



Cassia County Board of Commissioners MEETING MINUTES

Monday, August 7, 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) 9:04 AM Call to order
- 2) Pledge of Allegiance and prayer
- 3) 9:05 AM Roll call

Roll Call.

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

- 4) 9:05 AM Calendar, meetings, committee reports, and correspondence were reviewed.
 - a) 8/8/2023 - Joint Board meetings for Juvenile Probation and Justice Center - Searle
 - b) 8/8/2023 - Fair Board meeting - Beck
 - c) 8/9/2023 - Mini-Cassia Transportation meeting - Beck
 - d) 8/12/2023 - Queen's Breakfast at Morey's
 - e) Beck read Minidoka County Commissioners' response to their request to consider allowing Adult Misdemeanor Probation to purchase a vehicle from another department in FY2023 rather than FY2024. Minidoka denied that request, and instead approved the purchase for FY2024.
 - f) 9:16 AM Beck reported on his discussion with Nate Francisco regarding solid waste fees. Questions of how Minidoka County and North Burley were assessed and how the construction of a transfer station within ten miles of the landfill would be received were also answered.
 - g) 10:24 AM Bowen Insurance requested time on next week's agenda for an ELAP presentation of extended benefits being offered to the County.

- 5) 9:10 AM Approve payables for 8/7/2023

9:11 AM **Motion and Action:** Approve payables in the amount of \$289,137.25 on 8/7/2023, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

- 6) 9:12 AM Approve minutes from 7/10, 7/12, 7/17, 7/24, and 7/31

9:12 AM **Motion and Action:** Approve minutes from 7/10/2023 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

CASSIA COUNTY COMMISSION
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Instrument # 2023002536

BURLEY, CASSIA, IDAHO

8-14-2023 10:19:53 AM No. of Pages: 11

Recorded for : CASSIA COUNTY COMMISSIONERS

JOSEPH LARSEN

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COMMISSIONERS MINUTES

EV

9:13 AM **Motion and Action:** Approve minutes from 7/12/2023 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Leonard M. Beck - Chair, Kunau abstained from vote. Motion passed.

9:13 AM **Motion and Action:** Approve minutes from 7/17/2023 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Leonard M. Beck - Chair, Searle initially abstained from vote but later voted in support. Motion passed unanimously.

9:14 AM **Motion and Action:** Approve minutes from 7/24/2023 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Leonard M. Beck - Chair, Searle abstained from vote. Motion passed.

- a) 9:15 AM Chair Beck noted that in the 7/31/2023 meeting he said he would contact Josh for more information on the solid waste fees discussion but he misspoke. He intended to speak with Nate Francisco about the matter.

9:16 AM **Motion and Action:** Approve minutes from 7/31/2023 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

7) 9:18 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 20 junior college Certificates of Residency as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

- 8) 9:19 AM Personnel Matters - Change of Status Requests
 - a) CCSO - Klay Kunzler - Certified Patrol Deputy (city) - grade change
 - b) CCSO - Kyle Scouten - Uncertified Patrol Deputy (county) - grade change
 - c) MCCJC - Jin Moosman - Detention Deputy (uncertified) - new hire

9:21 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.

9) 10:28 AM Executive Sessions

10:28 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) (f) to communicate with legal counsel regarding pending/imminently-likely litigation, **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.

10:58 AM Upon exit of Executive Session, the board took the matter under advisement.

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11:12 AM Executive Session

11:12 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) (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.

11:39 AM Upon exit of Executive Session, the board took the matter under advisement.

10) 9:22 AM Discuss and decide on proposal to form a semi quincennial central committee and possible members

a) Beck had not heard back from Commissioner Schenk yet on this item.

11) 9:22AM Discuss and decide on the future plans of the county-owned fuel storage tanks - Searle

- a) Searle has watched the fuel costs and consumption over the last six months to determine if it would be more cost-effective to use the fuel storage tanks on county property or to continue working with the City of Burley's fuel station. There have not been any problems with the City of Burley thus far.
- b) The cost is cheaper than the officers can get anywhere else but if the county was utilizing its own fuel tanks, the savings is approximately 20-25 cents per gallon. He estimated the needed improvements for tracking and full implementation of the county tanks could be recovered in savings in about three years.
- c) Kunau would rather install a fuel system in the area behind the Law Enforcement building for security reasons. But the costs to install such may outweigh the benefits of using the City's facility.
- d) The fuel tank needs to be at least 12,000 gallons. The two at the old highway building total about 12,500 gallons. One tank is 10,000 gallons and is currently holding diesel fuel. The second is 2,500 gallons currently holding gasoline. The tanks don't need cathodic protection and are in good condition.
- e) It was questioned if the fuel costs were being accounted for in the City of Burley Law Enforcement contract agreement. There was hesitancy to end any fuel agreement with the city if it was benefiting both entities as is.
- f) Searle was asked to collect data of a few years to consider in costs of usage and implementation and possible advantages or impacts to other departments such as Weed & Pest. Another point to consider was the usage of both gasoline and diesel versus just gasoline. The city has both available but the agreement is only for Law Enforcement vehicles at this time.

