



# Cassia County Board of Commissioners

## REGULAR MEETING MINUTES

### Monday, April 8, 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) 9:05 AM Call to order
- 2) Pledge of Allegiance and prayer
- 3) 9:06 AM Roll call

#### **Roll Call.**

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

- 4) 9:07 AM Calendar, meetings, committee reports, and correspondence were reviewed.
  - a) 4/9/2024 - Joint Juvenile and Justice meetings - Searle
  - b) 4/9/2024 - Searle to meet with Motorola representatives to discuss their flex system for Law Enforcement.
  - c) 4/9/2024 - Special BoCC meeting
  - d) 4/9/2024 - Fair Board meeting - Beck
  - e) 4/10/2024 - Transportation meeting - Beck
  - f) 4/11/2024 - Veterans Board meeting - Kunau
  - g) 4/17/2024 - Mid Snake Regional Water Resource meeting at 1:30 PM
  - h) Searle corrected the name of the City official, Brett Boyer, that he spoke with regarding a possible vacation of a portion of 15<sup>th</sup> Street. Mr. Boyer responded that his group did not like the closure idea but had another suggestion that may work, called a "bulb out", similar to the downtown area of Rupert.
  - i) Searle reported receiving an invoice from Nwestco for the installation of some anodes in the county fuel tanks. The representative that made those repairs said the gas and diesel fuels in those tanks should still be good. Searle wanted to have the fuel tested first. If it was still good, then it could be used in county vehicles to drain the tanks rather than paying someone about \$1,500.00 to drain them and dump the fuel. He will continue to look into that.
  - j) Todd Quast was able to get the maps posted on the county website that were discussed last week.
  - k) Searle read an email from Kirton McConkie that thanked the commissioners for their participation in last weeks' discussion regarding the Lava Ridge Wind Farm project. They will be setting up another Webex meeting with as many counties as possible on April 29, 2024 at 4:00 PM. This will be a part of the agenda for the BoCC meeting that week.
  - l) Searle reported on attending the Board of Equalization training that was held last week in Lincoln County. He said it was very informative.

CASSIA COUNTY COMMISSION  
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**Instrument # 2024001305**  
BURLEY, CASSIA, IDAHO  
4-15-2024 10:57:46 AM No. of Pages: 9  
Recorded for : CASSIA COUNTY COMMISSIONERS  
JOSEPH LARSEN Fee: 0.00  
Ex-Officio Recorder Deputy  
Index to: COMMISSIONERS MINUTES

- m) Kunau reported on the recent Burley Development Authority meeting he attended. He said several people were there and discussions centered on development of Burley south of the railroad tracks and also the airport.
- n) Beck met with Alan Cotton who represents Hanson Sports for the construction of the fair grandstands. The discussion centered on how to proceed with a ramp rather than a motorized lift. They are requesting to do cement work under the ramp and more in front of the box seating. The change order will be presented as part of the agenda later in the meeting.
- o) 9:37 AM McMurray reported on his conversation with someone for the Idaho Power Energy Academy. They have not finalized their agenda yet but they are requesting the person attending to be available for the whole day, scheduled to be held on May 7, 2024. He believes there may be a bus tour involved and they want to end up in Kuna at Swan Falls at the end of the day. They are requesting one commissioner to attend.
- p) 9:46 AM McMurray confirmed that the BLM, Office of Species Conservation, and Fish & Game have all agreed to meet with the Board on April 15, 2024 at 2:00 PM to discuss their questions with regards to the sage grouse.
- q) 9:51 AM Beck acknowledged receipt of a letter from the State Tax Commission regarding pending recommendations to the State Board of Equalization in regards to the 2023 final ratio study.
- r) 11:36 AM Revisited correspondence to discuss Ms. Barnes' request to take down the old business signs for the Razor's Edge building. Nothing was determined.

9:08 AM Mr. McMurray entered the meeting.

