



# Cassia County Board of Commissioners REGULAR MEETING MINUTES

Monday, March 4, 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) 9:02 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) 3/5/2024 - 911 Committee meeting - Searle
  - b) 3/7/2024 - Region IV Development meeting in Twin Falls - Kunau
  - c) 3/7/2024 - Republican Central Committee meeting
  - d) 3/7/2024 - Idaho Public Safety Communications meeting in Boise - Searle
  - e) Searle reported that Todd Quast, now a member of the Idaho Public Safety Communications Committee is going to meet with an individual from Northern Idaho on Wednesday who has a lot of information on the county computer systems in the dispatch center and on mapping as well.
  - f) Searle reported on a conversation he had with other executive jail committee members with regards to Cassia's computer aided dispatch center system.
    - i) He was notified that last week Minidoka County's Board had approved the contract with Motorola for their Sheriff's Department. Minidoka County will still be running with their current system for about a year as that is how long it is expected to complete their data transfers. They also briefly discussed how cooperation with Bannock County is expected to work.
    - ii) Searle expressed his biggest concern was that the contract offered to Cassia County was over \$250,000.00 while the contract that Minidoka County signed was \$40,766.00. When adding the Rupert portion and the Heyburn portion, it comes out to less than \$96,000.00.
  - g) The Board briefly discussed their meeting with Gateway West and BLM last week. They pointed out contradictions in the reports that while sage grouse population and habitat preservation were of great concern, the number of hunting licenses for sage grouse that were issued matched the number of estimated nests or female birds. The Board wants to get Idaho Fish and Game involved in the conversation.
  - h) The Board received a letter of appreciation from South Central Community Action Partnership for the County's contribution of \$2,000.00.
  - i) The monthly ambulance report for February was reviewed.

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**Instrument # 2024000690**

BURLEY, CASSIA, IDAHO

3-11-2024 12:32:38 PM No. of Pages: 10

Recorded for : CASSIA COUNTY COMMISSIONERS

JOSEPH LARSEN

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COMMISSIONERS MINUTES

- j) Beck has not received any word from John Nay about the Animal Damage Control request for funding. He has left a message with Animal Damage Control in Boise.
- k) Beck received a text from Sara Westbrook on H.B. 625 which has to do with Assessors and property assessments. It seems to change the burden of proof for an assessment from the homeowner to the Assessor. He left a message with Representative Pickett to express his desire to see that bill stopped in committee and not passed.
- l) Mark Peterson thanked the Board for their help in participating with the Republican Caucus on Saturday. He said it went very well.
- m) Beck reported on his conversation with Commissioner Hough from Bannock County with regards to the new pathology center contract. He indicated that Cassia County would not be participating at the \$36,000.00 per year level. Commissioner Hough said they could work with Cassia County for one year. This caused concern and pause for reconsideration.
- n) Beck said his visit with Brenda Blitman last week went well and that she offered ideas on how to proceed with wages in the future.
- o) Assessor Adams sent a text reminding the Board of BOE training being offered April 6, 2024 in Lincoln County.
- p) Beck reiterated his intention to make contact with people in the governor's office, the Office of Species Management, and also Fish and Game in consequence to their meeting with BLM last week.
- q) Beck noted that the Prosecuting Attorney's office had been nicely updated with new paint and furniture in the lobby.
- r) 12:35 PM Searle met with the School District Superintendent and Cpt. Thompson with regards to the school district's supplemental bond request. They plan to add some money for a school resource officer. Searle received a preliminary MOU for Prosecutor Larsen and Mr. McMurray to review. It won't happen quite yet, however, as there are still details to work out.

9:07 AM Mr. McMurray entered the meeting.

5) 9:19 AM Approve payables for 3/4/2024

9:19 AM **Motion and Action:** Approve payables as presented on 3/4/2024 in the amount of \$130,114.61, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

6) 9:20 AM Approve minutes from 2/16 and 2/26

- a) An item on the minutes for 2/26/2024 was clarified. It ambiguously alluded to the DMV processing 14,000 titles per month in their office however that number was for the year.
- b) The correction was made and submitted to the Board.

