



# Cassia County Board of Commissioners

## REGULAR MEETING MINUTES

### Monday, February 26, 2024

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) 9:00 AM Call to order
- 2) Pledge of Allegiance and prayer
- 3) 9:02 AM Roll call

#### **Roll Call.**

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

- 4) 9:02 AM Calendar, meetings, committee reports, and correspondence were reviewed.
  - a) 2/27/2024 - Joint Public Defender and Jail meetings - Searle
  - b) 2/28/2024 - Solid Waste meeting - Beck
  - c) 2/29/2024 - South Central Community Action Partnership meeting at 2:00 PM - Kunau
  - d) 3/1/2024 - Rural EMS Committee meeting at 1:00 PM - Searle
  - e) 3/1/2024 - Beck to meet with Ms. Blitman, who conducted the county wage scale study, in Boise
  - f) 3/2/2024 - Republican Caucus
  - g) Searle reported on webcast from Custer County that he had recently reviewed. He said the material discussed was worth taking a look at.
  - h) BLM invited the Board to attend a meeting with PacifiCorp at their Twin Falls Office on 2/29/2024.
  - i) Beck spoke with Representative Pickett in regards to the Animal Damage Control report and request for funding. Beck will set up a time when someone can come in.
  - j) Mr. McMurray reported on his attendance at the Mid Snake River meeting last Wednesday. There was healthy discussion about Board goals and a mission statement. Also, the chairman is retiring so they will need to appoint a new chair and vice chair of that board.

9:06 AM Mr. McMurray entered the meeting.

- 5) 9:14 AM Approve payables for 2/26/2024

9:14 AM **Motion and Action:** Approve payables as presented on 2/26/2024 in the amount of \$59,403.06, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

- 6) 9:16 AM Approve minutes from 2/12/2024 and 2/20/2024

CASSIA COUNTY COMMISSION  
REGULAR SESSION  
Monday, February 26, 2024

**Instrument # 2024000626**

BURLEY, CASSIA, IDAHO

3-4-2024 11:19:03 AM No. of Pages: 16

Recorded for : CASSIA COUNTY COMMISSIONERS

JOSEPH LARSEN

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COMMISSIONERS MINUTES

*BV*

9:16 AM **Motion and Action:** Approve minutes from 2/12/2024 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

9:17 AM **Motion and Action:** Approve minutes from 2/20/2024 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

9:18 AM **Motion and Action:** Approve Clerk's Office recommendations to approve one junior college Certificate 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 - none at this time.

9) 9:32 AM Execute Sage Cove Subdivision Order

- a) Kunau requested that the matter be delayed until Prosecutor Larsen could participate in the discussion.
- b) 12:02 PM Prosecutor Larsen clarified for the record that this matter was strictly for Commissioner Kunau to consider. He stressed that the language in the letter was lifted directly from the judge's order on the matter.
- c) It was also discussed that the judge's order quoted directly from Cassia County's own ordinance on certain requirements or qualifications being met with regard to water. The judge was not asking for anything more than what the County had established and required of every applicant in the past. The judge determined that the Planning & Zoning Commission did not adequately articulate the reasoning for their choosing to support one report over the other two reports provided.
- d) No matter what the Planning & Zoning Commission decides, they must support their recommendation and it will come before Commissioner Kunau again to decide in the future.
- e) Kunau agreed to sign the order remanding the application back to Planning and Zoning for reevaluation as dictated by the judge's order.

10) 9:33 AM Consider ballot for Raft River Electric Board of Directors

- a) Chairman Beck is an authorized signatory for the ballot. As the county receives services from Raft River Electric and the business is a cooperative, therefore members of the co-op can vote for members to serve on the Board of Directors.
- b) The Board was uncomfortable discussing their personal knowledge of individuals listed on the ballot and requested to enter an executive session pursuant to Idaho Code § 74-206 (1) (d) to consider records that are exempt from public disclosure. McMurray cautioned that the ballot must be voted on in open meeting and they cannot make a determination in executive session but assented to them entering such to discuss personal information on the individuals.

9:37 AM **Motion and Action:** Enter Executive Session pursuant to Idaho Code § 74-206 (1) (d) to consider records that are exempt from public disclosure, **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.

