



Cassia County Board of Commissioners REGULAR MEETING MINUTES

Monday, April 29, 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) 9:01 AM Call to order
- 2) Pledge of Allegiance and prayer
- 3) 9:03 AM Roll call

Roll Call.

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

- 4) 9:03 AM Calendar, meetings, committee reports, and correspondence were reviewed.
 - a) 4/29/2024 - Fair Board meeting - Beck
 - b) 5/1/2024 - Interviews for the Road & Bridge position begin
 - c) 5/2/2024 - Republican Committee meeting
 - d) 5/2/2024 - Idaho Public Safety Communications Commission in Pocatello - Searle
 - e) 5/4/2024 - Free tire day at the land fill.
 - f) Beck gave an update on meetings with the Southern Idaho Solid Waste District's (SISWD) arrangements with Elmore County, Camas County, and Boise with their Pacific Steel waste. They are offering longer leases with discounted rates. The three entities combined constitute about 15% of the total waste that comes in. SISWD has forecast to have sufficient landfill property for waste through 2073.
 - g) Beck reported the executive board for the Middle Snake Regional Water Resource Commission (MSRWRC) would raise individual assessments \$750.00 each for the next two years, with Lincoln County being half of that, at \$375.00. Minidoka County is planning to join the MSRWRC and agreed to the assessment rate.
 - h) The board discussed revenues generated at the SISWD and their future calendar items.
 - i) Beck will meet with Road and Bridge Supervisor Ryan Ward on Wednesday to discuss submitting a bid for the purchase of a 2003 Western Star truck that the SISWD is planning to surplus.

9:04 AM Assistant to the Board McMurray entered the meeting

- 5) 9:20 AM Approve payables for 4/29/2024
 - a) An MBA high priority claim was discussed. As it pertained to a specific employee, the matter was exempt from inclusion in the public record and was discussed in executive session.

10:48 AM **Motion and Action:** Approve 4/29/2024 payables in the amount of \$248,713.23 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.
Motion passed unanimously.

**CASSIA COUNTY COMMISSION
REGULAR SESSION
Monday, April 29, 2024**

Instrument # 2024001529

BURLEY, CASSIA, IDAHO

5-6-2024 12:47:51 PM No. of Pages: 11

Recorded for : CASSIA COUNTY COMMISSIONERS

JOSEPH LARSEN

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COMMISSIONERS MINUTES

6) 9:21 AM Approve minutes from 4/22 and 4/25

- a) There was concern that a statement made by the Sheriff as part of the 4/22 minutes needed to be verified for accuracy. Those minutes were held until more information is received.

9:24 AM **Motion and Action:** Approve minutes from 4/25/2024 as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.
Motion passed unanimously.

- b) 3:36 PM It was determined that a statement made by Sheriff Warrell included in 4/22/2024 the minutes for item 21c was unverified and later determined to be inaccurate.

3:38 PM **Motion and Action:** Approve minutes from 4/22/2024, noting the statement on 21c that the City Law Enforcements paid all of the medical costs for employees and their families was not properly validated and the Board believes is erroneous, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.
Motion passed unanimously.

7) 9:25 AM Review and approval of Alcohol Catering Permit request for Wick's Steak Place

- a) This is a one-day permit to cater alcohol at a wedding event held in Almo.
- b) The alcohol license holder is permitted to sell beer, liquor, and wine.

9:28 AM **Motion and Action:** Approve the Alcohol Catering Permit for Wick's Steak Place as presented, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.
Motion passed unanimously.

8) 9:47 AM Approval of Clerk's Office recommendations regarding junior college Certificates of Residency

9:47 AM **Motion and Action:** Approve Clerk's Office recommendations to approve eight (8) junior college Certificates of Residency as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.
Motion passed unanimously.

9) 9:50 AM Personnel Matters - Change of Status Requests

- a) Assessor - Laura Gittins - Appraiser - certification

9:50 AM **Motion and Action:** Approve Change of Status Request as presented, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.
Motion passed unanimously.

10) 9:59 AM Executive Sessions

9:59 AM **Motion and Action:** Enter Executive Session pursuant to Idaho Code § 74-206 (1) (b) to consider personnel issues, 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.

CASSIA COUNTY COMMISSION
REGULAR SESSION
Monday, April 29, 2024

10:32 AM Upon exit of Executive Session, the board took the matter under advisement.

11:11 AM Beck asked for an Executive Session.

11:12 AM **Motion and Action:** Enter Executive Session pursuant to Idaho Code § 74-206 (1) (b) to consider personnel issues, 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

11:44 AM Upon exit of Executive Session, the board took the matter under advisement.

11) 9:52 AM Consider comments on proposed county harassment policy and adopt Resolution No. 2024-011 adopting new harassment policy

9:53 AM **Motion and Action:** Approve Resolution No. 2024-011, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.

Motion passed unanimously.

12) 9:55 AM Sign Notice of Hearing regarding Building Permit fee valuation

9:57 AM **Motion and Action:** Give Notice of Hearing regarding Building Permit fee valuation for 5/20/2024 at

11:00 AM, **Moved by** Kent R. Searle - Member, **Seconded by** Bob Kunau - Member.