12) 9:40 AM Decide on proposed reduction of residential solid waste fees - Beck

- a) Beck reported that there may be more adjustments that need to be made with this proposal and asked that this item be set aside for now and will be picked up again at a later time.

13) 9:41 AM Consider closure of county offices for Fair Parade from 10:30 AM to noon on 8/16/2023.

- a) Deputy Clerk Velasquez presented a request from the commissioners to consider closing county offices during the Fair parade and also to consider granting 1.5 hours to those employees who cannot close their offices to attend the fair later in the week. This has been done every year with the exception of 2022 when the 1.5 hours substitution was overlooked.
- b) It was determined that the notification would be sent out to the employees by Sara Haynes.

9:46 AM **Motion and Action:** Approve the policy for the Fair parade time off, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

14) 9:47 AM Consider bid for additional work on wall for Sheriff's storage area.

- a) After construction of a wall in the large old highway building for Law Enforcement storage, it was discovered that the floor is not level and requires some additional work to fill an approximate two-inch gap.

9:48 AM **Motion and Action:** Approve the Jackson Construction bid for the completion of the division wall in the highway district building in the amount of \$400.00, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

15) 9:50 AM Approve and execute letter of support for Raft River Highway District's grant application for 2450 East Road.

9:54 AM **Motion and Action:** Approve the letter of support for the Raft River Highway District's application for the 2450 East Road, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

16) 9:56 AM Ratify amendments to published Notice of hearings for FY2024 County budget and FY2024 Road & Bridge budget

- a) An amendment was made to the notice of hearing that included clarification on some numbers on the revenue projection sheet with the newest information available.

9:58 AM **Motion and Action:** Approve setting the date of August 21st at 9:30 AM for the hearing of the proposed FY2024 for both the County and the Road & Bridge, and the inclusion that we plan on using our forgone balance, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

9:59 AM Prosecutor Larsen entered the meeting.

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17) 10:08 AM Discuss and deliberate regarding use of law student interns in the Office of the Prosecuting Attorney

- a) Prosecutor Larsen presented a staffing dilemma their office will shortly be facing with the departure of one of the attorneys to another position. In discussing the problem with the other attorney, they decided to ask the Board for permission to form a new position for either an internship or externship.
- b) He expressed his reluctance to hire an attorney in the area that would diminish the pool available attorneys from defending a person and said it would be more detrimental to quality of defense available to defendants and would rather have an inexperienced intern working prosecution.
- c) He discussed the financial ramifications with Clerk Larsen in the Auditor's office and determined that bottom line for their current proposed budget for FY2024 will not change.
- d) He reached out to several universities and law schools in the surrounding area to measure interest in such an internship. The goal was to bring a second- or third-year law student to the area, and if it worked well, hopefully have new people come to the area where we are currently experiencing a serious lack of professionals in that capacity. A remote internship will not be considered.
- e) The supervising attorneys would need to apply for and adhere to provisional licensing requirements set by the Bar, which would incur some costs, as well as possible travel costs to get a student here.
- f) As an anecdotal side note, he reported that our Public Defender's son, who is an east coast law school, has recently accepted a position with a New York firm that is going to pay him \$50,000.00 per year as a third-year law student. In talking with an employment director at the U of U, this is the type of offer that his office will be competing with as east and west coast law firms have moved into the Utah valley and are starting young attorneys at \$140,000.00 per year.

10:23 AM **Motion and Action:** Approve the utilization of budget funds in the Prosecutor's Office in pursuing a law student intern, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

SCHEDULED ACTION AGENDA ITEMS

18) 9:30 AM Discuss 911 Committee recommendation to refurbish dispatch recording system

- a) Cpt. Thompson presented a bid from WesTek Marketing to refurbish the 911 Dispatch recording system that is very old. This is a software and hardware upgrade. This will be paid out of 911 budget.
- b) The one-year warranty is renewable for five years and at that time, if they choose, they can have WesTek refresh the system again.
- c) The cost of \$16,674.40 is for the initial installation and one year warranty. If they are happy with the system and warranty, then there will be an additional cost of approximately \$3,300.00.

