

**City of Heyburn Council Meeting & Public Hearing**  
**Wednesday, June 23, 2021**  
**7:00 P.M.**

**Mayor:** Dick Galbraith.

**Council Present:** Chad Anderson, Joanne Justesen, Rose Schmitt, and Rick Tundag.

**Employees Present:**

Tony Morley, Paul Ross, Mike Devers, Ririe Thomander, Brian Vail, Ivan McCracken, and Ashlee Langley.

**Welcome & Pledge:**

Meeting conducted by Mayor Dick Galbraith who welcomed everyone to the meeting and lead those present in the Pledge of Allegiance.

**Discuss / Consider the Minutes of the June 09, 2021 City Council Meeting**  
**- ACTION ITEM**

Those present reviewed the minutes of the June 09, 2021, City Council Meeting.

Motion by Joanne Justesen to approve the minutes of the June 09, 2021 City Council Meeting as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Paying the Bills – ACTION ITEM**

Those present reviewed the bills.

Motion by Rose Schmitt to approve the bills as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Master Services Agreement with Eminent Technical Solutions**  
**– ACTION ITEM**

Jacob Johnson of Eminent Technical Solution presented the Master Services Agreement to those present. Mr. Johnson stated the agreement covers various services ETS offers all in one agreement.

This item was tabled for legal counsel review.

**Discuss / Consider United States Department of Agriculture Reconnect Broadband Grant Update – ACTION ITEM**

Jacob Johnson provided those present with an update regarding the USDA Reconnect Broadband Grant stating the application is still under consideration.

**Discuss / Consider Resolution 2021-10 Resolution of City of Heyburn, Authorizing the Mayor to Sign and Submit an Application to the Idaho Department of Commerce for an**

**Idaho Cares Act Broadband Grant to Finance Improvements to Enhance Broadband Systems. – ACTION ITEM**

Jacob Johnson presented and asked those present to consider adoption of Resolution No. 2021-10 authorizing the Mayor to sign and submit an application to the Idaho Department of Commerce for an Idaho Cares Act Broadband Grant. Mr. Johnson stated the grant is a community focused grant opportunity. Mr. Johnson informed those present that the application period closes July 17, 2021.

Motion by Joanne Justesen to approve the Resolution 2021-10 authorizing the Mayor to sign and submit an application to the Idaho Department of Commerce for an Idaho Cares Act Broadband Grant to finance improvements to Enhance Broadband Systems as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Change Order No. 9 for Wastewater Treatment Plant Upgrades - Brad Bjerke, HDR Engineering, Inc. – ACTION ITEM**

Mike Soucie Resident Project Representative for HDR Engineering Inc. presented Wastewater Treatment Plant Change Order No. 9. Mr. Soucie provided details for the change order in an amount of \$61,029.

Motion by Chad Anderson to approve Change Order No. 9 for Wastewater Treatment Plant Upgrades in the amount of \$61,029 as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Minidoka County Sheriff Marine Building – Wayne Schenk – ACTION ITEM**

Minidoka County Commissioner Wayne Schenk asked the city council to consider allowing the sheriff's department to place a marine building at Riverfront Park. Minidoka County Sheriff's Lieutenant Rob Cobbly explained the need to be able to quickly access the water and the proposed area would be ideal as far as access.

After discussion and numerous concerns of Council on the size and placement, Motion by Joanne Justesen to take no action on the Minidoka County Sheriff Marine Building as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Public Hearing for Zoning Pursuant to Idaho Code 67-6511 of the Properties belonging to J&M Ag, LLC contiguous to the City of Heyburn.**

City Attorney Paul Ross introduced the Public Hearing for Zoning Pursuant to Idaho Code 67-6511 of the Properties belonging to J&M Ag, LLC, contiguous to the City of Heyburn. Mr. Ross stated the Planning & Zoning Commission recommended zoning of Commercial General.

Mayor Galbraith opened the public hearing for the zoning of properties owned by J&M Ag, LLC.

Those speaking in favor were: None.

Those speaking in neither against nor in favor were: None.

Those speaking against were: None.

Hearing no further comments, Mayor Galbraith closed the public hearing.

**Discuss / Consider Ordinance No. 2021-644 Ordinance of the City of Heyburn, Annexing Properties Owned by J&M Ag, LLC, and City of Heyburn, Unincorporated Agricultural Minidoka County Property Located North of 21<sup>st</sup> Street, between 1248 and 1120 21<sup>st</sup> Street, Heyburn, Idaho, to City of Heyburn; Zoning Property as Commercial General; Amending Zoning Map. – ACTION ITEM**

Motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2021-644 with suspension of the rule requiring three readings and read one time by title only. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

City Attorney Paul Ross read Ordinance No. 2021-644 once by title only.

Motion by Joanne Justesen to adopt Ordinance No. 2021-644 as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Public Hearing for Public Comments Regarding City of Heyburn, Consolidating and Adopting a Schedule of Revised Rates and Fees for Services Provided and Regularly Charged as Specified by City Code.**

City Attorney Paul Ross introduced the Public Hearing for comments regarding City of Heyburn, consolidating and adopting a schedule of revised rates and fees for services provided and regularly charged as specified by City Code.