**CASSIA COUNTY COMMISSION  
REGULAR SESSION  
Monday, February 26, 2024**

9:46 AM Upon exit of Executive Session, the board took the matter under advisement.

- c) 9:46 AM Returned to the ballot for casting of votes. It was agreed to vote for the candidate, Kay Hill, for District 2.
- d) Questions arose about the candidates running for the District 4 position. Beck will follow up and they will have this on the agenda again for next week.

9:46 AM Prosecutor Larsen entered the meeting.

#### **SCHEDULED ACTION AGENDA ITEMS**

11) 9:20 AM Approve courthouse sidewalk repairs - Hernandez

- a) Hernandez reviewed an estimate for repairs on a section of sidewalk on the southwest corner of the rear parking lot for the sheriff's office.
- b) It was discussed that the expenditure would come out of the Buildings and Grounds fund in the amount of \$2,944.00 with the work to be completed by Evergreen Peak Construction.

9:22 AM **Motion and Action:** Approve the bid from Evergreen Peak Construction for the sidewalk repair around the Law Enforcement facility in the amount of \$2,944.00, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

12) 9:23 AM Approve and Sign Equitable Sharing Agreement and Certification - Horak

- a) Lt. Horak presented a report they have to provide to the Department of Treasury every year for seized narcotics assets that the law enforcement agency either investigates or assists in investigating. The Department of Treasury then shares funds back of those seized assets.
- b) The report listed \$2,421.83 received prior to FY2023 and then those funds were expended during FY2023 for surveillance equipment.

9:25 AM **Motion and Action:** Approve and sign the Equitable Sharing Agreement and Certification as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

13) 9:25 AM Approve purchase of two watercraft and trailer from Waterways Funds - Horak

- a) Lt. Horak presented a request for the expenditure of not more than \$33,000.00 on two watercraft and a trailer to be funded from the Waterways account. The Waterways Committee has already reviewed and approved of this purchase from their funds.
- b) The two watercraft are jet skis they plan to use to assist in on-water safety inspections and to go on water that is restricted to big boats.
- c) Bids were collected from Action Motor Sports, Young Powersports and Let's Ride. Let's Ride was able to give government pricing on Sea Doo and therefore was the least expensive.

**CASSIA COUNTY COMMISSION  
REGULAR SESSION  
Monday, February 26, 2024**

9:27 AM **Motion and Action:** Approve the purchase of two watercraft and a trailer in the amount of \$32,100.00 from Let's Ride, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.  
Motion passed unanimously.

- 14) 9:30 AM Approve the agreement between Idaho Department of Parks and Recreation and Cassia County for Boat Safety Program - Taylor
- a) Lt. Taylor presented the standard agreement for their boat safety grant that they receive every year. Nothing in the agreement has changed in the last 15 years that Lt. Taylor has been involved with it.
  - b) The Federal allocation for Cassia County was \$14,667.00, with a minimum required match of \$7,333.00. The documentation states that the match funds must come from the County Vessel Accounts.
  - c) 9:50 AM Matter was revisited after Mr. McMurray briefly reviewed the agreement being presented.

9:51 AM **Motion and Action:** Approve the agreement between Idaho Department of Parks and Recreation and Cassia County for the Boat Safety Program, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

- 15) 9:52 AM Discuss the Eastern Idaho Forensic Pathology Center Contract - Rinehart
- a) The contract was presented last week and delayed for a week due to the numerous questions from the Board. Prosecutor Larsen reviewed the contract and said there is no problem with it from a legal standpoint.
  - b) Rinehart said that Bannock County Commissioner Hough would contact Commissioner Beck to discuss the Board's concerns about the cost and try to work with the county on reducing that cost somewhat. Beck has not received any contact yet.
  - c) Rinehart understood that the cost for our county of \$35,000.00 wouldn't go into effect for four years.
  - d) The Board discussed maintaining a contract with Ada County in the event that the costs for the new Eastern Idaho facility prove to be unsustainable.
  - e) Rinehart also noted that there was a stipulation in the contract that the cost would increase 10% each renewal until 2028.
  - f) No decision was made on the contract until additional information can be obtained by talking with the Bannock County Commissioner.

