

**City of Heyburn Council Meeting**  
**Wednesday, July 12, 2023**  
**7:00 P.M.**

**Mayor:** Dick Galbraith.

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

**Employees Present:**

Tony Morley, Cole Kuta, Paul Ross, and Ashlee Langley.

**Welcome & Pledge**

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

**Discuss / Consider the Minutes of the June 28, 2023 City Council Meeting & Public Hearing and the July 11, 2023 Special City Council Meeting – ACTION ITEM**

Those present reviewed the minutes of the June 28, 2023 City Council Meeting & Public Hearing and the July 11, 2023 Special City Council Meeting.

Motion by Joanne Justesen to approve the minutes of the June 28, 2023 City Council Meeting & Public Hearing and the July 11, 2023 Special 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 detailed check register.

Motion by Joanne Justesen 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 First Federal Bank Business Proposals – ACTION ITEM**

Tiffany Warr, Treasury Management Officer for First Federal Bank provided business proposals to those present for the city's water and wastewater retained earnings accounts. Mrs. Warr presented options for CDs as well as Business Savings accounts.

Motion by Chad Anderson to approve two (2) 10-month CDs with checking account option for an interest rate of 5.12% with a one-time withdrawal option with First Federal Bank for the transfer of the city's wastewater and water bond restricted assets. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discussion on Dispatch Agreement with Minidoka County**

This item was tabled.

**Discuss / Consider Proposal for Engineering Services for Irrigation Distribution System Evaluation with Brockway Engineering, PLLC – ACTION ITEM**

Chuck Brockway, Ph.D., P.E. for Brockway Engineering, PLLC presented a proposal for evaluating the city's existing irrigation distribution system. Mr. Brockway's proposal involves gathering information on Minidoka Irrigation District (MID) rights, assessing flow and volume allocations, identifying potential areas for irrigation, estimating future growth, evaluating excess water rights, exploring the use of sandpoints, conducting facility inspections, creating an ArcGIS project database, identifying system deficiencies, developing a preliminary layout for system conversion, assessing the use of sandpoints for water supply, estimating costs for system upgrades, conducting an economic analysis, developing rate structure options, and delivering a technical report/facility plan with recommendations.

The estimated cost for engineering services is \$24,660, and the work will be conducted on a time-and-materials basis, with progress billings sent monthly.

Motion by Joanne Justesen to approve the proposal with Brockway Engineering, PLLC for Engineering Services for Irrigation Distribution System Evaluation in the amount of \$24,660 with a 90-day completion timeline. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Ordinance No. 2023-677 Ordinance of the City of Heyburn, Adopting an Updated Zoning Map Under Heyburn Code 8-3-2. First Reading – ACTION ITEM**

Those present reviewed Ordinance No. 2023-677 and associated zoning map for accuracy.

Motion by Chad Anderson to have City Attorney Paul Ross read Ordinance No. 2023-677 once in full. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2023-677 in its entirety.

Motion by Chad Anderson to waive the rule requiring three readings and adopt Ordinance No. 2023-677 in one reading correcting scrivener's error. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Water Rights Lease Agreement with City of Pocatello – ACTION ITEM**

City Attorney Paul Ross presented the Water Right Lease Agreement with the City of Pocatello, specifically highlighting a notable increase of \$859.76 compared to the lease amount from the previous year. The revised lease agreement sets the annual total at \$4,062.96.

Motion by Joanne Justesen to approve the Water Rights Lease Agreement with the City of Pocatello in the annual amount of \$4,062.96 as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider 3<sup>rd</sup> Quarter Treasurer Financial Report – ACTION ITEM**

Those present reviewed the quarterly treasurers financial report for the 3<sup>rd</sup> quarter.

Motion by Joanne Justesen to approve the 3<sup>rd</sup> Quarter Treasurer Financial Report as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

### **Mayors Time, Committee Reports, and Department Reports**

Councilwoman Joanne Justesen provided a concise update on the recent Joint Powers Animal Control meeting. She mentioned that the committee took a break during the month of June and is currently making efforts to catch up on their tasks. Councilwoman Justesen also informed those present that they have applied for a spay and neuter grant program. Additionally, she highlighted the committee's dedication to facilitating the transition of dogs from the facility to rescue agencies. The recent adoption days held at C-A-L Ranch were successful. Furthermore, Councilwoman Justesen expressed her interest in the Joint Power Animal Control Facility participating in the upcoming Pumpkin Festival. Finally, she informed everyone that the fees for animal-related services have been standardized throughout the cities.

Those present reviewed Department Reports for June 2023.

**Comments from the Public: This time is designated for members of the public to address their city elected officials. Comments related to any Public Hearing(s) and land use items should be made during the public hearing for those specific items(s). Individuals will be limited to a maximum of three (3) minutes.**

Mayor Galbraith invited members of the public to share their comments by opening the floor.

### **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; (f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. – ACTION ITEM**

Motion by Joanne Justesen to go into executive session pursuant to Idaho Code 74-206(1)(b)(f). 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 (f) litigation.

The Executive Session began at 7:57 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 8:31 PM.

**FY 2023-24 Budget Work Session**

Mayor Galbraith stated this item was added as a placeholder in case the council was not able to get through the entire budget at the Special Council meeting. Mayor Galbraith stated unless needed this item can be tabled.

This item was tabled.

**Motion to Adjourn – ACTION ITEM**

Mayor Galbraith asked for a motion to adjourn the meeting.

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

The council meeting adjourned at 8:40 PM.

Dick Galbraith  
Mayor

Ashlee Langley  
City Clerk/Treasurer