



Cassia County Board of Commissioners

REGULAR MEETING MINUTES

Monday, June 12, 2023

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) 9:00 AM Call to order
- 2) Pledge of Allegiance and prayer
- 3) 9:01 AM Roll call

Roll Call.

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

- 4) 9:01 AM Calendar, meetings, committee reports, and correspondence
 - a) 6/13/2023 Joint 911 and IT Committee meeting at 11:00 AM Searle
 - b) 6/13/2023 Fair Board meeting at 7:00 PM Beck
 - c) 6/14/2023 Transportation meeting at 7:00 AM Beck
 - d) Beck and Searle reported receiving complaints about the odor from Abe's Kosher Meat facility.
 - e) Concerns for a plan to build a large truck stop at exit 216 were expressed by two citizens in attendance. The Board was not aware of any plans and no permits for any such construction had come before Planning & Zoning.

9:07 AM Mr. McMurray entered the meeting.

9:10 AM Prosecutor Larsen entered the meeting.

- 5) 9:14 AM Approve payables for 6/12/2023

9:15 AM **Motion and Action:** Approve payables in the amount of \$462,562.13, as presented on 6/12/2023, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.
Motion passed unanimously.

- 6) 9:16 AM Approve minutes from 5/30/2023, 6/2/2023, and 6/5/2023

9:17 AM **Motion and Action:** Approve minutes from 5/30/2023 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

CASSIA COUNTY COMMISSION
REGULAR SESSION
Monday, June 12, 2023

Instrument # 2023001787

BURLEY, CASSIA, IDAHO

6-20-2023 10:21:06 AM No. of Pages: 11

Recorded for : CASSIA COUNTY COMMISSIONERS

JOSEPH LARSEN

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COMMISSIONERS MINUTES

A handwritten signature in blue ink, likely of the recorder, is located at the bottom right of the page.

9:17 AM **Motion and Action:** Approve minutes from 6/2/2023 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

9:18 AM **Motion and Action:** Approve minutes from 6/5/2023 as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

- 7) 9:18 AM Personnel Matters - Change of Status Requests
a) Sheriff's Office - Janin Powell - Intermediate Dispatcher - voluntary resignation

9:19 AM **Motion and Action:** Approve Change of Status Request as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

- 8) 12:55 PM Executive Sessions

12:56 PM **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** 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.

1:14 PM Upon exit of Executive Session, the board took the matter under advisement.

1:14 PM **Motion and Action:** Approve recommendations of the Social Services Director regarding indigent matters, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.
Motion passed unanimously.

- 9) 9:21 AM Discuss pay rate for contracted conflict attorneys versus noncontracted conflict attorneys
a) Mr. McMurray pointed out that contracts for conflict public defense signed by some attorneys is \$120.00 per hour whereas the current rate for noncontracted services is still \$85.00 per hour. He asked the Board to consider whether they will maintain that difference or increase the pay to match what contracted attorneys would receive.
b) Searle stated he would like to keep the difference in pay as an enticement for more attorneys to sign contracts with the County. Beck expressed similar sentiment.
c) McMurray reported that two attorneys wouldn't sign a contract with the County as they were too busy with other cases.

- d) The judges have received a list of contracted attorneys for conflict public defense to use and are willing to rely on it as much as possible.
 - e) The Board opted to make no official determination unless it becomes more of an issue.
- 10) 12:03 PM Discuss and approve site for proposed county building
- a) The Board discussed the merits of building on the east lot versus the west lot. The west lot could afford to hold a larger building footprint while a building on the east would afford more parking spaces to be installed.
 - b) Clerk Larsen and Deputy Auditor Evans reported that during their recent trainings it was strongly suggested to encourage public involvement and comment as it will be funded by the public.
 - c) Prosecutor Larsen strongly urged the Board to not move the Public Defender's Office until absolutely necessary as it will cause delays in the work of the attorneys and could interrupt their ability to carry out their duties of defense to their clients.
 - d) Kunau expressed serious concern over the security and number of entrances in the proposed building if on the west as well as the shortage of needed parking spaces that would be compounded by installing a lot on the east side. Beck said erstad was willing to modify entrances and security considerations.
 - e) The option of putting Misdemeanor Probation in the building was discussed. Sentiment against combining criminal and general public services in one area was expressed. Rent for the current building the department is occupying is considerably less than the cost for a new space but they also recognized the eventual need to relocate due to the temporary status of the rental agreement.
 - f) For the sake of progress, a decision to build on the west lot was requested, with the stipulation that it could be revisited if need be further down the line.

12:19 PM **Motion and Action:** Approve directing erstad to continue planning for a building on the west lot as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Leonard M. Beck - Chair.

Motion passed.