16) 10:08 AM Department Head Reports

- a) 10:09 AM Treasurer Greener gave the Statement of Treasurer's Cash as of January 31, 2024. She also reviewed a spreadsheet on the interest earned by county investments from October of 2023 through January 31<sup>st</sup>. The total interest earned for January is \$176,658.90.
  - i) The Treasurer's Office is now working on third year delinquencies. They are down from 23 parcels to 20 parcels with 10 owners on this list. There is one owner on the list who has passed away with five parcels that she cannot find any family for. Her office is also collecting on mobile homes currently. The list on that is 47 parcels with 35 owners. Warrants of distraint are set to be issued next Monday for any of those parcels they are unable to collect taxes on this week.
  - ii) Greener briefly described H.B. 521 which has included in it changing the ATR (Additional Tax Reduction) and HTR (Homeowners Tax Reduction) credits. The discussion is to remove the ATR and

**CASSIA COUNTY COMMISSION  
REGULAR SESSION  
Monday, February 26, 2024**



- move the monies that were there to the HTR to increase the balance being paid out to property owners. The bill is expected to pass this year.
- iii) Solid Waste charges she was waiting for were received Friday afternoon and will now be applied to the Missed Roll. Those calculations will be added today and tax notices are expected to go out in the mail tomorrow. The first half is due 30 days from date of billing and the second half is due June 20<sup>th</sup> with the rest of the taxes.
- b) 10:21 AM Buildings and Grounds Supervisor Hernandez provided an update on the status of the planned elevator upgrade.
- i) The company is still waiting for some pieces to be delivered so they don't anticipate beginning work on it until the end of March at the earliest. This brought up serious concerns about having an inoperable elevator during the May 21<sup>st</sup> election.
  - ii) Hernandez asked if the Board would consider possibly delaying the elevator upgrade until after the May 21<sup>st</sup> election. Kunau said that the elections department had also made that request to him. Hernandez will talk to the elevator company about it.
- c) 10:23 AM Cpt. Thompson reported for Law Enforcement. He said that patrol is fully staffed and that the jail is still down four deputies. There are no applications at the moment.
- i) The jail population census was given: 143 total inmates, with 56 from Cassia County, 35 from Minidoka County, four from Lincoln County, three for ICE, 34 from IDOC, nine US Marshals, and two courtesy holds.
  - ii) The Law Enforcement department will be working to ensure safe road travel conditions during the construction on the freeway at exit 208 that began this morning. Exit 211 construction is expected to begin in two weeks.
- d) 10:25 AM Weed and Pest Supervisor Michael Ottley reported on the activities of his department.
- i) He informed the Board that a representative of DEQ will be coming on Wednesday to conduct an inspection on the fuel tanks at 10:00 AM. He will need proof of insurance documentation for that inspection. Options for future use of the tanks will also be discussed at that time since they have not been used since the County acquired them with the purchase of the old Burley Highway District building.
  - ii) Other department activities included visiting with land owners, upgrading and servicing equipment, obtaining certifications and attending trainings, all in preparation for the approaching spraying season.
- e) 10:28 AM IT Department Head David Burgess reported on Help Desk Ticket statistics. In the last 30 days there were 84 new tickets with six tickets currently open.
- i) Burgess plans to attend a four-day cyber security training conference in Idaho Falls being put on by FEMA. He noted attending two other cyber security trainings in the last three months.
  - ii) They are still working on purchasing another server for the courthouse that will also serve the Assessor's Office needs.
  - iii) Burgess allayed Beck's concerns about duplicating costs with a new building being planned in the near future. He said that the biggest issue won't be in adding users or stations to the network, but in the networking itself to move existing users.
  - iv) Burgess disclosed that Fybercom had contacted him about running a new fiber line for the county. He determined it wasn't advantageous to consider because Fybercom would be using the same backbone that ETS uses and is already in place.