9:33 AM **Motion and Action:** Approve the expenditures out of the 911 fund for the stancil recorder upgrade, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

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19) 9:35 AM Consider Nominations for the Capital Crimes Defense Fund Board Elections

- a) Mark Bolduc from Gooding County is currently serving on the board for District 4. The matter will be revisited when it can be ascertained if he is interested in continuing to serve.
- b) 11:10 AM Beck received word from a commissioner in Gooding County that Mr. Bolduc would like to continue serving on the board.

11:10 AM **Motion and Action:** Nominate Mark Bolduc to the Capital Crimes Defense Board, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

20) 9:59 AM Tax Deed Auction on two parcels

- a) Beck read the publication of the first parcel to be auctioned as RPOID170007013. The minimum bid was set at \$482.00.
 - i) The highest bid of \$1,400.00 was submitted by Vincent Hecht.

10:03 AM **Motion and Action:** Accept the bid of \$1,400.00 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

- b) 10:04 AM Beck read the publication of the second parcel to be auctioned as RP16S28E286900. The minimum bid was set at \$492.00
 - i) The highest bid of \$1,400.00 was submitted by Lloyd Vit, Sr.

10:07 AM **Motion and Action:** Accept the bid of \$1,400.00 made by Mr. Vit as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

- c) 10:24 AM The quitclaim deeds for both properties were prepared and submitted to the Board for the Chairman's signature. Signatures were witnessed and notarized by Deputy Recorder Velasquez for the record.

10:26 AM **Motion and Action:** Approve signing the prepared quitclaim deed for the sale of property one, which was Lots 13, 14, and 15 of Block 13 of the Idahome Townsite, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

10:27 AM **Motion and Action:** Approve signing the quitclaim deed for the second property to Lloyd Vit, Sr., **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

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- 21) 10:58 AM Deliberate regarding procedure and setting bond amount for creation of Raft River Irrigation District - Prosecutor Larsen and Keck
- a) Prosecutor Larsen explained the purpose of this item was to set the amount of the bond that the proposed irrigation district would need to post in order to publish the notices that will be required by this procedure. They are electing to hold the election themselves so the County will not need to carry the cost of conducting that election. Statute guidelines say to set an amount double what the projected costs for those publication requirements would be.
 - b) Election Director Keck stated that the Clerk's office received the petition for Raft River to form an irrigation district on June 26, 2023. In accordance with Title 43, chapter 1, involving the organization of irrigation districts, the Board also needs to schedule a day to hear the presentation of the petition. Her office recommended the presentation be scheduled for Monday, August 28, 2023 at 9:30 AM in order to meet the statutory time requirements.
 - c) There are three publications that the proposed irrigation district will need to submit: the notice of presentation, the notice of hearing, and the notice of election. Keck estimated those costs based on similar publications done by the county to total approximately \$1,293.00. She recommended the bond be set at \$2,586.00 as dictated by I.C. § 43-104.

11:06 AM **Motion and Action:** Accept the bond amount of \$2,586.00 for the Raft River Irrigation District election, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

11:07 AM **Motion and Action:** Set August 28th at 9:30 AM for the presentation of petition, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

- 22) 11:39 AM Executive Sessions as needed pursuant to Idaho Code § 74-206 (1)(c) - to acquire an interest in real property not owned by a public agency.
- a) Beck requested items (b) and (d) be included in the motion.

11:40 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, and 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.

1:36 PM Upon exit of Executive Session, the board took the matter under advisement.

UNFINISHED BUSINESS ACTION AGENDA ITEMS

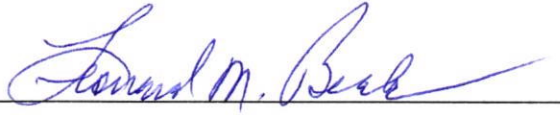
23) 1:36 PM Proposed County Building Discussion

