



Cassia County Board of Commissioners REGULAR MEETING MINUTES

Monday, September 25, 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) 9:02 AM Call to order
- 2) Pledge of Allegiance and prayer
- 3) 9:04 AM Roll call

Roll Call.

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

- 4) 9:04 AM Calendar, meetings, committee reports, and correspondence were reviewed.
 - a) Other than a scheduled meeting for Searle later in the week, all three commissioners reported not being aware of any other meetings for this week.
 - b) Searle reported on his attendance at the jail inspection and audit conducted by ICE last week. He said there were things that needed to be worked on and he was awaiting the written report.
- 5) 9:06 AM Approve payables for 9/25/2023

9:06 AM **Motion and Action:** Approve payables in the amount of \$139,919.11 as presented on 9/25/2023, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

- 6) 9:08 AM Approve minutes from 9/18/2023, 9/20/2023, and 9/22/2023

9:08 AM **Motion and Action:** Approve minutes from 9/18/2023 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

9:09 AM **Motion and Action:** Approve minutes from 9/20/2023 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

9:09 AM **Motion and Action:** Approve minutes from 9/22/2023 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

CASSIA COUNTY COMMISSION
REGULAR SESSION
Monday, September 25, 2023

Instrument # 2023003225

BURLEY, CASSIA, IDAHO

10-2-2023 12:47:02 PM No. of Pages: 10

Recorded for : CASSIA COUNTY COMMISSIONERS

JOSEPH LARSEN

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COMMISSIONERS MINUTES

A handwritten signature, likely of Joseph Larsen, is written over the official stamp.

7) 9:10 AM Approval of Clerk's Office recommendations regarding junior college Certificates of Residency

9:10 AM **Motion and Action:** Approve Clerk's Office recommendations to approve three junior college Certificates of Residency as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

8) 3:38 PM Personnel Matters - Change of Status Requests

- a) Cost-of-Living increases and evaluations for FY2024 were approved for the following departments:
 - i) Building & Zoning
 - ii) Buildings and Grounds
 - iii) Treasurer
 - iv) Clerk
 - v) Law Enforcement
 - vi) Misdemeanor Probation
 - vii) Public Defender

3:38 PM **Motion and Action:** Approve Change of Status Requests as presented **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

9) 9:12 AM Executive Sessions

9:12 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.

9:31 AM Upon exit of Executive Session, the board took the matter under advisement.

9:18 AM Mr. McMurray entered the meeting.

10:54 AM Executive Session

10:54 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.

11:50 AM Upon exit of Executive Session, the board took the matter under advisement.

12:42 PM Prosecutor Larsen entered the meeting.

CASSIA COUNTY COMMISSION
REGULAR SESSION
Monday, September 25, 2023

12:42 PM Executive Session

12:43 PM **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.

1:25 PM Upon exit of Executive Session, the board took the matter under advisement.

3:55 PM Prosecutor Larsen reentered the meeting to answer legal questions in regards to the proposed building plans. He advised that they enter an executive session.

3:56 PM **Motion and Action:** Enter Executive Session pursuant to 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.

4:05 PM Upon exit of Executive Session, the board took the matter under advisement.

10) 12:36 PM Adopt Ordinance 2023-09-01 amending Zoning Chart to add "Home Occupations"

12:38 PM **Motion and Action:** Approve Ordinance Number 2023-09-01, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

11) 12:38 PM Sign Summary of Ordinance 2023-09-01 for publication purposes

12:41 PM **Motion and Action:** Approve the Summary of Ordinance 2023-09-01 for publication, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

12) 11:50 AM Sign letter to District Ranger Minidoka Ranger District regarding dead tree hazards near fence lines on Badger Fire area

11:59 AM **Motion and Action:** Approve signing the letter as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

13) 12:10 PM Sign letter of support for BLM action with respect to Milner boat ramp/quagga mussel response

12:12 PM **Motion and Action:** Approve going forward with the presented letter, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

14) 2:59 PM Discuss erstad contract proposal and related building matters

- a) Details and costs included in the contract that was sent over in early September were discussed. It was determined that there were still questions remaining concerning the contract and that those matters needed to be addressed before the board could enter into any agreement for services.
- b) The pros and cons of the two versions presented in last Friday's meeting with Josh Moser were discussed. Susan Keck and Heather Whitehead for the Clerk's Office, David Burgess for the IT Department and Pete Hernandez for Buildings & Grounds participated in the discussion to advocate for their respective needs and the suitability of each of the two versions just presented.
- c) Ms. Keck will contact Mr. Moser with specific questions so that the matter can be taken up again next week. The questions regarded clarifying costs of and other terms of services and the viability of modifying a favored floorplan version with current easements, setbacks, and boundary lines.