- f) 10:32 AM Coroner Rinehart provided an update on the activities for his department.
  - i) He reported that there was a need to order three autopsies in Boise in the last month.
  - ii) He relayed that the local FEMA director and also a local funeral home expressed appreciation for the use of his cooler at two different times recently. The cooler has provided a needed service.
- g) 10:35 AM Assessor Adams reported on his office.
  - i) He reported that three of his appraisers will be attending different training classes in Boise in March. Each employee will attend on a different day for a different class and will share what they have learned collectively.
  - ii) This does increase travel costs but he felt it would maximize the opportunity rather than have one person training for the whole time. He worked it out so that the county would only be charged for one person attending.
- h) 10:36 AM Mr. McMurray reported for the Building and Zoning department.
  - i) He noted that things have been slower for the time so the building inspectors have been taking advantage of acquiring additional training and continuing education hours.
  - ii) For the month of January there were six Ag-siting permits for a value of \$450.00 and four building permits with a total value of \$875,000.00.
  - iii) He noted that their office has received an increase in questions regarding solar energy systems. Some of the questions are with regard to utility size, which county ordinance does not allow, as well as larger ground-mounted solar energy panels for residential purposes.
  - iv) Since the office has seen an increase in pushback because of the ordinance, Beck suggested researching what other counties have experienced and how they've decided to address the issue.
- i) 10:43 AM Misdemeanor Probation Director Prewitt provided a brief update on her department.
  - i) She reported 1,042 active probationers and an additional 558 individuals on pretrial.
  - ii) Her office is fully staffed at this time.
- j) 10:43 AM Clerk Larsen reported on activities from his departments.
  - i) The Auditor's office is concluding work on 1095's and reported that 1099's and W-2s were finished and sent out by the statutory deadline.
  - ii) Next month they will begin the budgeting process for FY2025. He expects to be going over some best practices they plan to implement during this process of budget recommendations. The practices will be different in an effort to conserve funds needed to take care of employees' increase in rate of pay that gets entertained each year and secondarily for the magnitude of the projects already planned within the county for capital purchases.
  - iii) Consideration for the elevator upgrade to be delayed until after the May election was appreciated. There is a potential for an election to be held in August in addition to the presidential election in November. Homeland Security has designated elections in all government as critical infrastructure so whatever contingency plans exist for ADA access must be considered several months in advance.
  - iv) It has been recommended that the IOEM funds received each year and mostly dedicated to Law Enforcement be considered in bolstering and improving elections security as a high priority. He asked that a generator be considered for purchase as an electrical back-up for Voter-Central in the event of possible power interruptions especially during the November election. Multiple domestic terrorist threats to elections systems have been reported as well as cyber-security threats from

- v) rogue nation-states through EI-ISAC (Elections Infrastructure Information Sharing & Analysis Center) and MS-ISAC (Multi-State Information Sharing & Analysis Center).
- vi) The Courts Odyssey upgrade was successfully completed over the last week. The system has slowed down but those issues are being worked on.
- vii) Deputy Recorder Elsa Velasquez continues to work on updating the official Recorder's Manual for the state. Larsen will also be attending a PRIA (Property Records Industry Association) conference next month in hopes of getting up to speed on matters that need to be considered for that area.

17) 10:50 AM Proposed County building discussion

- a) Kunau led the discussion. He stressed his focus wasn't on the looks or exterior of the building shell but on the general dedication of area needed for each of the departments planned to occupy the space. He didn't like the plans from erstad Architects that included long hallways for people to travel when conducting business with the county. He referred to a basic plan he developed that split the area into four sections and included a second floor and possible basement for storage. He hadn't heard any feedback on his plan that was emailed on February 15<sup>th</sup> and requested input from those present.
- b) Treasurer Greener said that on the surface she liked the overall layout and shape of it being more square than rectangular.
- c) The importance of building security, parking access and fire code were discussed.
- d) Elections Director Susan Keck requested that the Elections, Social Services and Recording offices be located close to each other and that the offices be placed near the south end of the building for ease of transport of the equipment for elections.
- e) Concern about including a basement was expressed, as the location is located in a floodplain.
- f) It was discussed that landscaping would put additional unnecessary maintenance burdens on the Buildings and Grounds Department. The added duties of maintaining additional parking and sidewalk areas were then discussed. It was recommended that a minimal amount of landscaping would visually tie in to the existing courthouse.
- g) Deputy Auditor Whitehead reminded the Board of what she learned while attending the GFOA (Government Finance Officers Association) conference in Portland last year. Representatives from the Department of Treasury were there and specifically addressed using funds for government buildings. They stressed the importance to involve the public when planning these types of expenditures because it is the taxpayers who will fund the continued operation of the facility and the building is there to serve the public. If public perception that the new building will look too fancy is a concern, then let the public offer input on what type of building they would like to see built as it is there to serve their needs.
- h) Clerk Larsen pointed out other counties in Idaho such as Owyhee County and Custer County that have followed the Department of Treasury's guidance as well as GFOA guidance and offered them as examples of how to engage with the public in a positive way. He argued that a few peoples' negative comments privately made to one commissioner does not reflect an accurate consensus for the whole county. He and others are hearing very different opinions being reflected than what had been presented in prior discussions with the Board.
- i) Assessor Adams offered as an idea for public input to give the community a few choices and ask for their preference. He was not happy with the space allotted for the DMV as there had been additional room for his department in prior floor plans.