9:21 AM **Motion and Action:** Approve minutes from 2/16/2024 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

9:22 AM **Motion and Action:** Approve minutes from 2/26/2024 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

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7) 9:23 AM Approval of Clerk's Office recommendations regarding junior college Certificates of Residency

9:24 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) Personnel Matters - Change of Status Requests - none at this time

9) 10:41 AM Executive Session

10:41 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) (i) to communicate with risk manager/insurer regarding pending/imminently-likely claims, **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.

11:15 AM Upon exit of Executive Session, the board took the matter under advisement.

11:15 AM Prosecutor Larsen entered the meeting.

11:46 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) (i) to communicate with risk manager/insurer regarding pending/imminently-likely claims, **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.

12:35 PM Upon exit of Executive Session, the board took the matter under advisement.

10) 9:25 AM Consider ballot for Raft River Electric Board of Directors

a) Beck noted visiting with some residents in the areas relevant to the board of directors' election.

b) They supported the Commissioners' choice for Kay Hill for District 2 and Shawn Burt for District 4.

9:26 AM **Motion and Action:** Approve the vote for Kay Hill for District 2 of the Raft River Rural Electric Cooperative, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

9:26 AM **Motion and Action:** Approve the vote for Shawn Burt for District 4 of the Raft River Rural Electric Cooperative, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

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10:31 AM **Motion and Action:** Approve the chairman to sign the ballot for Raft River Rural Electric, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

- 11) 10:31 AM Sign letters of intent to fund East and West Cassia Soil and Water Conservation Districts
- a) The matters for consideration are letters to each of the districts confirming the intent to fund in FY2025.
  - b) The matter had been discussed on 2/26/2024, however the letters presented previously had not been on appropriate letterhead.

10:32 AM **Motion and Action:** Approve signing the letter of intent to fund the East Cassia Soil and Water Conservation District outline the County's contribution of \$9,000.00 for FY2025, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

10:34 AM **Motion and Action:** Approve signing the letter of intent to contribute \$9,000.00 to the West Cassia Soil and Water Conservation District for FY2025, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

- 12) 10:35 AM Adopt and approve Ordinance 2024-03-01 to adopt subdivision amendments regarding improvements and warranties
- a) Mr. McMurray presented the ordinance that details the matter considered during last week's hearing.
  - b) The Ordinance pertains to the approved adoption of subdivision amendments to Title 10-4-5(c), 10-4-6, 10-5-6(c), and 10-6-2.

10:36 AM **Motion and Action:** Approve the adoption of those amendments as Ordinance No. 2024-03-01, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

- 13) 10:37 AM Adopt and approve Summary of Ordinance 2024-03-01 for publication purposes

10:37 AM **Motion and Action:** Approve the Summary of Ordinance 2024-03-01 for publication purposes, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

- 14) 10:38 AM Sign the Cassia County Employee Benefit Plan Document dated January 1, 2023
- a) McMurray requested this item be tabled.
  - b) He stated that he had not received answers to his questions about the matter yet.
- 15) 10:39 AM Sign the Amendment No. 1 to Employee Benefit Plan Document dated January 1, 2023
- a) Matter is related to agenda item #14 above.
  - b) This item will be tabled until questions can be answered.
- 16) 11:42 AM Discuss contract for services with MRA - Prosecutor Larsen
- a) Larsen requested the Board execute a retention agreement contract with MRA (Motion Research Associates doing business as MRA Forensic Sciences) pertaining to some ongoing litigation in his office,



- b) in preparation for handling a case. The case title is being kept confidential as it pertains to ongoing litigation.
- c) The purpose of the contract is to allow his office to have an independent third party from out of state to review information and data that's been gathered in connection with this specific case, and to allow that information to be provided to his office, to be used if/when litigation is pursued.
- d) Larsen reported that he also requested they do a conflict check because they do a lot of research for several different entities. He wanted to ensure that his office could rely on their testimony as expert witnesses where no conflict existed with any other participants in this case.