- 11) 12:22 PM Discuss and approve amount held in reserves for proposed building and property
- a) Beck reviewed the balance of monies held in reserve for the proposed building and the earlier agreement to dedicate seven million dollars for that project.
 - b) After discussions with the Auditor's Office and newer recommended guidelines for how much money should be maintained in reserves, it was proposed to raise the amount allocated to that and any other projects the Board may be considering for the near future.
 - c) Beck reported hearing a rough estimate bid for the erection of the grandstand bleachers at the fairgrounds in the amount of \$850,000.00. He felt this was in error as it was an extremely high number but was advised to plan for that number when figuring a total dollar amount for their intended projects to err on the side of caution.
 - d) Clerk Larsen advised the Board of the importance of allocating and designating sufficient reserves for specific identified capital projects they are considering. He stressed that all fund balances and reserves are reported to the State Controller's Office and provided to the public and to legislators through Transparent Idaho. Any accumulation of uncommitted reserves will likely be scrutinized by the public and the legislators in an effort to minimize property tax obligations to Idaho citizens. Legislators have hinted about limiting amounts of reserves kept by counties for operations to just a few months.

12:30 PM **Motion and Action:** Approve setting aside twelve million dollars for capital projects, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

12) 12:31 PM Sign title application for 2023 Kubota from Burks Tractor

12:31 PM **Motion and Action:** Approve signing the title application from Burks Tractor as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

13) 12:32 PM Review and approve approach permits for Brook Holtman within County Road & Bridge

- a) An application for two approaches on a piece of property in Elba was submitted. Road & Bridge Supervisor Ward has already reviewed and given his approval on the request. Holtman will purchase the culverts needed to be installed. The two approaches are labeled with the same address as sites "A" and "B". One approach is for the unloading of semis and the other is for a residence.
- b) Beck will contact Supervisor Ward to verify the size of the culverts being recommended for installation.

12:39 PM **Motion and Action:** Approve the request for the approached labeled as "A", **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

12:40 PM **Motion and Action:** Approve the request for the approached labeled as "B", **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

14) 12:41 PM Discuss Semi quincennial of Declaration of Independence resolution

- a) McMurray was asked to fill in the blanks on the last declaration of the proposed resolution brought before the Board last week. He pointed out that the header of the resolution mentioned planning but the body of the resolution did not address any planning of a celebration, only recognition of the celebration.
- b) Maria Brown reported that there were about 15 people in attendance at their first meeting last week to discuss the planning and organization of a committee for a celebration. The need to have one centralized committee was discussed so as not to overlap or interfere with the separate counties' plans for the celebration.
- c) The Board expressed their support for such planning but did not support the directive or need for a committee to be formed by the Board of Commissioners. They stated that such organizational efforts should come from the citizens. The Board's involvement could come by way of the fair and rodeo programs.
- d) It was suggested for Ms. Brown to reach out the Veterans' Service Office administrator for additional information and support.

- e) They directed that the Board will work on the wording of the resolution and requested that someone bring forward an outline of plans to share with the Board.

SCHEDULED ACTION AGENDA ITEMS

- 15) 9:38 AM Consider and sign County Insurance renewal and disclosure documents - Bowen Insurance
- a) Kelly Bowen presented some renewal and amendment documents regarding the County medical insurance policy for the Board's approval.
 - b) Phyllis Merrill from MBA was also in attendance to answer any questions the Board might have.

9:50 AM **Motion and Action:** Approve signing the disclosure form from the United States Fire Insurance Company as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

- c) Amendment No. 6 of the policy deals with the air ambulance services provided. It was recommended to remove some limiting language.
- d) Due to time constraints on other scheduled items of business, the Board requested the matter be revisited later in the meeting.
- e) 11:02 AM Returned to the matter with updated documents as the ones provided last week were not the most recent ones to be presented to the Board.

11:03 AM **Motion and Action:** Approve signing the stoploss insurance application with the United States Fire Insurance Company, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

11:07 AM **Motion and Action:** Approve signing the MBA document acknowledging the stoploss insurance application, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

11:10 AM **Motion and Action:** Approve signing the document titled, 'Exhibit A', reflecting the pricing amounts of the policy, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

11:13 AM **Motion and Action:** Approve signing Amendment No. 6 regarding air ambulance services, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

- 16) 10:03 AM Executive Session pursuant to Idaho Code § 74-206 (1) (d) - to consider records exempt from public disclosure – Burgess

10:03 AM **Motion and Action:** Enter Executive Session pursuant to Idaho Code § 74-206 (1) (d) to consider records that are exempt from public disclosure, **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.

10:14 AM Upon exit of Executive Session, the board took the matter under advisement.