18) 11:23 AM East Cassia Soil & Water Conservation District FY2025 request for funding

- a) Hannah Sanders briefly reviewed their presentation and request for funding for FY2025. The request for \$9,000.00 is an increase of \$1,000.00 over the prior year simply due to rising costs. She mentioned that the State matches the county's contribution.
- b) Kurt Heward explained the pivot track filler equipment they plan to rent to farmers in the spring and a three-year moisture monitoring project with new technology they also want to rent out to farmers to assist in conducting the moisture survey.

11:42 AM **Motion and Action:** Approve the East Cassia Soil & Water Conservation District FY2025 request for funding which is \$9,000.00, and the state matches that, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

19) 11:33 AM West Cassia Soil & Water Conservation District FY2025 request for funding

- a) Chad Searle briefly reviewed their portfolios, also handed out to the Board. He reiterated the service and purpose of the district is always with water and soil conservation in mind. Their request for funds is the same as East Cassia's at \$9,000.00.
- b) He discussed the moisture monitoring project as well.
- c) Doreen McMurray, education specialist for both East and West Conservation Districts provided guidance on filling out the forms included for the Board's approval that are required for them to submit so that the state does provide matches to the funding received from the county.

11:45 AM **Motion and Action:** Approve the West Cassia Soil & Water Conservation District FY2025 request for funding of \$9,000.00, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

20) 11:46 AM Reports of USFS and BLM

- a) 11:46 AM USFS District Ranger Kevin Draper gave his report. His office believes the coming fire season will be bigger than last year's and asked if the Board would like to have a fire person come and give their fire forecast just as he gets them. The Board agreed it would be beneficial.
  - i) Currently the office is busy with internal projects and issues while it is slow. There are a lot of discussions with grazing permittees being conducted.
- b) 11:54 AM BLM Acting field office manager for the Burley field office Mark Mazza gave an update on the gate vandalism he mentioned last month. There were actually two different gates reported but one of them was a maintenance issue rather than actual vandalism and has been repaired. The second one was vandalism but they aren't sure when it happened or if it was in direct response to the South Hills closure. Crews will be out there this week to fix the second gate.
  - i) Last month the Board asked about the funding from BLM given to Law Enforcement that remained the same while it seemed that USFS funding had increased. He learned that \$3,200.00 was actually returned to the BLM last year as unspent funds. The mechanism to request an increase in funds is to tie it to labor hours and acres patrolled on BLM lands to show that need. He acknowledged a lot of work is being done at sites like Milner Recreation area which would be a beneficial demonstration of the need for an increase. That would go from the Sheriff's Department to the BLM Advisory Law Enforcement Officer, who is currently Michael Hinton.



- ii) On the Gateway West project, Mike Courtney sent out an invitation to the Commissioners for a smaller focus group to discuss the passed NEPA (National Environmental Policy Act). It was decided that the Commissioners would attend the Twin Falls BLM office Thursday, February 29, 2024 at 2:00 PM and would invite Brent Stoker to also participate.
- iii) Mazza advised of a spring exclosure project for the Wilson Spring, south of Oakley. This is the only spring exclosure project for Cassia County, though there are others. They plan to perform maintenance on the spring and fix the fencing around it due to a wildfire that happened a few years back. They plan to start work in the fall.