11:45 AM **Motion and Action:** Allow the chairman to sign the contract for services with MRA as requested by our prosecutor, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

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

17) 9:27 AM Consider DMV Title Fee and Registration Fee increases and set hearing date

- a) Assessor Adams distributed information that the Board had requested from their last meeting. They wanted to know how many transactions at Cassia County DMV were from Minidoka residents and vice versa. The combined total for 2022 and 2023 for Cassia County was 10,546 and the total for Cassia residents going to Minidoka County was 2,529.
- b) It was discussed to increase the registration fee to \$8.00, which mirrored Minidoka County. However, since then Minidoka has approved going to \$12.00 for their registration fees. Adams felt that Cassia going to \$8.00 was satisfactory.
- c) The Board discussed whether \$8.00 was sufficient to support the department especially in light that Minidoka County only does about ¼ of the transactions for out-of-county residents as Cassia does. Coupled with dealerships increasing their business towards Cassia County and North Burley being closer to this DMV than their own county's DMV, they discussed where the line between breaking even and having Cassia County residents subsidizing out-of-county transactions was. State law prohibits DMV offices from charging for services above actual costs of operation.
- d) It was mentioned that this increase, if passed, could be reevaluated in six months' time.

9:37 AM **Motion and Action:** Approve setting a hearing date on the proposed rate increases from \$14.00 to \$20.00 for a title and from \$7.00 to \$8.00 on a renewal, for March 25, 2024 at 11:00 AM, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

18) 9:38 AM Black Pine Mine Presentation with Elizabeth Campbell from Liberty Gold

- a) Pete Shabestari, Vice President of Exploration for Liberty Gold, gave a PowerPoint presentation on the exploration and progression of development at the Black Pine Mine site.
- b) Through their extensive exploration efforts, they have determined there is still quite a bit of gold in the ground and they expect their mining processes to be able to extract upwards of 80% of the estimated 3.5 million ounces still remaining in the ground.

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- c) He reviewed Pegasus mining operations' production before they went bankrupt. The mine was already going through closure processes when they went bankrupt. Their bankruptcy was due to their parent company's overextension of other projects not related to the Black Pine Mine.
  - d) They acquired about 1,000 acres that will be dedicated to improving sage grouse habitat as part of their mitigation strategy for environmental concerns. Under exploration permits they were not required to consider impact to sage grouse but now that they are seeking mining operations, they are proactively planning for those mitigation requirements. They work with Office of Species Conservation, Idaho Fish and Game, Fish and Wildlife Service, Forest Service, BLM, and a private consultant, SWCA. Shabestari offered to pass along the contact information of their sage grouse consultant who has a PhD in range land ecology.
  - e) For all of their work, they are fully bonded to ensure needed work gets completed. The bonding is currently about \$2.77 million dollars.
  - f) Their plan is to operate an open pit mine with run-of-mine heap leaching with no crushing or milling as the preferred process. They expect the life of the mine to be about 15 years, plus environmental studies and reclamation of the land after mining has been completed.
  - g) They expect their peak workforce during operations to be about 300 direct hires and upwards of 1,500 indirect workers. The project would provide up to 300 additional construction jobs over an estimated two-year build period.
  - h) They have acquired 3,200 acres of existing water rights to accommodate the mining operations without adding any additional draw to the basin. There is no ground water to worry about environmentally but enough supply from their water rights to not negatively impact the water table.
  - i) Their power comes from Raft River Electric. They have done a load study with Raft River Electric and were told they could supply 9.9 meg without any major infrastructure additions. They are estimating drawing 5-6 meg of power for the operations.
  - j) Assessor Adams asked about personal property taxes to be assessed. Shabestari didn't have expertise in that side of things but said they hope to gain all of their needed permits and begin construction in 2027.
  - k) Housing and transportation for future employees will be examined as they do not plan to build any residential housing units at the site. Housing availability is limited in the area.
  - l) Elizabeth Campbell, Community Relations Coordinator for Liberty Gold spoke about their conversations with various emergency response entities in the area regarding how to provide adequate emergency medical services to the site when it opens for mining.
- 19) 11:15 AM Discussion of new office building
- a) Kunau invited representatives from Gary Jones Construction to share their knowledge about project delivery methods. That is, the arrangement between an owner and a designer or builder when planning and executing a building project.
  - b) Jason Jones reviewed a diagram that was created to help illustrate the three main processes. The most common traditional method is Design-Bid-Build. The traditional approach is to have an architect design a building without the owner knowing the costs up front. The two alternative methods are Design-Build and Construction Manager-General Contractor in which cost constraints and budgets are considered throughout the process.
  - c) He highlighted the advantages of the first of the alternative methods in comparison to the traditional model by relating their experience working with the City of Rupert in building a new fire station. They

first established their budget for the project then helped funnel the design to meet that budget. Rupert's budget was set at about \$1.7 million dollars. They attended an open house last week for a new fire station in Twin Falls. Twin Falls went with the traditional approach and a very similar building with similar size and scope ended up costing \$8 million to complete.