5) 9:47 AM Approve payables for 4/8/2024

- a) Kunau noticed that Law Enforcement had submitted an invoice that included Narcan supplies to be paid from their general funds. He reminded Cpt. Thompson that Narcan was an approved purchase using Opioid Settlement funds. Thompson clarified that these particular supplies were provided by the State at no cost to the County. He acknowledged taking the opportunity if it presented itself and would discuss it with Prosecutor Larsen should they need to order additional supplies.

9:50 AM **Motion and Action:** Approve payables as presented on 4/8/2024 in the amount of \$266,882.27, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

6) 9:52 AM Approve minutes from 4/1/2024

9:52 AM **Motion and Action:** Approve minutes from 4/1/2024 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

7) 9:52 AM Approval of synopsis for March 2024

9:52 AM **Motion and Action:** Approve synopsis for March 2024 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

8) 9:53 AM Junior College Certificates of Residency - There were none to be considered.

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- 9) 11:16 AM Personnel Matters - Change of Status Requests
- a) CCSO - Theresa Marshall - Level 1 Reserve Deputy Part Time - new hire
  - b) CCSO - Terry Higley - Sergeant Investigations County - promotion
  - c) Road & Bridge - Josh Ward - Roads Worker - voluntary resignation
  - d) MCCJC - Josie Ledesma - Admin Secretary - new hire
  - e) MCCJC - Clinton Guest - Certified Deputy - new hire

11:19 AM **Motion and Action:** Approve the Change of Status Requests as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

10) 10:13 AM Executive Session

10:13 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) (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.

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

10:55 AM - Prosecutor Larsen entered the meeting during Executive Session.

11:45 AM Chair Beck requested an Executive Session

11:45 AM **Motion and Action:** Enter Executive Session pursuant to Idaho Code § 74-206 (1) (b) to consider personnel issues, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 3).

**Yes:** Kent R. Searle - Member, Bob Kunau - Member, Leonard M. Beck - Chair.

11:57 AM Upon exit of Executive Session, the board took the matter under advisement.

11) 9:54 AM Consider appointments to represent Cassia County on the Middle Snake Regional Water Resource Commission

- a) Matter will be placed on the agenda for the next meeting.

12) 9:54 AM Consider request to host Region IV meeting in October - Beck

- a) Minidoka Commissioner Schenk asked Beck to consider hosting a Region IV Development meeting at Cassia County in October. The dates were for either Thursday, October 10<sup>th</sup> or 17<sup>th</sup> at 1:30 PM.
- b) The Board considered other scheduled matters and consented to host it on October 10<sup>th</sup> at 1:30 PM.

13) 9:44 AM Review and approve proposed Irrevocable Letter of Credit for Carter Court Subdivision improvements

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- a) McMurray referred to a communication from First Federal for an Irrevocable Letter of Credit for Carter Court Phase One. The letter of credit proposes to be of value of \$481,882.77, which is 150% of what the engineer estimates the costs to finish the improvements for phase one to be.
- b) McMurray made a number of suggestions to First Federal and felt good about the efforts the bank made in meeting the county's needs with regard to the letter of credit.
- c) The bank needs an approval from the Board on the proposal in order to prepare the final letter of credit and submit it to the county. McMurray said there was no documentation to scan into the record until the final letter had been prepared.

9:45 AM **Motion and Action:** Approve the proposed Irrevocable Letter of Credit for Carter Court Subdivision improvements, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member. Motion passed unanimously.

14) 10:09 AM Discuss employee and family summer picnic plans - Beck

- a) It was decided to schedule it on July 29, 2024. Details such as where to hold it, what food would be provided, and who to invite would be discussed later.
- b) The matter will be placed on the agenda for May 6, 2024 for further discussion.

15) 11:20 AM Review and deliberate regarding updated contract with Matthew Love - Prosecutor

- a) Prosecutor Larsen explained that the approved contract had some language issues with regards to a distinction between whether this was a services contract or an employment contract. The outside auditor requested terminology be changed to refrain from that confusion as Mr. Love would not be an employee of the county.
- b) An additional section addressing either party's right to terminate the contract was also given.

