



Cassia County Board of Commissioners

REGULAR MEETING MINUTES

Monday, November 27, 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) 9:05 AM Calendar, meetings, committee reports, and correspondence were reviewed.
 - a) 11/27/2023 - Community meeting at ACE Fire Station
 - b) 11/28/2023 - Solid Waste meeting - Beck
 - c) 11/28/2023 - Joint Jail and Public Defender's meetings at - Searle
 - d) 11/29/2023 - Law Enforcement Domestic Violence Training
 - e) 12/4/2023 - Quarterly tour of the jail and joint meeting with Minidoka County to follow
 - f) 12/5/2023 - Cassia Regional Hospital Open House featuring DaVinci Robot
 - g) 12/14/2023 - Eastern Idaho Forensic Pathology Center Open House
 - h) 12/15/2023 - Extension Office Holiday Treat

9:09 AM Mr. McMurray entered the meeting.

- 5) 9:11 AM Approve payables for 11/27/2023

9:11 AM **Motion and Action:** Approve payables in the amount of \$150,396.35 as presented on 11/27/2023, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

- 6) 9:13 AM Approve minutes – There were none to be considered.
- 7) 9:14 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 nine junior college Certificates of Residency as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

CASSIA COUNTY COMMISSION
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Instrument # 2023003929
BURLEY, CASSIA, IDAHO
12-4-2023 03:57:51 PM No. of Pages: 8
Recorded for : CASSIA COUNTY COMMISSIONERS
JOSEPH LARSEN Fee: 0.00
Ex-Officio Recorder Deputy
Index to: COMMISSIONERS MINUTES

A handwritten signature in blue ink, likely of the recorder, Joseph Larsen.

8) 9:17 AM Personnel Matters - Change of Status Requests

a) CCSO - Garrett Espinosa - Uncertified Patrol Deputy (City) - new hire

9:18 AM **Motion and Action:** Approve Change of Status Request as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

9) 10:37 AM Executive Session

10:37 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.

11:06 AM Upon exit of Executive Session, the board took the matter under advisement.

10) 9:19 AM Consider request to waive building permit fees for the City of Oakley's water tank project

a) In the 2018 International Building Codes adopted by the county, it says a permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution, or metering, or other related equipment that is under the ownership and control of the public service agencies by established right. This narrow definition involves electricity, water, and sewer services.

9:27 AM **Motion and Action:** Approve the City of Oakley's request to waive the building permit fees for the City of Oakley's water tank project, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

11) 9:37 AM Approve and execute Ordinance 2023-10-1 adopting amendments related to Solar Energy Systems

9:38 AM **Motion and Action:** Approve and execute Ordinance 2023-10-1 adopting amendments related to Solar Energy Systems, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

12) 9:39 AM Approve and execute Summary of Ordinance 2023-10-1 for publication

9:39 AM **Motion and Action:** Approve executing the Summary of Ordinance 2023-10-1 for publication, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

13) 9:39 AM Execute Letter of Authority for Mike Butler as 911 Coordinator

- a) Chair Beck read the letter of authority for Mike Butler into the record. This letter allows Mr. Butler to act on Cassia County's behalf when dealing with other entities with respect to 911 operations.

9:41 AM **Motion and Action:** Execute the Letter of Authority for Mike Butler as 911 Coordinator, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

14) 11:32 AM Deliberate regarding execution of Purchase and Sale Agreement for Razor's Edge Building - moved to next week's agenda.

15) 9:42 AM Review and approve Resolution No. 2023-020 Amending the FY2023 Budget

9:43 AM **Motion and Action:** Approve Resolution No. 2023-020 amending the FY2023 budget, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

16) 9:44 AM Review and approve Rodeo Grandstands Construction Contract

- a) Issues with particular provisions in the contract were discussed with the company. Mr. Cotton was concerned about the Idaho Statute requiring that 95% of employees be Idaho residents for public works licenses. Violations of the requirement were cited as misdemeanors. This criterion cannot be waived by the county as it is state law.
- b) There was a question about the County's tax-exempt status and a requirement on the business' end to demonstrate that they have paid their taxes.
- c) These matters will need to be discussed with the business before a contract can be signed as they are matters of Idaho law.