- d) In the second alternative model, the owner has already selected a designer and brought in a construction manager to help navigate some design discussions to ensure that things are done in the most cost-effective way.
- e) Don Christopherson, with Gary Jones Construction, determined that the County was already past the Design-Build method as an architect had been employed. He recommended going with the Construction Manager-General Contractor model to take advantage of budgeting aids and project integration with the several aspects of building.
- f) Commissioner Searle wanted the Board to consider an idea just brought up last week about possibly vacating a portion of 15<sup>th</sup> Street. In doing so, they could possibly move the building closer to the current courthouse and free up more contiguous space for increased parking.

#### **UNFINISHED BUSINESS ACTION AGENDA ITEMS**

20) 10:39 AM Geotechnical survey discussion

- a) McMurray reported that the survey was conducted last Friday.
- b) They are currently waiting to receive the report.

21) 10:40 AM County Fair grandstands construction matters including but not limited to payment requests

- a) There was no new information to be discussed.
- b) Matter will be on the next week's agenda for consideration.

22) 12:36 PM Adjourn

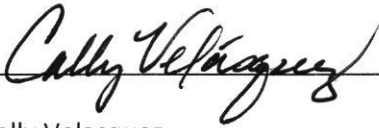
12:36 PM **Motion and Action:** Adjourn, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

APPROVED:

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

Cally Velasquez

CASSIA COUNTY COMMISSION  
REGULAR SESSION  
Monday, March 4, 2024



# Cassia County Commissioner Meeting

## Attendance Log

Date: 03/04/2024

NAME (Please Print)	TOWN	REPRESENTING
1. Mark Peterson	Burley	Self
2. Matt Adams	Burley	Assessor
3. Tim Chesley	Burley	Asst
4. Jason Jones	Burley	Self
5. Don Christopherson	Burley	Gary Jones Construction
6. Susan Keck	Almo	Elections -
7. Laura Greener	Burley	Treasurer
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24.		

# SUMMARY CLAIMS APPROVAL REPORT INCLUDING BUDGET BALANCES

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

**42% OF FISCAL YEAR ELAPSED**

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

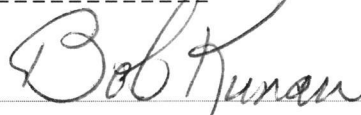
Fund	Budget	Actual	Demand/Claims Amt	Budget Remaining	% Budget Remaining
0001 GENERAL FUND (CURRENT EXPENSE)	5,736,912.00	2,193,449.30	19,286.84	3,543,462.70	62%
0002 ROAD & BRIDGE	754,095.00	150,868.73	8,913.98	603,226.27	80%
0004 AMBULANCE SERVICES	270,625.00	88,329.41	21,660.08	182,295.59	67%
0008 JUSTICE FUND	13,922,579.00	5,169,206.14	17,700.22	8,753,372.86	63%
0012 M-C MISDEMEANOR PROBATION	1,184,800.00	498,356.18	2,025.31	686,443.82	58%
0013 911 COMMUNICATIONS	866,250.00	74,339.24	3,045.23	791,910.76	91%
0016 SOCIAL SERVICES-ASSISTANCE	537,550.00	65,317.79	1,680.00	472,232.21	88%
0029 PHYSICAL FACILITIES	12,041,300.00	780,621.18	1,530.00	11,260,678.82	94%
0048 EMPLOYEE BENEFITS FUND	3,873,550.00	1,463,857.68	54,272.95	2,409,692.32	62%
		<b>Total Amount Paid</b>	<b>130,114.61</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 3-4-2024

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

*attest: Cally Velazquez deputy clerk*

**\* WARNING: This fund is over budget**