21) 12:14 PM Subdivision Amendments Hearing

12:15 PM **Motion and Action:** Go into a hearing on Cassia County Code 10, matters pertaining to maintenance or warranty bonding, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

- a) Beck presented the purpose of the hearing as stated in the information given by Mr. McMurray. It is to hear the proposals and recommendations to amend sections 10-4-5, 10-4-6, 10-5-6 and 10-6-2 regarding warranty or maintenance bonding for improvements to subdivisions or planned unit developments and to clarify roadways as required improvements in the Cassia County Subdivision Ordinance.
- b) The matter was heard before Planning & Zoning Commission on January 18, 2024 and was recommended for approval of the amendments in a five to zero vote.
- c) Polled individuals in attendance were not there to offer testimony, but just to ask questions if the opportunity came.
- d) McMurray reviewed the impetus for considering the ordinance amendment and each of the proposed amendment changes being considered. These changes were in ongoing efforts to streamline and clarify the subdivision ordinance. It was determined that the requirement for warranty bonding did not benefit the county but rather grew from city ordinances. Most incidents arising on the county level would not need to worry about bonding as most services would fall on other districts' responsibilities such as roads. Water and sewer lines are not typically county owned either so it didn't make sense to have bonding requirements to the county when it was not involved with the subdivision development beyond approval of the plat.
- e) David Waldron from the City of Burley and Justin Mitchell asked how these ordinance amendments would affect the city impact zone surrounding the City of Burley which is still within County Zoning areas. The details are being worked through but the main guidance is to cooperate with the city and follow city ordinance requirements for developments within the impact zone. The proposed changes only affect the area outside of city impact zones.
- f) As required by law, the Board deliberated on how the proposed amendments affected the following matters: evaluation of the request to determine the extent and nature of the amendment request, consider the effects upon the delivery of services by any political subdivision within the planning jurisdiction, if the request promotes or at least does not negatively impact the issues of health, safety and general welfare of the people, and if the proposed changes are in accordance with the Cassia County Comprehensive Plan.

12:37 PM **Motion and Action:** Approve the ordinance changes for 10-4-5(c), 10-4-6, and 10-5-6(c), **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

12:39 PM **Motion and Action:** Approve the changes to section 10-6-2(d), **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

12:39 PM **Motion and Action:** Exit the hearing on these proposed Cassia County Title 10 matters, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

22) 12:40 PM Executive Sessions as needed pursuant to Idaho Code § 74-206 (1) (a) or (b) – to discuss personnel matters, (c) – to acquire an interest in real property not owned by a public agency, (d) – to consider records exempt from public disclosure, (f) – to communicate with legal counsel regarding pending/imminently-likely litigation, or (i) – to communicate with risk manager/insurer regarding pending/imminently-likely claim

12:41 PM **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) (d) to consider records that are exempt from public disclosure, 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.

1:35 PM Upon exit of Executive Session, the board took the matter under advisement.

1:35 PM **Motion and Action:** Approve recommendations of the Social Services Director regarding indigent matters, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

23) 1:36 PM Consider DMV Title Fee and set hearing date - Assessor

- a) Beck offered points he learned in his investigation of concerns he had due to the state taking over some functions of the DMV. A report showed that a little over 14,000 titles per year and an average of 800 registrations per month were processed by the county's DMV last year. The proposed increase in fees would add approximately \$120,000.00 in revenue to the County.
- b) It was discussed that the Board would like to match Minidoka County's fees especially after learning that every person from Minidoka County that comes to our county for business with DMV gets added to Cassia County's jury selection pool. If Cassia County charged a lesser fee, that would increase the likelihood of Minidoka residents being added to the pool and have to be later disqualified due to residence.
- c) There was concern of raising the fees too high because the counties are competing with the State for business. It is currently cheaper to renew registrations through the mail to ITD. There isn't enough public

awareness or education that the county loses out on any revenue from mailed in transactions. The entire fee goes directly to the state in those cases.