SCHEDULED ACTION AGENDA ITEMS

17) 9:31 AM Review and approve FY2023 Vessel Financial Report - Auditor

9:36 AM **Motion and Action:** Approve the FY2023 Vessel Financial Report, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

18) 9:49 AM Department Head Reports

- a) 9:50 AM Treasurer - Laura Greener
 - i) Treasurer Greener reviewed a spreadsheet she made demonstrating market value and tax charge yearly changes. She also reviewed the statement of treasurer's cash report and gave updates on the progress of the current tax drive.
- b) 10:05 AM Coroner - Craig Rinehart
 - i) Rinehart reviewed Bannock County's invitation to participate in a kick-off event for their new Eastern Idaho Forensic Pathology Center to be held 12/14/2023 in Pocatello.

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- ii) He reported responding to two traffic fatalities and one suicide since the last department head report.
- iii) He also reported on Ada County's increasing insistence that he use a logging system for his reports that would give Ada County employees access to his records even if they aren't involved in the pathology services of a particular case. He explained his reluctance to comply and that it is not a state requirement to do so.
- c) 10:11 AM Extension Office - Grace Wittman
 - i) Wittman reviewed the activities scheduled for December for her office.
 - ii) She invited county employees to share a holiday treat with them on 12/15/2023.
- d) 10:13 AM IT - David Burgess
 - i) Burgess reported on statistics and activities of his office. Of the 87 tickets in the last 30 days, 19 were still open. It is a lower volume of tickets but the requests are taking longer to close. Usually, it is due to waiting for parts to arrive.
- e) 10:16 AM Law Enforcement - Sheriff Warrell
 - i) Sheriff reported on statistics of the jail and current issues being worked on dealing with POST Academy. He reported 145 total inmates and six positions available at the jail.
 - ii) Beck asked on the progress of a brief safety precautions letter from the Sheriff's office to the public. Warrell estimated it will be ready to send out in the next day or two.
- f) 10:23 AM Noxious Weed & Pest - Michael Ottley
 - i) Ottley reported on the activities of his department. He is taking the time to repair and service equipment in preparation for next spring. He also reported on classes that will maintain his sprayers licenses.
 - ii) The Board is planning on having the old Weed & Pest building demolished at the same time as the fair grandstands and requested that all items currently in the building be removed. Cpt. Thompson was asked to ensure the utilities have been shut off as well.
 - iii) Beck relayed a citizen's concerns for some errant cotton plants seen germinating. Although it is not a noxious weed, Ottley said he would try to gather information on the matter.
- g) 10:30 AM Building & Zoning - Kerry McMurray
 - i) McMurray reported on the statistics of his department during the month of October and upcoming discussion items with the Planning & Zoning Commission. 13 total permits were issued for October.
- 19) 11:06 AM Interview Tom Worthington for P&Z Commission opening - The Board entered an Executive Session to conduct the interview.

11:06 AM **Motion and Action:** Enter Executive Session pursuant to Idaho Code § 74-206 (1) (a) to consider personnel evaluation in hiring, **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.

11:31 AM Upon exit of Executive Session, the board took the matter under advisement.

- 20) 11:50 AM Request approval of cancellation of taxes for approved Homeowners Exemptions - Treasurer
- a) Treasurer Greener presented a request for cancellation of taxes on four parcels with the total tax amount of \$1,673.58 to be cancelled.

