



Cassia County Board of Commissioners

REGULAR MEETING MINUTES

Monday, October 16, 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) 9:05 AM Call to order
- 2) Pledge of Allegiance and prayer
- 3) 9:08 AM Roll call

Roll Call.

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

- 4) 9:09 AM Calendar, meetings, committee reports, and correspondence were reviewed.
 - a) Kunau to attend a meeting for the South-Central Public Health Board 10/18/2023.
 - b) A request was received regarding a NACO request for funding for public lands. Matter will be placed on the next agenda for consideration.
 - c) Mr. McMurray reported that there is a meeting for the Mid Snake Water 10/17/2023.
 - d) The Cassia County Industrial Corporation has a meeting on 10/20/2023.
 - e) Mr. McMurray advised that there are a couple of Planning and Zoning seats that will have their terms expire at the end of the year.
- 5) 9:18 AM Approve payables for 10/16/2023
 - a) Payables for both FY2023 and FY2024 were presented.

9:18 AM **Motion and Action:** Approve payables as presented in the amount of \$33,218.03 on 10/16/2023 for FY2023, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

9:20 AM **Motion and Action:** Approve payables as presented in the amount of \$226,857.49 on 10/16/2023 for FY2024, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

- b) 11:20 AM Prosecutor Larsen requested approval of \$173,000.00 to settle an account with Siemens Diagnostics.

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Instrument # 2023003434

BURLEY, CASSIA, IDAHO

10-23-2023 11:04:08 AM No. of Pages: 9

Recorded for : CASSIA COUNTY COMMISSIONERS

JOSEPH LARSEN

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COMMISSIONERS MINUTES

EV

11:23 AM **Motion and Action:** Approve a payment in the amount of \$173,000.00 to Siemens Healthcare Diagnostics, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

- 6) Approve minutes from 10/10/2023
 - a) There were none to be considered.
- 7) 9:47 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) Edgewater Restaurant - Bottled/canned beer OFF premises, Draft, bottled/canned beer ON premises, Retail Wine, Wine by the drink, Recreational Parks Liquor License, Water Front Resort Liquor License

9:51 AM **Motion and Action:** Approve the Alcohol License application as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

- 8) 9:53 AM Approval of Clerk's Office recommendations regarding junior college Certificates of Residency

9:53 AM **Motion and Action:** Approve Clerk's Office recommendations to approve three and deny one junior college Certificates of Residency as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

- 9) 9:55 AM Personnel Matters - Change of Status Requests
 - a) Fairgrounds - Daringer Beck - seasonal employment - termination

9:55 AM **Motion and Action:** Approve Change of Status Request as presented **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

9:55 AM Prosecutor Larsen joined the meeting

- 10) 9:56 AM Executive Sessions

9:57 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, 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.

11:02 AM Upon exit of Executive Session, the board took the matter under advisement.

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2:53 PM **Motion and Action:** Enter Executive Session pursuant to 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.

3:00 PM **Amended 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) (f) to communicate with legal counsel regarding pending/imminently-likely litigation, **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.

4:58 PM Upon exit of Executive Session, the board took the matter under advisement.

11) 11:15 AM Consider and approve contract proposal with erstad Architects

a) Matter was tabled for future consideration.

12) 11:15 AM Sign letter to federal legislators regarding funding Badger Fire water development matters.

11:17 AM **Motion and Action:** Approve letter to federal legislators as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

13) 11:24 AM Sign letter to NRCS seeking technical assistance and funding for Badger Fire water development matters.

11:25 AM **Motion and Action:** Approve signing letter to NRCS requesting technical assistance and/or funds for water projects in the Badger Fire development area as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

14) 11:30 AM Discuss and execute Resolution No. 2023-013 regarding cell phone reimbursement

11:30 AM **Motion and Action:** Approve increasing cell phone reimbursement from \$30 to \$40, and an annual cost of living increase as presented, **Moved by** Bob Kunau - Member, Motion died for lack of a second.

11:31 AM **Motion and Action:** Approve increasing cell phone reimbursement from \$30 to \$40 per month, without an annual cost of living increase as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion was rescinded after discussion that the resolution number had not been included in the motion.

11:33 AM **Motion and Action:** Approve Resolution 2023-013 increasing cell phone reimbursement from \$30 to \$40 per month, to be paid via ACH as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

15) Consider request from Idaho State Damage Control Board for FY2024

- a) Matter will be placed on an agenda in January of 2024, to be considered after their annual report of activities is presented to the Board of County Commissioners.

