

City of Heyburn Council Meeting
Wednesday, December 10, 2025
7:00 P.M.

Mayor: Dick Galbraith

Council Present: Chad Anderson, Joanne Justesen, Stegen Phillips, and Rick Tundag.

Employees Present:

Jerome Fagaldefeg, Ivan McCracken, Ryan Bertalotto, Paul Ross, and Debra Encinas.

Welcome & Pledge

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

Consent Agenda – ACTION ITEM

The consent calendar consists of items that are considered to be routine in nature and will be enacted in the form of one motion. Any item can be removed from the consent calendar and heard in its regular order at the request of any council member or the mayor.

- a. **Approve the Minutes of November 12, 2025 City Council Meeting**
- b. **Approve Paying the Bills**
- c. **Approve Commercial Garbage Hauling Licenses for 2026**
- d. **Approve Salvage Yard License for 2026 – Untied Metals, LLC**

Motion by Joanne Justesen to approve the consent agenda. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

Accept Minidoka County Commissioner Canvass of Election Results regarding Heyburn City election held November 2025 – ACTION ITEM

Paul Ross City Attorney presented. Mr. Ross said this canvass of results does not declare the winners of those elections because the law doesn't really require it. The County is going to start listing uncontested races in future years, for the record to be clear. The County conducts elections and all winners should be on the canvass.

Motion by Joanne Justesen to accept the Minidoka County Commissioner Canvass of Election Results regarding Heyburn City election held November 2025. Second by Stegen Phillips. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

Discuss / Consider Semiquincentennial Celebration Options, Memorial Monuments, Tim Harris – ACTION ITEM

Tim Harris with Memorial Monuments presented/explained. Mr. Harris went over different options for the monument. There was discussion regarding adding color to both sides and to the emblems of honor. They also discussed the flag being on both sides and changing some of the wording.

No decisions were made.

Discuss / Consider Agreement for Gift Conveyance of Chamber of Commerce Building, Assignment of Ground Lease, and Assumption – ACTION ITEM

Mr. Ross provided the history of the Community Chest and Chamber of Commerce. This new agreement donates the building to the City and removes the Community Chest as a middle entity.

Penny Main with the Chamber of Commerce came up to the podium and thanked the city for all the support and help they have received from the city.

Motion by Rick Tundag to accept the Agreement for Gift Conveyance of Chamber of Commerce Building, Assignment of Ground Lease, and Assumption. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

Discuss / Consider Minidoka County Law Enforcement Dispatch Service Agreement – ACTION ITEM

Mr. Ross said the Sheriff has rejected number 10 of the proposed agreement and until last week suggested they had not even seen a copy, which was promptly provided again. Prosecutor Lance Stevenson stated issues with the agreement but did not respond with a redlined copy. The last agreement ended in September, the city is still making payments under the contract. Mr. Ross said the Sheriff has statutory duties to provide 911 services; there are statutory duties that the Sheriff is required to provide regardless of this agreement.

Police Chief Ryan Bertalotto said that he and other entities are exploring some additional options. Chief Bertalotto is interested in maintaining the ongoing relationship. Other things have improved, some can still have more improvement. Chief said there has been bad and good on both sides.

Mr. Ross said the Sheriff was invited to attend and declined. Mr. Ross said we could also hold their check until we get this resolved. Chief Bertalotto indicated he believed a conflict may exist and that may be why the Sheriff and his deputy could not attend.

Motion by Joanne Justesen to decline signing the Minidoka County Law Enforcement Dispatch Service Agreement until a future date and holding the December and January check and coordinating with the Sheriff to see when he could meet with the Council. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Nay; Rick Tundag – Aye.

Discuss / Consider Ordinance No. 2025-719 Ordinance of the City of Heyburn Dedicating Additional Portions of Roadway to 10th Street from Highway 30 to J Street from J Street to H Street, Dedicating Additional Portion to J Street Just South of Highway 30, Reestablishing Portions of 10th Street East of H Street, Reassigning Addresses for 1000 J Street, 1130 J Street, and 1141 Highway 30, Amending all Heyburn Maps to include the Additional Portions to 10th Street and J Street, Providing Effective Date. Second Reading. – ACTION ITEM

Mr. Ross said he made a couple of cosmetic tweaks. Mr. Ross said that paragraph 8 has a reference to a map being attached and he removed that because there are multiple maps and he didn't think they would want to attach all those maps to this ordinance, we've already got the legal descriptions. Mr. Ross notices some problems on the Assessor map and has reached out to the County to verify that we don't have the wrong legal or if it is just a mapping error.

Motion by Chad Anderson to have City Attorney Paul Ross read Ordinance No. 2025-719 Ordinance of the City of Heyburn Dedicating Additional Portions of Roadway to 10th Street from Highway 30 to J Street from J Street to H Street, Dedicating Additional Portion to J Street Just South of Highway 30, Reestablishing Portions of 10th Street East of H Street, Reassigning Addresses for 1000 J Street, 1130 J Street, and 1141 Highway 30, Amending all Heyburn Maps to include the Additional Portions to 10th Street and J Street, Providing Effective Date. Second by Stegen Phillips. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2025-719 by title only.

Discuss / Consider Ordinance No. 2026-720 Ordinance of the City of Heyburn, Updating Subdivision Code when Subdivision Required, Updating subdivision Processes Related to Preapplications, Preliminary Plats, and Final Plats, Updating Subdivision Specifications and Intersections and Further Clarifying Subdivision Lots, Providing Effective Date. First Reading. – ACTION ITEM

Mr. Ross presented some corrections or amendments to the subdivision code. The original code was adopted in 1982 and today is a digital world. Some items need to be updated to conform to the modern world in terms of communication and presenting applications digitally instead of on paper. Mr. Ross, this is just bringing the code up to date. Planning & Zoning still has to weigh in on the issue.

Motion by Stegen Phillips to have City Attorney Paul Ross read Ordinance No. 2026-720 Ordinance of the City of Heyburn, Updating Subdivision Code when Subdivision Required, Updating subdivision Processes Related to Preapplications, Preliminary Plats, and Final Plats, Updating Subdivision Specifications and Intersections and Further Clarifying Subdivision Lots, Providing Effective Date. First Reading. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2025-720 by title only.

Discuss / Consider Public Works Director Job Description/Job Advertisement – ACTION ITEM

Mayor Galbraith, the City Council and Mr. Ross discussed the wages for the Public Works Director, the wage was changed to \$65,000 to \$85,000. They also discussed duties, job description, and drug screening.

Motion by Chad Anderson to approve the Public Works Director Job Description/Job Advertisement as with the correction that was made tonight. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

Mayors Time, Committee Report, and Department Reports.

Mayor Galbraith thanked everyone for his surprise.

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 item (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.

There were no comments from the public.

Executive Session

Pursuant to Idaho Code 74-206 (1) (a) to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general; (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; and (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 Chad Anderson to go into executive session pursuant to Idaho Code 74-206 (a)(b)(c) and (f). Second by Stegen Phillips. Roll-Call Vote Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

The Executive Session began at 9:09 PM.

The Executive Session was conducted by Mayor Dick Galbraith. The topic was a matter of (a)(b) personnel (c) interest in real property and (f) litigation.

No decisions were made.

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

Executive Session returned to open session at 10:09 PM.

Motion to Adjourn – ACTION ITEM

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

The council meeting adjourned at 10:10 PM.

Dick Galbraith
Mayor

Debra L Encinas
Municipal Services Deputy Clerk