Mayor Galbraith opened the public hearing for the Schedule of Revised Rates and Fees for Services.

Those speaking in favor were: None.

Those speaking in neither against nor in favor were: None.

Those speaking against were: None.

Hearing no further comments, Mayor Galbraith closed the public hearing.

**Discuss / Consider Adopting Resolution No. 2021-6 Resolution of the City of Heyburn, Consolidating and Adopting a Schedule of Revised Rates and Fees for Services Provided and Regularly Charged as Specified by City Code, Including Engineering, Water,**

**Wastewater, Street, Sanitation, Parks and Recreation, Electrical, Municipal Services, Community Development, Police, and City Attorney Departments. – ACTION ITEM**  
Motion by Chad Anderson to adopt Resolution No. 2021-6 as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Bonneville Power Administration Agreement Amendment No. 1 – ACTION ITEM**

Those present reviewed the Bonneville Power Administration Agreement Amendment No. 1 extending the term of the agreement through September 30, 2022.

Motion by Joanne Justesen to approve Bonneville Power Administration Agreement Amendment No. 1 as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Army Corp 319 Grant Application and Approve Letter of Support – ACTION ITEM**

David Waldron with DW Engineering asked the council to consider approving a letter of support for the Army Corp 319 Grant Application for the improvements at Riverfront Park.

Council requested a Resolution be brought to support the Grant Application. Motion by Joanne Justesen to approve the Army Corp 319 Grant Application and Approve Letter of Support as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Resolution No. 2021-9 Idaho Gem Grant Application and Adopt Resolution No. 2021-9 in Support of the Grant Application – ACTION ITEM**

After discussion, Motion by Chad Anderson to approve the Idaho Gem Grant Application and Adopt Resolution No. 2021-9 in Support of the Grant Application as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Adopting Resolution No. 2021-7 Resolution of the City of Heyburn Adopting a Revised and Updated Personnel Policy – ACTION ITEM**

Those present reviewed changes to the City’s Personnel Policy. After discussion, this item was tabled to allow for additional review.

**Discuss / Consider Adopting Resolution No. 2021-8 Resolution of the City of Heyburn Adopting a policy to ensure Safe Working Conditions and Operating Procedures for all employees – ACTION ITEM**

City Attorney Paul Ross presented Resolution No. 2021-8 adopting a policy to ensure safe working conditions and operating procedures for all employees. Mr. Ross stated if passed the resolution will be posted at City Hall. Mr. Ross stated State Insurance Fund is recommending all cities pass similar resolutions.

Motion by Chad Anderson to adopt Resolution No. 2021-8 Resolution of the City of Heyburn Adopting a policy to insure Safe Working Conditions and Operating Procedures for all employees with correction of scrivener's error. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Police Chief Job Description – ACTION ITEM**

Those present reviewed the Police Chief Job Description.

After discussion, motion by Joanne Justesen to approve the Police Chief Job Description increasing the physical lift minimum to 50 lbs. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Police Sergeant Job Description – ACTION ITEM**

After discussion, motion by Chad Anderson to approve the Police Sergeant Job Description increasing the physical lift minimum to 50 lbs. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Police Officer Job Description – ACTION ITEM**

After discussion, motion by Joanne Justesen to approve the Police Officer Job Description increasing the physical lift minimum to 50 lbs. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider City Engineer Job Description – ACTION ITEM**

After discussion, motion by Joanne Justesen to approve the City Engineer Job Description as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider City Administrator Job Description – ACTION ITEM**

After discussion, motion by Rose Schmitt to approve the City Administrator Job Description as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Mayors Time & Committee Reports**

Mayor Galbraith asked if there were any committee reports.

No committee reports.

Mayor Galbraith provided a brief update to those present on the Wastewater Treatment Plant Construction Project.

**Comments from the Public (Each person has 3 min. to comment).**

Mayor Galbraith opened this time up to the public for additional comments.

Comments by one resident.

**Executive Session**

**Pursuant to Idaho Code 74-206(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student; (c) To acquire an interest in real property not owned by a public agency. – ACTION ITEM**

Motion by Joanne Justesen to go into executive session pursuant to Idaho Code 74-206(1)(b) and (c). Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Executive Session Minutes**

The Executive Session was conducted by Mayor Dick Galbraith. The topics were a matter of (b) personnel and (c) acquire and interest in real property.

The Executive Session began at 9:59 PM.

No decisions were made.

Motion by Joanne Justesen to adjourn executive session. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Executive Session returned to open session at 10:37 PM.

**Motion to Adjourn - ACTION ITEM**

Motion by Joanne Justesen to adjourn the council meeting. Second by Rick Tundag. Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

The council meeting adjourned at 10:38 PM.

Dick Galbraith  
Mayor

Ashlee Langley  
City Clerk/Treasurer