11:23 AM **Motion and Action:** Approve the modified contract with Mr. Love and Cassia County Prosecutor's Office, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

11:24 AM **Modified Motion and Action:** Approve and sign the modified contract with Mr. Love as recommended by the Prosecutor and recommendations from the outside auditor, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

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

16) 9:22 AM VSO periodic update report- Driscoll

- a) Mr. Driscoll thanked the board for their support at the veteran's dinner that was held March 29<sup>th</sup>. He stated that the dinner was a success and the attendees felt their local leaders cared about them.
- b) He reviewed the report of activities for the month of March. He also detailed the various meetings coming up that he will be involved in.
- c) His organization is planning a service project at the View Cemetery for Memorial Day including replacing the flag pole lanyard and filling holes in the road.

17) 9:29 AM Approve Heritage Land Subdivision final plat

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- a) Planning & Zoning reviewed an application from Brian Landrum for a one lot subdivision so that he could build his house on some property he owns. They approved the final plat so now it is before the Board for final approval and signatures.
- b) Mr. Landrum answered the Board's questions with regards to his plans for the property.

9:35 AM **Motion and Action:** Approve the Heritage Land Subdivision, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.  
Motion passed unanimously.

18) 9:39 AM Designate Polling Locations for the May 21, 2024 Primary Election (IC § 34-302)

- a) Susan Keck presented the designation of polling places. She noted a change of location for the Jackson precinct to Mountain Shadows Events Center.
- b) For the Malta precinct, the Raft River High School is the only location that can be used now that is big enough to support the number of voters in the area. The school has been good to work with but there remain challenges in the event of unforeseen scenarios.

9:43 AM **Motion and Action:** Approve the designated polling places, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.  
Motion passed unanimously.

19) 9:56 AM Approve and sign Cassia County Employee Benefits Plan #1317, Restated January 13, 2023

- a) Kelly Bowen of Bowen Insurance was present to answer the Board's questions. The Board wanted to understand the changes. Most changes involved updating definitions. Other changes he noted were clarifications to specific benefits and prerequisites for pre-authorizations and pre-certifications.
- b) An additional change was to the definition, clarification, and specific cap of therapies such as gene therapy and amino therapy. It also redefined the total annual allowable visits per therapy. Previously it allowed 40 visits annually for all therapies combined, this has since been broken that down to allow 40 visits per type of therapy, such as physical and speech therapies.
- c) The language updates and details were meant to protect the county's liability in matters of extremely expensive procedures with skyrocketing costs. He said gene therapy and immunotherapy were now costing a million dollars per therapy.
- d) Bowen suggested that if there are any items that they do not like, as claims happen in the future, that they can be addressed and they may consider amending the plan to adjust to those needs.
- e) The plan is retroactive back to January 1, 2023.

10:06 AM **Motion and Action:** Sign the Cassia County Employee Benefits Plan #1317, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

20) 10:07 AM Approve and sign Amendment No. 1 to Employee Benefits Plan #1317

10:08 AM **Motion and Action:** Authorize the chairman to sign Amendment No. 1 to Employee Benefits Plan #1317, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

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

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21) 11:26 AM Proposed county building discussion

- a) Kunau said the Board should hear something back by next week.

22) 11:26 AM Discuss County harassment policy and possible amendments

- a) Beck had met with Mr. McMurray to share thoughts about Cassia County's policy and the ICRMP policy.
- b) Mr. McMurray will make a new draft with those suggestions and will add it to the agenda in the next week or two.

23) 11:27 AM County Fair grandstands construction matters including but not limited to payment requests

- a) As discussed during the correspondence portion of the meeting, as a result of meeting with Mr. Cotton from Hanson Sports and the cement crew, a change order was presented for additional cement work that was needed to address the building of a wheelchair ramp instead of a hydraulic lift for the fair grandstands. The additional cost of \$30,000.00 is to be covered by funds raised by the fair board.
- b) The payment request application and change order were presented by Mr. McMurray. Included with the application was a detail of work provided up to this point. The application lists the added \$30,000.00 for additional cement work and previously approved addition for the bond requirements on top of the total contract amount of \$889,265.00 for a new total of \$931,359.00.
- c) 11:36 AM After the motion to approve the additional \$30,000.00 to the contract was passed, McMurray wanted it clarified that the total payment they are requesting for work done so far is actually \$132,500.00 That number includes the additional \$30,000.00 for cement work and the \$12,094.00 bond requirement.