11:53 AM **Motion and Action:** Approve the presented homeowner's exemptions for the 2023 property tax, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

- 21) 11:37 AM Reports of USFS and BLM

- a) USFS - Scott Soletti
 - i) Soletti reported that the water contract for the Badger Fire has been submitted to contracting and hopefully will be ready to replace the burned water developments this next year.
 - ii) He also stated that a new 40-year permit was recently issued to Pomerelle to continue their ski resort operation.
 - iii) The Black Pine Mine site plan is currently being developed. Liberty Gold has determined there is sufficient gold in that area to develop a plan and request permits to begin mining productions.
- b) BLM - not present

UNFINISHED BUSINESS ACTION AGENDA ITEMS

- 22) 10:36 AM Consider XCell Engineering LLC contract for geotechnical survey

- a) No communication has been received yet.
- b) McMurray was asked to set up a time in which the Board could visit their office on 12/14/2023 since they will be in Pocatello that day to attend the new forensic pathology center's open house.

- 23) 11:34 AM Proposed County Building Discussion - nothing new at this time.

- 24) 11:54 AM Adjourn

11:55 AM **Motion and Action:** Adjourn, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

APPROVED:



Leonard M. Beck, Chair

DEPUTY CLERK OF THE BOARD:



Cally Velasquez

SUMMARY CLAIMS APPROVAL REPORT
INCLUDING BUDGET BALANCES

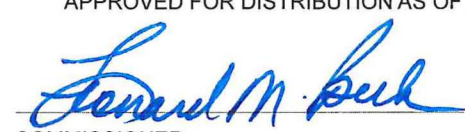
BOTH UNPAID CLAIMS & DEMANDS GENERAL GOVERNMENT FUNDS 16% OF FISCAL YEAR ELAPSED
* UNAPPROVED DEMANDS APPEAR IN ACTUALS AND ALSO AS AN INVOICE .

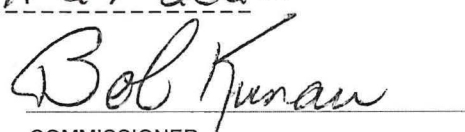
Fund	Budget	Actual	Demand/Claims Amt	Budget Remaining	% Budget Remaining
0001 GENERAL FUND (CURRENT EXPENSE)	5,736,912.00	802,421.71	62,570.82	4,934,490.29	86%
0002 ROAD & BRIDGE	754,095.00	68,164.34	6,990.46	685,930.66	91%
0006 DISTRICT COURT	377,630.00	35,259.19	2,654.72	342,370.81	91%
0008 JUSTICE FUND	13,922,579.00	1,930,841.99	13,177.96	11,991,737.01	86%
0012 M-C MISDEMEANOR PROBATION	1,184,800.00	205,430.62	1,813.90	979,369.38	83%
0015 CONSOLIDATED ELECTIONS	242,710.00	39,487.42	1,600.00	203,222.58	84%
0016 SOCIAL SERVICES-ASSISTANCE	537,550.00	19,773.86	4,545.13	517,776.14	96%
0029 PHYSICAL FACILITIES	12,041,300.00	5,283.22	3,247.00	12,036,016.78	100%
0048 EMPLOYEE BENEFITS FUND	3,873,550.00	442,159.45	52,328.76	3,431,390.55	89%
0053 NARCOTICS SEIZED ASSETS FUND	40,000.00	4,972.46	1,467.60	35,027.54	88%
Total Amount Paid			150,396.35		

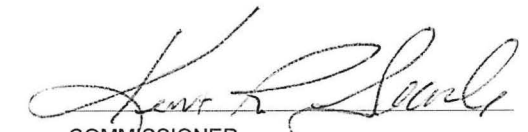
STATE OF IDAHO
CASSIA COUNTY

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 11-27-2023


COMMISSIONER


COMMISSIONER


COMMISSIONER

attest: Cally Delasquez deputy clerk

Cassia County Commissioner Meeting

Attendance Log

Date: 11/27/2023

NAME (Please Print)	TOWN	REPRESENTING
1. Michelle Wallace	Rupert	Auditor's
2. George Warrell	Oakley	Sheriff
3. Heather Whitehead	Burley	Auditor's
4. Grace Wittman	Burley	Extension
5. Laura Gruener	Burley	Treasurer
6. Craig Rinehart	Burley	Comoner
7. J. Thompson		CEO
8. David Burgess		IT
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