- a) Kunau reported on a meeting he had with Clerk Larsen and Treasurer Greener regarding the amount of space each department was anticipating receiving. He was concerned that the total square footage of the building had not been determined yet. He was also concerned at the apparent lack of progress on the project. It was evident that no construction on a building would begin this year.
- b) Beck reiterated that Mr. Moser, the project manager, was having difficulty getting in touch with the city building inspector in order to get definite rules on setbacks and parking requirements. He said that would determine whether Josh would present a single story or a two-story building plan. A bigger capacity building requires more parking spaces.
- c) Searle reported on his inquiry about financing. He wanted to know how much in ARPA and LATCF payments the county had received so far and that would give the parameters for the budgetary confines of the building proposal. The total received so far is \$6.8 million. If the second and final LATCF payment comes in as expected around the end of October, the total will be \$9.074 million. The county has also earned \$560,000.00 in interest so far this year.
- d) If they estimated the building costs of an 18,000 square foot two-story building at \$350.00 per square foot, it would come out to \$12.6 million. Kunau restated he didn't see any reason to have landscaping and wanted to reserve some space in the building for future expansion.
- e) Searle had been concerned that the county would not receive the second LATCF payment due to federal budget cuts. Kunau said that historically the government had not cut monies previously promised.

24) 1:45 PM Adjourn

1:45 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 black 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

84% 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	3,873,461.06	23,474.60	1,364,436.94	26%
0002 ROAD & BRIDGE	579,720.00	445,835.52	1,886.56	133,884.48	23%
0004 AMBULANCE SERVICES	262,850.00	191,508.53	21,029.17	71,341.47	27%
0006 DISTRICT COURT	374,120.00	248,707.99	1,311.80	125,412.01	34%
0008 JUSTICE FUND	12,291,405.00	9,703,646.70	128,871.02	2,587,758.30	21%
0012 M-C MISDEMEANOR PROBATION	1,098,450.00	856,409.94	3,876.24	242,040.06	22%
0013 911 COMMUNICATIONS	871,000.00	128,420.52	5,089.57	742,579.48	85%
0015 CONSOLIDATED ELECTIONS	217,865.00	57,308.12	1,097.07	160,556.88	74%
0016 SOCIAL SERVICES-ASSISTANCE	747,118.00	251,345.10	3,002.97	495,772.90	66%
0018 CASSIA COUNTY FAIR	270,708.00	158,670.86	8,036.42	112,037.14	41%
0020 REVALUATION	452,825.00	333,968.59	1,482.44	118,856.41	26%
0027 NOXIOUS WEED & PEST	426,030.00	253,809.89	6,762.87	172,220.11	40%
0029 PHYSICAL FACILITIES	274,300.00	779,410.63	157.59	-505,110.63	-184% *
0048 EMPLOYEE BENEFITS FUND	3,621,490.00	2,764,683.93	77,004.24	856,806.07	24%
0053 NARCOTICS SEIZED ASSETS FUND	40,000.00	49,119.17	6,054.69	-9,119.17	-23% *
		Total Amount Paid	289,137.25		

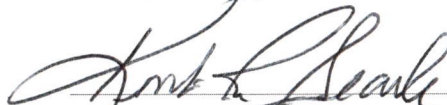
STATE OF IDAHO
CASSIA COUNTY

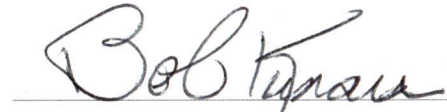
WE, THE CASSIA COUNTY COMMISSIONERS, BEING DULY SWORN DO HEREBY CERTIFY AND DECLARE THAT
WE HAVE REVIEWED THE DEMANDS ENUMERATED AND REFERRED TO IN THE FOREGOING REGISTER, AND THAT THE SAME ARE
TO THE BEST OF OUR KNOWLEDGE ACCURATE AND ARE JUST CLAIMS AGAINST THE COUNTY, AND THAT THERE ARE FUNDS
AVAILABLE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

APPROVED FOR DISTRIBUTION AS OF

8-7-2023


COMMISSIONER


COMMISSIONER


COMMISSIONER

attest: Cathy Velazquez deputy clerk

* WARNING: This fund is over budget

Cassia County Commissioner Meeting

Attendance Log

Date: 08-07-2023

NAME (Please Print)	TOWN	REPRESENTING
1. J. Thompson		
2. Scott Sylvester		
3. George Warrell	Oakley	Sheriff
4. Walt Adams	Burley	Assessor
5. Mirella Mancias	Burley	Assessors
6. Lloyd V.T.	Snowville	Self
7. Sara Flayner	Cassia	
8. Todd Quinn	Cassia	P&Z
9. Laura Gruener	Burley	Treasurer
10. Sheri Bedke	Burley	Treasurer
11. Matt Darrington	"	Paft River Irrigation Dist.
12. Susan Keck	Alma	Elections
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