Motion passed unanimously.

13) 3:39 PM Deliberate on Historical Society and Museum request to purchase railroad car wheels

- a) When the wheels for the train car to arrive in Washington, an invoice that includes freight and border crossing costs will be submitted for payment.
- b) The costs relative to this purchase will be advanced by the County and reduced from their second half 2023 levy distribution.

SCHEDULED ACTION AGENDA ITEMS

14) 9:29 AM Consider Tax Exemption Applications - Assessor

- a) Idaho State Tax Commission (STC) consulting appraiser, Robert Rios, has been assisting the Assessor's Office over the years along with his replacement in training, Garin Evans, were in attendance.
- b) Assessor Adams explained the difficulties with property tax exemptions his office has experienced with statutory compliance. Tax exempt entities must formally submit applications each year for requested property tax exemptions. As this has not been complied with in the past, many applicants have expressed frustration with the added responsibilities.
- c) Churches and benevolent organizations will be considered today with developers' exemptions presenting next week.
- d) Since there were still incomplete applications, the Board decided to give the Assessor's Office an additional week to work with those groups to finish application requirements so they can be reviewed together.

**CASSIA COUNTY COMMISSION
REGULAR SESSION
Monday, April 29, 2024**

- e) The Board expressed appreciation to the STC for their recent BOE training and reminded Assessor Adams to provide the Board with additional information before sending out property assessments in June.
- 15) 10:32 AM Mini Cassia Commerce Authority periodic report - Winston Inouye
- a) Inouye reviewed with the Board his periodic report and gave updates on outlined projects.
 - b) The Board asked for his input on the available electrical infrastructure in the area, specifically with regards to the Gateway Transmission Line Project.
- 16) 10:49 AM Region IV Development Association Annual Update - Jeff McCurdy President
- a) Michele McFarlane, the Community and Economic Development Manager was also present.
 - b) McCurdy gave a handout on the Association's Year-In-Review for 2023 projects. The Association was established in 1975 as a council of governments to accomplish three things: regional collaboration, work for common solutions to the challenges of the area, and to bring federal and state resources back to the region.
 - c) McCurdy reviewed their involvement with brownfield revitalization, properties that have been contaminated and hold little current value due to the costs needed to clean up the properties and mitigate contamination. They provide support to individuals and companies seeking to use the land for economic development that wouldn't otherwise be able to be rehabilitated.
 - d) They have helped provide 23 loans with a total valuation of \$5.91 million, some of which went to small business owners in the Cassia County area.
 - e) At their last meeting in March, they approved an increase in membership dues, which hadn't been done since 2013. The rates are based on population census with \$500.00 base fee times \$0.09 per capita. For Cassia County that fee increased \$171.00 from \$2,566.00 to \$2,737.00 for the FY2025 budget.
 - f) McFarlane discussed the City of Burley's involvement with Suntado in applying for grant funds to purchase three transformers at their new facility.
- 17) 11:44 AM Auditor's Quarterly Financial Report - Clerk Larsen and Auditor's Office Director Whitehead
- a) Whitehead reported that the revenues reflect property taxes received from the first tax drive. Tax revenues were about 70% received by the end of quarter. Revenues are about 1.85% below YTD elapsed and expenditures are 18.56% below YTD elapsed.
 - b) Overall expenditures and revenues reflect first half payments to the joint budgets and the Cassia County Fair, SISWD, and the Historical Society.
 - c) Road & Bridge revenues include new State General Fund/ ITD Sales Tax revenues which were unbudgeted for FY2024. YTD receipts are \$70,952.50. This revenue source is anticipated to continue on an annual basis, and will be budgeted for in future fiscal years.
 - d) MPO revenues reflect the first half joint contract payments.
 - e) Social Services revenues reflect Public Defense Commission grants in the amount of \$121,458.00 allocated to potential Conflict public defender contracts. Those funds were not budgeted for as there was sufficient carryover to cover expenditures and there was uncertainty of what funds would be received during the FY2024 budgeting process.
 - f) Snowmobile revenues are received annually in late September.
 - g) Physical Facilities fund expenditures reflect both the easement and building purchases of the Razor's Edge property, grandstand demolition costs at the Cassia County fairgrounds, asbestos survey and removal costs at the acquired Masonic Lodge building, the prosecutor's Office entry area remodel, and costs the fairgrounds grandstand construction. Fair capital projects funds spent at quarter end were \$418,873.50. This total does not include the most recent payment of \$132,500 on 4/8/2024.