SCHEDULED ACTION AGENDA ITEMS

15) 9:31 AM Hearing: the formation of Raft River Irrigation District

9:31 AM **Motion and Action:** Enter hearing for the formation of the Raft River Irrigation District, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

- a) Chair Beck provided opening remarks and then attorney, Matt Darrington, presented the request to form the Raft River Irrigation District.
- b) Hattie Zobott, an engineer for the pipeline project answered questions from the Board.
- c) Ryan Moss speaking for Moss Farms, Bill Millenkamp speaking for Millenkamp Cattle, David Gerratt speaking for Ida-Gold Farms, Todd Jensen speaking for the Heglar Creek Group, Mike Garner speaking for Garner Farms, Tyson Nelson speaking for Evard LLC and Nature Ridge Holdings, and Kendall Jones speaking for Jones Farms and Jones & Widerburg Farms all spoke in support of the project.
- d) The Board decided to recess until Mr. Darrington could contact Mr. Tim Luke from IDWR to ensure concerns were addressed before approving the formation of the district.

10:17 AM **Motion and Action:** Take the matter under advisement and deliberate and make a decision next week, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion was withdrawn.

10:19 AM **Motion and Action:** Recess the hearing for the water project, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

10:50 AM **Motion and Action:** Reenter the hearing for the formation of the Raft River Irrigation District, **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.

- e) Mr. Darrington reported on his brief conversation with Mr. Luke.

10:53 AM **Motion and Action:** Approve the formation of the Raft River Irrigation District, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

- f) Mr. Darrington stated that he would prepare the order and would submit it to Mr. McMurray and Prosecutor Larsen later in the day.
- g) 10:54 AM Chair Beck confirmed with Mr. McMurray that ratification may proceed at the next meeting.

10:54 AM **Motion and Action:** Exit the hearing, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

16) 10:20 AM Adoption of proposed Summit Food Service amendment to contract - Lt. Taylor

- a) This matter was postponed until next week.

17) 10:27 AM Department Head Reports

- a) 10:27 AM Sheri Bedke for the Treasurer's Office reported on her department's activities. She gave the statement of treasurer's cash report for August. She said that they are now looking to hire temporary employees to assist in the upcoming tax drive.
- b) 10:32 AM David Burgess for the IT Department gave his report. Out of 104 help tickets for the month, five came in over the weekend and nine remained open.
- c) 10:34 AM Craig Rinehart reported for the Coroner's Office. He said the summer has been very quiet and the suicide count is down from last year. He has not heard anything new on the new Pocatello facility or the Ada County pathology agreement.
- d) 10:41 AM Pete Hernandez reported for the Maintenance department. He said the upgrades on the elevator won't likely start until the beginning of 2024. He is getting ready to prepare the buildings and grounds for winter.
- e) 10:43 AM Kerry McMurray reported for Planning & Zoning activities and Building & Zoning activities. He said there was one accessory dwelling unit permit issued, one manufactured home siting permit, and 23 building permits were issued. Four of those were commercial. The total valuation of the building permits was almost \$4.4 million.
- f) 10:45 AM Sheriff Warrell reported for Law Enforcement. He also reviewed the jail census report for that morning.
- g) 10:48 AM Mirella Mancias reported for the Assessor's Office. She stated that two appraiser trainees were nearing completion of their certification training and they expected to be notified in the next week if they passed their tests.

18) 12:00 PM Reports of USFS and BLM

- a) 12:00 PM USFS - Kevin Draper reported on recent forest service activities which included a controlled burn.

**CASSIA COUNTY COMMISSION
REGULAR SESSION
Monday, September 25, 2023**

- b) 12:13 PM BLM - Ken Crane reported on recent activities with BLM lands. He praised the working relationship with Sheriff Warrell and local law enforcement deputies in helping to mitigate potential problems with visitors on some recreation sites. He also asked for input on where would be some good sites to develop designated shooting ranges to alleviate some dangerous situations arising from conflicting interest groups on some lands.

- c) Crane also reported on a recent communication regarding the Gateway Project.

1:25 PM Recessed for lunch.

2:59 PM Reconvene

UNFINISHED BUSINESS ACTION AGENDA ITEMS

19) Proposed County Building Discussion - This item was combined with item # 14 above.