- d) Beck asked that the DMV track the number of transactions being processed if they approve setting a hearing and increasing the fees to determine if the county begins to lose more revenue to the state due to the increases. They want to be able to see when it becomes necessary to reconsider the fees and entertain the possibility of a reduction. The data would also support the counties' arguments that recent legislative changes are hurting counties by taking away what limited revenues sources exist for funding these services.
  - e) Due to the limited wording of the agenda item, it was requested to appear again on next week's agenda to include consideration for the implementation of a title administrative fee and an increase in the registration fee. The earliest a public hearing could be set after such anticipated approval next week is for March 25, 2024.
  - f) 2:19 PM Clarification on Minidoka's registration fee was given. The proposed administration fee would be \$8.00 and the registration fee would be increased from \$7.00 to \$8.00 to match Minidoka's fee.
- 24) 2:01 PM Southern Idaho Solid Waste transfer station improvements discussion - Nate Francisco
- a) Mr. Francisco reviewed a ten-page excerpt relevant to Cassia County from the USDA Rural Development Funding Support Preliminary Engineering Report conducted for Southern Idaho Solid Waste. In visiting with the seven counties involved with SISW, it was discovered that very little had been saved for eventual repairs and infrastructure improvements needed to waste transfer stations so, at the direction of his board, he has spent the last nine months seeking out government loans to fund the needed projects.
  - b) As part of requirements to receive funding from the USDA Rural Development low interest loan program, a preliminary engineer's report was conducted across all of the sites. According to the preliminary report, the cost for upgrades and repairs needed to address safety concerns on the 30-plus year-old infrastructure is estimated to cost a total of \$5,248,000.00. For Cassia County's roll-off sites including Almo, Malta, Oakley, and Albion the estimated total for repairs there is \$361,000.00.
  - c) DEQ permitting and insurance coverage issues were discussed as part of the problems with incidents reported at the Almo roll-off site. It would cost more to build the infrastructure to allow for DEQ to permit the facility as a tipping forward receptacle or allow hydraulic dumping than to just install barriers to protect the bins and promote use as permitted by DEQ which is just a throw-it-in-the-bin type of facility. Almo also has grading and drainage issues that would be addressed in the upgrades.
  - d) Cassia County's percentage of the overall loan is 1.2%, with estimated payments being \$21,071.41 annually for 30 years. The way they plan to conduct the loan is to secure the funding set aside by the USDA, take out interim financing with a different bank, and then do the construction. They anticipate not owing any payments until all of the construction is completed. At that point the loan will roll over into the USDA loan and they'll have one year from the point of completion to begin making payments. They anticipate making those payments in FY2028.
  - e) Finally, Cassia's portion for the Milner Butte upgrades, which are included in the overall project, calculated by percentage of tonnage waste contributions will bring the total payment from Cassia County to \$127,619.13 annually.

- f) Some counties have considered contributing funds up front to avoid interest payments later or shortening the time frame so as to pay back the loan over 15 years instead of 30 years. The district will work with each county on a desired payment plan that works best for each county.

**UNFINISHED BUSINESS ACTION AGENDA ITEMS**

25) 2:01 PM Geotechnical Survey discussion

- a) No discussion on the matter at this time.
- b) Matter to be continued on the next meeting agenda.

26) 2:01 PM Cassia County Fair grandstands construction matters including but not limited to payment requests.

- a) Beck noted that they have begun construction.
- b) He stated that he has not received any drawing about putting in the ramp access versus the lift as of yet.

27) 2:20 PM Adjourn

2:20 PM **Motion and Action:** Adjourn, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.



APPROVED:

A handwritten signature in cursive script, appearing to read "Leonard M. Beck", is written over a horizontal line.

Leonard M. Beck, Chair

DEPUTY CLERK OF THE BOARD:

A handwritten signature in cursive script, appearing to read "Cally Velasquez", is written over a horizontal line.