16) 11:03 AM Consider and approve FY2024 purchase of Dodge Durango for Court Security

11:09 AM **Motion and Action:** Approve purchase of a 2023 Dodge Durango for Court Security as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

17) 11:13 AM Consider and approve K-9 retirement and declaration of surplus property

- a) Captain Thompson discussed that K-9 Mattie is to be retired and would remain with her handler.
- b) It was discussed that the dog is approximately two years old, and lacks the temperament necessary for a K-9 to work in the schools with the School Resource Officer.
- c) Excel K-9 has provided a new dog free of charge, and training of the new dog has been started.
- d) It was discussed that the value of the dog was considered to be less than \$250.00.

11:13 AM **Motion and Action:** Approve K-9 retirement and declare as surplus property with a value of less than \$250.00 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

SCHEDULED ACTION AGENDA ITEMS

18) 9:20 AM Report from VSO

- a) Veteran's Service Officer Chuck Driscoll reviewed the report of activity for the month of September.
- b) He stated that there were fifteen new veterans for September.

19) 9:30 AM Review and approve Ada County Autopsy Agreement - Rinehart

- a) Rinehart discussed that the contract had a few changes on it as requested by Ada County.
- b) It was discussed that the cost of a full autopsy has increased by \$500.00 to \$2,300.00.
- c) They have removed the lab fees from the autopsy costs, resulting in an approximate net increase of \$350.00.

9:36 AM **Motion and Action:** Approve presented contract with Ada County for Autopsy and Toxicology as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

20) 9:38 AM Present the Treasurer's Annual, Quarterly, and Monthly Reports - Greener

- a) Greener reviewed the reports for the Board, stating that the reports are in balance.
- b) The investment returns were also discussed.

21) 1:32 PM Continuation of hearing for Big Sky CUP/CAFO application

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- a) Brandon Barrett, attorney for Big Sky, addressed questions that had been asked previously. Water rights, mitigation, and compliance were discussed, as well as crop rotations. It was stated that a road agreement has been executed.
- b) Justin Praegitzer for Skyline Dairy reviewed the crop growing practices.
- c) Matt Thompson discussed expansion rights, diversion rates and water flows.
- d) David Shirley, attorney for Oakley Highway District confirmed that an agreement is now in place and will satisfy the requirements of the Oakley Highway District so long as it is complied with continuously within the ten-year period of the agreement. Shirley recommended that any permit be conditioned upon compliance with the terms of the road agreement. There was discussion related to enforcement of conditions required by a permit.
- e) Jackson Higgs from Southwest Irrigation District spoke regarding water allocations and usage. Commissioner Searle asked if there was an agreement in place between Southwest Irrigation and Big Sky, similar to the agreement with Oakley Highway District and Big Sky. Higgs stated that Southwest Irrigation does not have working agreements with landowners, and discussed mitigation plans and enforcement according to Idaho Statute §42-5244(a)(b).
- f) Commissioner Searle suggested that it may be appropriate to continue the matter.
- g) Commissioner Kunau stated he was in support of the matter, and that the authority to regulate water is under the authority of the Idaho Department of Water Resources.
- h) Mr. Barrett requested that a decision be made in the matter, noting that all requested information had been provided. He stated that if any restriction is to be placed on water usage that it would not be under the authority of the County.
- i) Chair Beck stated that the information received today was not totally numerically correct, and he wants to ensure that matters are correct prior to proceeding.
- j) Hearing was continued until 10/30/2023 at 10:00 AM

UNFINISHED BUSINESS ACTION AGENDA ITEMS

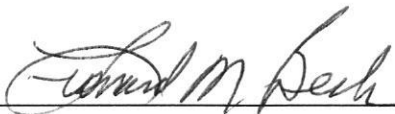
22) Proposed county building discussion

- a) There was no discussion on the matter.