17) 10:14 AM Review and approve antivirus software purchase - Burgess

10:15 AM **Motion and Action:** Approve the expenditure and contract with Clutch for antivirus software, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

18) 10:16 AM Discussion on Assessment notices - Adams

- a) Due to complaints received by the Commissioners about the property assessments that were recently sent out, the Board requested Assessor Adams discuss the steps involved in doing the property assessments to better understand the process and help inform the public.
- b) Assessor Adams read from Idaho Statute Title 63 that addresses the assessment of properties by the county assessor. It states that properties must be assessed annually using fair market values for specified dates in consideration.
- c) The State requires each county to be within 10% of fair market values. The most recent adjustments applied brought the county up to 90.06% of market value.
- d) Several factors are involved in assessing property values which include information from sales of surrounding or like properties, the age and depreciation of residences on property, and any improvements made on property.
- e) There is a five-year cycle in which the Assessor's Office must evaluate every single property with the State requiring at least 20% of all properties being visited each year to complete the cycle.
- f) There are misconceptions that the percentage of increase on the assessed value of property equates the same increased tax assessment. There are also misconceptions that an increase in value is applied uniformly throughout the state or even throughout the county, but this is not the case.
- g) Assessor Adams requested that all complaints and questions be directed to his office so they can adequately address peoples' concerns.
- h) The Board of Commissioners will serve as the Board of Equalization for any appeals that are filed.
- i) New legislation is now requiring tax information be included on the assessment notice.
- j) Treasurer Greener provided the Board with a spreadsheet comparing individual assessment notices with their respective tax bills to demonstrate that the two numbers aren't directly connected to each other. Taxation on property has its own set of government restrictions that must be applied when calculating for each property.

- 19) 10:46 AM Approve moving county mobile services from Verizon to AT&T - Clerk's Office
- a) Elections Director Keck requested a move of mobile services from Verizon to AT&T. There is money available in the budget to make the purchase of new equipment for the Elections Department.
 - b) Verizon also still owes a credit of about \$3,000.00 to the County due to mistakes in billing over the recent past.
 - c) There is also a cost savings in monthly bills as AT&T has better business plan management options available than what Verizon has offered.

10:56 AM **Motion and Action:** Approve the transition from Verizon to AT&T not to exceed \$1,500.00 for the Elections Department, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

- 20) 10:57 AM Review and approve FY2023 Outside Audit Engagement Letter with Zwiygart John & Associates CPA's, PLLC - Clerk Larsen

11:01 AM **Motion and Action:** Approve signing the FY2023 Outside Audit Engagement Letter with Zwiygart John & Associates, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

- 21) 11:14 AM Discuss FY2024 Budget matters
- a) Deputy Auditor Evans presented updated reports to the Board for review.
 - b) Clerk Larsen shared information he received at the IAC conference last week regarding the use of PDC monies. The possibility of reallocating funds to another area was discussed.
 - c) This is the last year for the allotment of SRS monies to be received from the State. The sustainability of other state issued monies such as PILT and LAFTC payments have been brought in to question especially in light of federal government debt issues being considered currently.
 - d) The Board was advised to expect the continuing of rising yearly costs for ICRMP insurance due to increases in claims and lawsuits.
 - e) The Board instructed the Budget Officer to go with the amounts requested by various departments not included in previous discussions of extraordinary requests being considered.
 - f) Larsen stated on the record he was including specific recommendations in his FY2022 Management Discussion and Analysis report regarding the City of Burley Law Enforcement Agreement. He acknowledged delays each year getting any information by budgetary deadlines regarding that agreement. Additionally, he reiterated his statutory fiduciary obligation to cite continuing concerns with the terms of the agreement, the manner in which negotiations are carried out, and fairness in covering costs of services rendered by the county to the City of Burley. Many of those services have included inadequate or no compensation for such.

UNFINISHED BUSINESS ACTION AGENDA ITEMS

- 22) 12:52 PM Review and sign contracts with conflict public defense attorneys
- a) A contract signed by W. Reed Cotten was received and submitted for Board approval.

**CASSIA COUNTY COMMISSION
REGULAR SESSION
Monday, June 12, 2023**

12:53 PM **Motion and Action:** Approve the presented contract with W. Reed Cotten for county conflict public defense, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member
Motion passed unanimously.

23) 12:54 PM Discuss departmental vehicle considerations

- a) Searle was still working on an idea with regards to vehicles and was not ready to present it yet.
- b) Beck requested a final decision be made next week with regards to the various departmental requests about vehicles since arrangements needed to be made as soon as possible.