Cally Velasquez

# SUMMARY CLAIMS APPROVAL REPORT INCLUDING BUDGET BALANCES

**BOTH UNPAID CLAIMS & DEMANDS GENERAL GOVERNMENT FUNDS**

**40% 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	2,076,787.70	12,506.04	3,660,124.30	64%
0002 ROAD & BRIDGE	754,095.00	140,953.28	5,299.12	613,141.72	81%
0006 DISTRICT COURT	377,630.00	98,017.29	39.48	279,612.71	74%
0008 JUSTICE FUND	13,922,579.00	4,865,651.76	23,512.78	9,056,927.24	65%
0012 M-C MISDEMEANOR PROBATION	1,184,800.00	471,965.14	1,999.98	712,834.86	60%
0013 911 COMMUNICATIONS	866,250.00	74,289.24	50.00	791,960.76	91%
0016 SOCIAL SERVICES-ASSISTANCE	537,550.00	62,114.34	3,203.45	475,435.66	88%
0017 COMMUNITY COLLEGE	200,000.00	84,000.00	800.00	116,000.00	58%
0027 NOXIOUS WEED & PEST	439,385.00	99,830.36	98.57	339,554.64	77%
0029 PHYSICAL FACILITIES	12,041,300.00	780,421.65	199.53	11,260,878.35	94%
0048 EMPLOYEE BENEFITS FUND	3,873,550.00	1,409,584.73	11,694.11	2,463,965.27	64%
		<b>Total Amount Paid</b>	<b>59,403.06</b>		

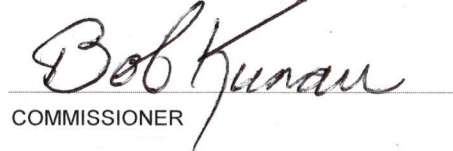
STATE OF IDAHO  
CASSIA COUNTY

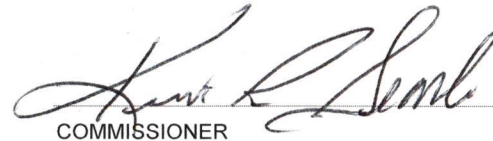
WE, THE CASSIA COUNTY COMMISSIONERS, BEING DULY SWORN DO HEREBY CERTIFY AND DECLARE THAT  
WE HAVE REVIEWED THE DEMANDS ENUMERATED AND REFERRED TO IN THE FOREGOING REGISTER, AND THAT THE SAME ARE  
TO THE BEST OF OUR KNOWLEDGE ACCURATE AND ARE JUST CLAIMS AGAINST THE COUNTY, AND THAT THERE ARE FUNDS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

APPROVED FOR DISTRIBUTION AS OF

*2-26-2024*

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

*attest: Cally Delasquez deputy clerk*

\* WARNING: This fund is over budget

# Cassia County Commissioner Meeting

## Attendance Log

Date: 2/26/2024

	NAME (Please Print)	TOWN	REPRESENTING
1.	Kevin Horak		CCSO
2.	Pete Hernandez	Burley	Building on grounds
3.	Shannon Taylor		Sheriff
4.	Craig Rinehart	Cassia	Coroner
5.	Michael O'Leary	ELBA	CCNWC
6.	Pete Hernandez	Burley	Building on grounds
7.	Mart Adams	Burley	ASSESSOR
8.	J. Thompson		CCSO
9.	Laura Gruener	Burley	Treasurer
10.	David Burgess	"	IT
11.	Mirella Manias	Burley	Assessors
12.	Susan Keck	Almo	Elections .
13.	JUL LARSEN	Burley	CLERK
14.	George Warrelli	Caleley	Sheriff
15.	Hannah Sanders	Raft River	East SCD
16.	Doreen McMurray		East & West Cassia SWCD
17.	Kurt Heward	RAFT RIVER	EAST SCD
18.	Chad Searke	Burley	West Cassia SWCD
19.	Richard Kanca	Declo	West Cassia
20.	Rachelle Osterholt	Declo	East & West Cassia SWCD
21.	Jordan Searke	Burley	West Cassia SWCD
22.	Mark Muzzo	Burley	BLM
23.	KEVIN DAWSON	"	FS
24.	DAVID WALDRON	COB	COB
	Toni Chesley	Burley	Assor.

# Cassia County Commissioner Meeting

## Attendance Log

Date: 2/26/2024

NAME (Please Print)	TOWN	REPRESENTING
1. Nate Francisco	Burley	Southern Idaho Solid Waste
2.		
3.		
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