23) 4:58 PM Adjourn

4:58 PM Motion and Action: Adjourn, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

APPROVED:



Leonard M. Beck, Chair

DEPUTY CLERK OF THE BOARD:



Sharene Ahlin

FY2023

SUMMARY CLAIMS APPROVAL REPORT INCLUDING BUDGET BALANCES

UNPAID CLAIMS GENERAL GOVERNMENT FUNDS

103% OF FISCAL YEAR ELAPSED

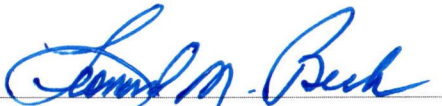
Fund	Budget	Actual	Demand/Claims Amt	Budget Remaining	% Budget Remaining
0001 GENERAL FUND (CURRENT EXPENSE)	5,237,898.00	4,659,698.36	386.45	578,199.64	11%
0002 ROAD & BRIDGE	579,720.00	477,674.00	22,171.20	102,046.00	18%
0008 JUSTICE FUND	12,291,405.00	11,516,902.41	5,237.86	774,502.59	6%
0016 SOCIAL SERVICES-ASSISTANCE	747,118.00	346,928.20	5,393.63	400,189.80	54%
0028 SNOWMOBILE	86,450.00	26,604.07	28.89	59,845.93	69%
	Total Amount Paid		33,218.03		

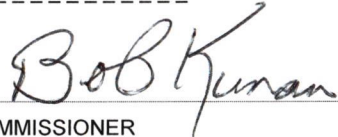
STATE OF IDAHO
CASSIA COUNTY

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

10-16-2023


COMMISSIONER


COMMISSIONER


COMMISSIONER

* WARNING: This fund is over budget

FY2024

SUMMARY CLAIMS APPROVAL REPORT INCLUDING BUDGET BALANCES

BOTH UNPAID CLAIMS & DEMANDS GENERAL GOVERNMENT FUNDS

4% OF FISCAL YEAR ELAPSED

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

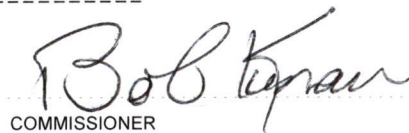
Fund	Budget	Actual	Demand/Claims Amt	Budget Remaining	% Budget Remaining
0001 GENERAL FUND (CURRENT EXPENSE)	5,736,912.00	205,869.79	18,667.70	5,531,042.21	96%
0002 ROAD & BRIDGE	754,095.00	7,665.78	29,525.05	746,429.22	99%
0008 JUSTICE FUND	13,922,579.00	396,308.44	1,168.54	13,526,270.56	97%
0013 911 COMMUNICATIONS	866,250.00	0.00	63,605.39	866,250.00	100%
0016 SOCIAL SERVICES-ASSISTANCE	537,550.00	500.00	494.27	537,050.00	100%
0020 REVALUATION	356,180.00	14,544.33	89.60	341,635.67	96%
0032 PREVENTIVE HEALTH FUND	270,000.00	0.00	22,483.26	270,000.00	100%
0048 EMPLOYEE BENEFITS FUND	3,873,550.00	156,760.42	90,823.68	3,716,789.58	96%
		Total Amount Paid	226,857.49		

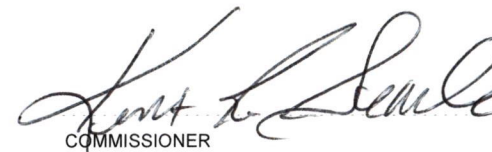
STATE OF IDAHO
CASSIA COUNTY

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 10-16-2023


COMMISSIONER


COMMISSIONER


COMMISSIONER

*NOTE: The 911 expense was processed as a demand for FY2023. There is no way in CAI to separate demand payments on this report for each fiscal year. See page 6.

* WARNING: This fund is over budget

Cassia County Commissioner Meeting

Attendance Log

Date: 10/16/2023

	NAME (Please Print)	TOWN	REPRESENTING
1.	Chuck Driscoll	Burley	VSO
2.	J. Thompson		CCSO
3.	George Warrell	Oakley	Sheriff
4.	Craig Riechart	Burley	Coroner
5.	Laura Greener	Burley	Treasurer.
6.	Matt Thompson	Turn	BSD
7.	Justin Praegitzer	Oakley	Skyline Dairy
8.	Brandon Bennett	Turn Falls	Big Sky Dairy
9.	Adam Taylor	Oakley	Skyline Dairy
10.	Laura Gittins	Burley	Assessors
11.	Danet Molina	Burley	Assessors
12.	David Shirley	Burley	Oakley Highway District
13.	Taxon Higgs	Burley	SWID
14.			
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