20) 4:08 PM Adjourn

4:08 PM **Motion and Action:** Adjourn, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

APPROVED:

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

Leonard M. Beck, Chair

DEPUTY CLERK OF THE BOARD:

A handwritten signature in blue ink, appearing to read "Cally Velasquez", written over a horizontal line.

Cally Velasquez

SUMMARY CLAIMS APPROVAL REPORT INCLUDING BUDGET BALANCES

BOTH UNPAID CLAIMS & DEMANDS GENERAL GOVERNMENT FUNDS

98% OF FISCAL YEAR ELAPSED

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

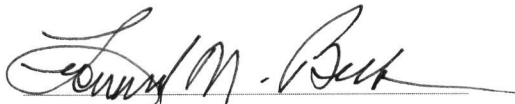
Fund	Budget	Actual	Demand/Claims Amt	Budget Remaining	% Budget Remaining
0001 GENERAL FUND (CURRENT EXPENSE)	5,237,898.00	4,369,428.43	2,108.12	868,469.57	17%
0002 ROAD & BRIDGE	579,720.00	472,575.42	90.60	107,144.58	18%
0006 DISTRICT COURT	374,120.00	280,527.48	2,103.50	93,592.52	25%
0008 JUSTICE FUND	12,291,405.00	10,986,570.22	31,427.56	1,304,834.78	11%
0012 M-C MISDEMEANOR PROBATION	1,098,450.00	982,417.53	189.00	116,032.47	11%
0013 911 COMMUNICATIONS	871,000.00	164,781.23	16,674.00	706,218.77	81%
0025 WATERWAYS	50,000.00	18,051.22	1,736.40	31,948.78	64%
0028 SNOWMOBILE	86,450.00	23,810.98	2,547.90	62,639.02	72%
0029 PHYSICAL FACILITIES	274,300.00	802,378.83	10,861.62	-528,078.83	-193% *
0048 EMPLOYEE BENEFITS FUND	3,621,490.00	3,180,975.58	72,180.41	440,514.42	12%
		Total Amount Paid	139,919.11		

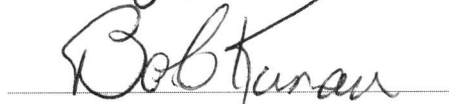
STATE OF IDAHO
CASSIA COUNTY

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.

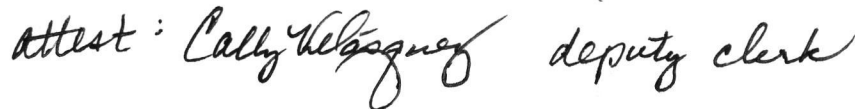
APPROVED FOR DISTRIBUTION AS OF

9-25-2023


COMMISSIONER


COMMISSIONER


COMMISSIONER

attest:  deputy clerk

* WARNING: This fund is over budget

25-Sep-23

Proposed Raft River Irrigation District Hearing

Sign Up to Testify at Hearing

	FIRST NAME	LAST NAME	ADDRESS (CITY, STATE, ZIP)
1	Bill	MillenKamp	444 3150 East 800 S Declo
2	Todd	Jensen	22 N Yale Rd Declo, ID 83323
3	Kendall	Jones	82 So 150 East Burley, ID 83318
4	Ryan	Moss	2450 E 600 South Declo ID
5	David	Gerratt	2150 E 352 S Declo, ID 83323
6	Dave	Heian	Bill 3150 East 800 S Declo ID
7	Tyson	Nelson	134 E. Highway 81, Burley
8	Mike	Garner	113 S 2550 E Declo, ID
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Cassia County Commissioner Meeting

Attendance Log

Date: 9-25-2023

NAME (Please Print)	TOWN	REPRESENTING
1. George Warrell	Oakley	Sherif
2. Harlie Zoboff	Buhl	Raft River Irrigation District
3. Todd Jensen	Heyburn	Heglar Creek
4. Matt Dawnglan	Burley	Raft River Irr. Dist.
5. Susan Keck	Almo	Elections
6. Shari Bedke	Burley	Treasurer
7. David Heida	Twin Falls	Millanburg
8. Tyson Nelson	Burley	Evans LLC
9. Mike Garner	Dedo	
10. Shannan Taylor		CCSB
11. Mirella Mancor	Burley	Assessors
12. Pete Hernandez	Durby	Building on ground
13. CRAIG RICHART	Burley	Coroner
14. David Burgess	"	IT
15. KEVIN DRAPER	"	FS
16. Ker Crane	Burley	BLM - Burley FO
17. Heather Whitehead	Burley	Auditors
18.		
19.		
20.		
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22.		
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24.		