Trevor clarified that this was a purchase agreement. Trevor was instructed to have the company that was selling the fence panels to change the buyer's name on the quote to the Cassia County Fair Board and their address.

11:24 AM **Motion and Action:** Approve the Fair Board purchase of 20 panels with the total purchase price of \$2,210.00, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

SCHEDULED ACTION AGENDA ITEMS

- 12) 9:08 AM Meet with Minidoka County Commissioners to discuss FY2024 budget matters
- a) Both boards participated in an executive session.
 - b) 9:36 AM Consider Misdemeanor Probation's possible purchase of a vehicle from the Extension Office
 - i) Beck asked if the Minidoka County Commissioners could consider allowing the Adult Misdemeanor Probation office to purchase the Dodge Caravan from the Extension Office in this fiscal year rather than next. The cost would be \$7,000.00 split equally between the counties.
 - ii) Schenk advised they would consider the request during their own commissioner meeting later in the day and send word of their decision on the matter.
- 13) 9:38 AM Review and execute Notice of Intent to Terminate License Agreement with Indigent Healthcare Solutions
- a) Election Director Keck presented to the board a letter noticing intent to terminate an agreement with a software licensing company that provided indigent healthcare repayment tracking. This software is no longer needed with the passing of HB735 and the subsequent closing of the state medical indigent and catastrophic health fund.
 - b) The Social Services department already has an in-house software program that is capable of handling the remaining accounts receivable portion of the county's caseload. The termination of this licensing agreement will save the county approximately \$8,700.00 per year.

9:41 AM **Motion and Action:** Approve the signatures to the termination of license agreement, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.
Motion passed unanimously.

- 14) 9:42 AM Review and approve the PDC Workload Financial Assistance Change of Use Request form
- a) Deputy Auditor Evans reviewed the change of use request form.
 - b) The county has asked that the funds granted for the employment of a full-time attorney and a full-time legal secretary be diverted to cover the costs of first and second level defense contracts due to the county's inability to hire another attorney in the office.

9:47 AM **Motion and Action:** Approve signing the PDC document as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

- 15) 9:47 AM Review and approve Notice of Publication for FY2024 County Budget and FY2024 Road & Bridge Budget
- a) Deputy Auditor Evans reviewed the proposed budgets for the County and for Road & Bridge for FY2024 that need to be published.
 - b) Property tax revenues were calculated with the best information available without having received any solid numbers yet. The majority of the tax revenues have been assigned to the justice fund.

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- c) Evans also explained that fund balances would be used to cover the “fifth quarter” of the fiscal year until the next tax drive in December.

10:09 AM **Motion and Action:** Approve the notice of publication for FY2024 County budget with a hearing at 9:45 AM on Monday, August 21st, 2023, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

10:11 AM **Motion and Action:** Approve the notice of publication for FY2024 Road & Bridge budget with publication on the 10th and 17th of August and a hearing on the 21st of August at 9:30 AM, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

UNFINISHED BUSINESS ACTION AGENDA ITEMS

16) 11:46 AM Proposed County Building Discussion

- a) Beck reported on part of a conversation he had with Josh from Erstad wherein Josh said he was having a difficult time getting ahold of the city building inspector for information on required setbacks. Beck was able to give contact information for both parties to each other. Kunau was concerned they were spending more time on the interior of the building rather than establishing the outside parameters first.
- b) Kunau also expressed dislike for the initial proposed parking in which vehicles must use the alley for access.
- c) Kunau also suggested a possibility of adding more parking to the current Assessor’s Office property depending on their plans for the future of that building.
- d) Searle requested information relating to the exact dollar amounts the County has been awarded so far in ARPA and LATCF monies. Deputy Auditor Evans reported that the County has received both ARPA payments totaling \$4,667,546.00 and one of the two LATCF payments of \$2,203,508.92.
- e) Kunau reiterated the need to have a big enough building so that a portion of it remained unfinished for future expansion rather than thinking they could build more later.

17) 12:07 PM Adjourn

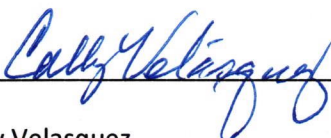
12:08 PM **Motion and Action:** Adjourn, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

APPROVED:

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

Leonard M. Beck, Chair

DEPUTY CLERK OF THE BOARD:

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

Cally Velasquez

SUMMARY CLAIMS APPROVAL REPORT INCLUDING BUDGET BALANCES

BOTH UNPAID CLAIMS & DEMANDS GENERAL GOVERNMENT FUNDS
82% 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	3,772,971.32	4,921.50	1,464,926.68	28%
0002 ROAD & BRIDGE	579,720.00	439,639.18	1,932.41	140,080.82	24%
0006 DISTRICT COURT	374,120.00	241,333.44	93.49	132,786.56	35%
0008 JUSTICE FUND	12,291,405.00	9,449,610.60	11,993.56	2,841,794.40	23%
0012 M-C MISDEMEANOR PROBATION	1,098,450.00	832,345.40	124.92	266,104.60	24%
0013 911 COMMUNICATIONS	871,000.00	128,051.42	369.10	742,948.58	85%
0015 CONSOLIDATED ELECTIONS	217,865.00	57,308.12	1,485.00	160,556.88	74%
0016 SOCIAL SERVICES-ASSISTANCE	747,118.00	250,539.80	805.30	496,578.20	66%
0020 REVALUATION	452,825.00	325,158.34	1,743.24	127,666.66	28%
0025 WATERWAYS	50,000.00	3,093.61	636.40	46,906.39	94%
0029 PHYSICAL FACILITIES	274,300.00	779,356.89	53.74	-505,056.89	-184% *
0048 EMPLOYEE BENEFITS FUND	3,621,490.00	2,687,679.69	23,948.20	933,810.31	26%
		Total Amount Paid	48,106.86		

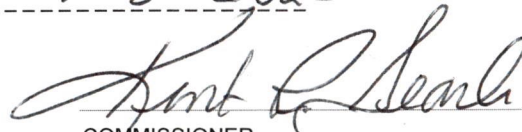
STATE OF IDAHO
CASSIA COUNTY

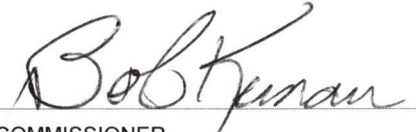
WE, THE CASSIA COUNTY COMMISSIONERS, BEING DULY SWORN DO HEREBY CERTIFY AND DECLARE THAT
WE HAVE REVIEWED THE DEMANDS ENUMERATED AND REFERRED TO IN THE FOREGOING REGISTER, AND THAT THE SAME ARE
TO THE BEST OF OUR KNOWLEDGE ACCURATE AND ARE JUST CLAIMS AGAINST THE COUNTY, AND THAT THERE ARE FUNDS
AVAILABLE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

APPROVED FOR DISTRIBUTION AS OF

7-31-2023


COMMISSIONER


COMMISSIONER


COMMISSIONER

attest: Cally Velasquez deputy clerk

* WARNING: This fund is over budget

Cassia County Commissioner Meeting

Attendance Log

Date: 07-31-2023

NAME (Please Print)	TOWN	REPRESENTING
1. Heather Whitehead Evans	Burley	Auditors
2. Wayne A. Schenk	Rupert	Minidoka
3. Tonya Page	"	"
4. Jane Sorenson	Rupert	Minidoka
5. Jared O'For	Hyburn	Minidoka
6. J. Thompson	"	CCSO
7. Susan Keech	Almo	Social Serv-
8. Dan Schaffer	Rupert	Minidoka
9. Laura Greener	Burley	Treasurer
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