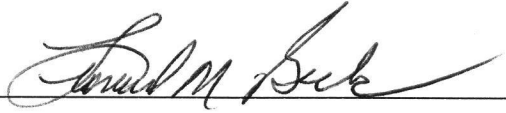
11:32 AM **Motion and Action:** Approve the change order for \$30,000.00 for the ramp, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

11:40 AM **Motion and Action:** Approve the demand payment of \$132,500.00 to Hanson Sports, which includes the \$30,000.00 change order, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.

24) 11:58 AM Adjourn

11:58 AM **Motion and Action:** Adjourn, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member. Motion passed unanimously.


APPROVED:



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Leonard M. Beck, Chair

DEPUTY CLERK OF THE BOARD:



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Cally Velasquez

# SUMMARY CLAIMS APPROVAL REPORT INCLUDING BUDGET BALANCES

BOTH UNPAID CLAIMS &amp; DEMANDS GENERAL GOVERNMENT FUNDS

51% 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	2,697,683.78	38,951.85	3,039,228.22	53%
0002 ROAD & BRIDGE	754,095.00	180,881.44	85,531.63	573,213.56	76%
0006 DISTRICT COURT	377,630.00	123,238.43	20.49	254,391.57	67%
0008 JUSTICE FUND	13,922,579.00	6,388,278.68	88,906.59	7,534,300.32	54%
0012 M-C MISDEMEANOR PROBATION	1,184,800.00	603,551.90	4,484.38	581,248.10	49%
0013 911 COMMUNICATIONS	866,250.00	81,069.51	15,041.64	785,180.49	91%
0016 SOCIAL SERVICES-ASSISTANCE	537,550.00	82,283.53	550.00	455,266.47	85%
0020 REVALUATION	356,180.00	165,960.64	680.86	190,219.36	53%
0027 NOXIOUS WEED & PEST	439,385.00	124,406.19	4,231.13	314,978.81	72%
0029 PHYSICAL FACILITIES	12,041,300.00	804,552.77	137.01	11,236,747.23	93%
0048 EMPLOYEE BENEFITS FUND	3,873,550.00	1,781,256.02	28,346.69	2,092,293.98	54%
		<b>Total Amount Paid</b>	<b>266,882.27</b>		

STATE OF IDAHO  
CASSIA COUNTY

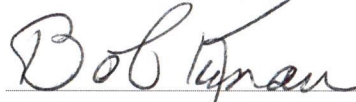
WE, THE CASSIA COUNTY COMMISSIONERS, BEING DULY SWORN DO HEREBY CERTIFY AND DECLARE THAT  
WE HAVE REVIEWED THE DEMANDS ENUMERATED AND REFERRED TO IN THE FOREGOING REGISTER, AND THAT THE SAME ARE  
TO THE BEST OF OUR KNOWLEDGE ACCURATE AND ARE JUST CLAIMS AGAINST THE COUNTY, AND THAT THERE ARE FUNDS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

APPROVED FOR DISTRIBUTION AS OF

4-8-2024



COMMISSIONER



COMMISSIONER



COMMISSIONER

attest: Cally Delaigney deputy clerk

\* WARNING: This fund is over budget



# Cassia County Commissioner Meeting

## Attendance Log

Date: 4-8-2024

NAME (Please Print)	TOWN	REPRESENTING
1. Chuck Driscoll	Burley	VSO
2. J. Thompson		CCSO
3. Brandon Landrum	Rupert	Landrum & Associates.
4. George Warrell	Oakley	Sheriff
5.		
6. J. M. M. M.	Rupert	
7. Susan Keck	Almo	Elections
8. Kelly Bower	Burley	Bower Bus -
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