24) 1:15 PM Adjourn

1:15 PM **Motion and Action:** Adjourn, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

APPROVED:



Leonard M. Beck, Chair

DEPUTY CLERK OF THE BOARD:



Cally Velasquez

SUMMARY CLAIMS APPROVAL REPORT INCLUDING BUDGET BALANCES

BOTH UNPAID CLAIMS & DEMANDS GENERAL GOVERNMENT FUNDS

69% OF FISCAL YEAR ELAPSED

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

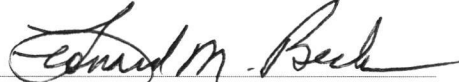
Fund	Budget	Actual	Demand/Claims Amt	Budget Remaining	% Budget Remaining
0001 GENERAL FUND (CURRENT EXPENSE)	5,237,898.00	3,256,798.88	80,104.37	1,981,099.12	38%
0002 ROAD & BRIDGE	579,720.00	392,401.27	20,518.58	187,318.73	32%
0006 DISTRICT COURT	374,120.00	212,439.97	4,807.50	161,680.03	43%
0008 JUSTICE FUND	12,291,405.00	7,805,868.07	166,741.45	4,485,536.93	36%
0012 M-C MISDEMEANOR PROBATION	1,098,450.00	709,347.49	17,274.57	389,102.51	35%
0013 911 COMMUNICATIONS	871,000.00	107,323.12	13,731.93	763,676.88	88%
0015 CONSOLIDATED ELECTIONS	217,865.00	54,712.62	1,576.80	163,152.38	75%
0016 SOCIAL SERVICES-ASSISTANCE	747,118.00	220,983.37	2,750.00	526,134.63	70%
0018 CASSIA COUNTY FAIR	270,708.00	98,891.70	1,392.00	171,816.30	63%
0020 REVALUATION	452,825.00	258,257.77	8,063.64	194,567.23	43%
0025 WATERWAYS	50,000.00	0.00	1,350.65	50,000.00	100%
0027 NOXIOUS WEED & PEST	426,030.00	186,387.94	7,232.22	239,642.06	56%
0028 SNOWMOBILE	86,450.00	23,648.14	27.56	62,801.86	73%
0029 PHYSICAL FACILITIES	274,300.00	727,163.94	11,432.66	-452,863.94	-165% *
0032 PREVENTIVE HEALTH FUND	272,300.00	202,952.04	22,684.44	69,347.96	25%
0048 EMPLOYEE BENEFITS FUND	3,621,490.00	2,292,377.08	95,741.48	1,329,112.92	37%
0053 NARCOTICS SEIZED ASSETS FUND	40,000.00	28,213.89	7,132.28	11,786.11	29%
		Total Amount Paid	462,562.13		

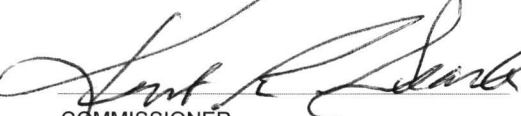
STATE OF IDAHO
CASSIA COUNTY

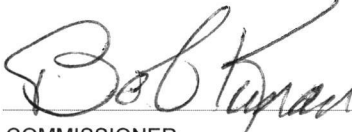
WE, THE CASSIA COUNTY COMMISSIONERS, BEING DULY SWORN DO HEREBY CERTIFY AND DECLARE THAT
WE HAVE REVIEWED THE DEMANDS ENUMERATED AND REFERRED TO IN THE FOREGOING REGISTER, AND THAT THE SAME ARE
TO THE BEST OF OUR KNOWLEDGE ACCURATE AND ARE JUST CLAIMS AGAINST THE COUNTY, AND THAT THERE ARE FUNDS
AVAILABLE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

APPROVED FOR DISTRIBUTION AS OF

6-12-2023


COMMISSIONER


COMMISSIONER


COMMISSIONER

* WARNING: This fund is over budget

Cassia County Commissioner Meeting

Attendance Log

Date: 6-12-2023

	NAME (Please Print)	TOWN	REPRESENTING
1.	CRAIG BURCH	DELO	SELF
2.	CHASE KIDD	DELO	SELF
3.	Kelly BOWEN	Burley	SELF (BIG)
4.	J. Thompson		CCSO
5.	George Warrell	Oakley	Sheriff
6.	David Burgess		IT
7.	Martin Adams	Burley	Assessor
8.	Jane Moline	Burley	Assessor dpt
9.	Mirella Mancias	Burley	Assessors
10.	Laura Gittins	Burley	Assessor
11.	Karen Shaw	Burley	Assessors
12.	Susan Keck	SLC	WPAH Camp Administration
13.	Susan Keck	Almo	Elections Dept.
14.	Tate Quast	DeLo	9-1-1
15.	Laura Gruener	Burley	Treasurer
16.	Heather Whitehead Frang	Burley	Auditor's
17.	JOE LARSEN	Burley	CLERK
18.			
19.			
20.			
21.			
22.			
23.			
24.			