- h) Whitehead pointed out that there was 16.71% difference between expenditures and revenues in favor of revenues received.
 - i) Clerk Larsen pointed out challenges in budgeting for FY2025 as they are increasingly very close to Justice Fund levy limits. With ever increasing needs for the cost of administering justice, the budget officer will be scrutinizing requested amounts without additional funding identified by requesting departments.
 - j) He cautioned that state legislators will always look through Transparency Idaho at county fund balances and will question why levies are necessary to continue increasing fund balances beyond annual costs of operation. It is important to have future projects earmarked to specific projects. That is what is being currently done with the Law Enforcement CAD system, future updating of election equipment, and some capital building projects.
 - k) He expects to see continued unfunded expenditures for Guardian Ad Litem, which was not accounted for with the implementation of a statewide public defense system and elimination of public defense levy amounts.
 - l) Cassia County's independent auditor, John Russell, CPA was present and agreed with Larsen's comments and stated that legislators are paying close attention to fund balances and carryover balances.
 - m) Whitehead reviewed the joint quarterly report ending 3/31/2024 with general governmental funds totaling \$11,325,555.31.
 - n) Due to recent law change affecting the STC levy calculations, it was discovered that county amounts are not going to balance with state amounts due to rounding discrepancies. This is a problem being examined and discussed for future legislative consideration. Counties will likely need to make yearend accounting adjusting entries to reconcile those discrepancies.
 - o) Trust fund balances total \$18,843,803.58. The bulk of that is the jail trust, employee benefits trust, public defense, PILT, ARPA and LATCF. Overall, there are healthy fund balances halfway through the fiscal year. The physical facilities budget will remain in the negative until a budget amendment to reflect unanticipated capital expenditures not included in the FY2024 budget.
 - p) Interest earned on all receipts from federal pandemic recovery funding totaled \$376,036.96. Larsen cautioned there are upcoming deadlines for some federal monies to be expended and reported. Any remaining funds after those deadlines must be returned.
- 18) 12:04 PM Independent audit report for FY2023 - John Russell, Zwygart John & Associates
- a) Russell presented the County's FY2023 Outside Audit Report. He detailed aspects of the report and reviewed their responsibilities in conducting the independent audit.
 - b) He summarized the full balance sheets for governmental funds, revenues and expenditures of those funds, notes to financial statements, investment notes, pension footnotes, tax abatements, comparison schedules, compliance reviews and professional opinions on internal controls of the County.
 - c) He provided a six-year overview of trends that will be extended out to 10 years as they continue to perform audits for the county.
 - d) He concluded that Cassia County is in very good fiscal shape with really good people in the auditor's office working hard to make sure the County operates in compliance with laws and governing auditing best practices through their internal control accounting processes.
 - e) Clerk Larsen added his appreciation for the support Zwygart and Associates, CPS's and in particular Mr. Russell has provided his office above and beyond normal contracted services. He has answered questions of county officials and helped with understanding legislative changes without incurring additional consultation costs to Cassia County.

12:32 PM Motion and Action: Approve the presented audit report for the budget year ending September 2023, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.
Motion passed unanimously.

12:34 PM Recess for lunch.

2:06 PM Reconvene.

19) 2:06 PM Joint Meeting with Minidoka Commissioners - Meet with District 27 Legislators

- a) The purpose of the meeting was to hear from state legislators their review of the recent session and what affected Cassia County.
- b) Senator Kelly Anthon first focused on what he thought went well for the state and the fortunate position Idaho is in compared to other states in the Union. He mentioned recent additional tax cuts for Idahoans and the predictable economic climate favorable to growing businesses.
- c) These successes draw people to come here, which has introduced historic challenges not seen before in Idaho. One such challenge is the lack of education on agriculture that Idaho is heavily involved with and the reliance of that industry for the economy.
- d) He saw harsh criticism of the sugar beet industry and potato industry. He noticed many new pieces of legislation being introduced that would severely limit or hurt agriculture in Idaho coming from individuals who didn't understand anything about farming or agricultural operations in general.
- e) He reported seeing meaningful dialog and progress addressing school funding and education financial infrastructure.
- f) Representative Doug Pickett expressed gratitude for continued connection through text messages from local residents during his work in legislative session. He felt they had a successful year but challenges remain.
- g) He commented on the growth of the economy and the need to apply funding where it is needed most such as education and transportation.
- h) He mentioned the progress made in changing the state budgeting processes to allow for more scrutiny and transparency. He said the state budget has grown 10% every year. He expressed concern at the level of deficit of the federal government and how it affects the state.
- i) Frustrations and anger were felt in the revelations of the deficiency of operations at the department of Health and Welfare. The failings of recent leadership caused considerable concern and the new interim director, Senator Cameron, carried a heavy burden of correcting the operations of the department until a new director can be hired.
- j) He mentioned his support of the Ag Preservation bill that was just passed. He requested local input and feedback on the bill as questions of protections are beginning to form.
- k) He also expressed disappointment that it appears many people and members of government vote down caucus lines and don't educate themselves on the issues placed before them.
- l) Representative Clay Handy gave appreciation for comments already made. He explained how the budgeting process in many departments has changed.
- m) He explained the legal contention in Boise regarding the ITD main office building. He pointed out the review conducted that determined it would be more cost-effective to remodel the current building rather than sell it.
- n) He mentioned recent legislative bills dealing with gender issues that he felt were positive. He mentioned prohibition of gender change operations before a person is 18 years old, prohibition of any

**CASSIA COUNTY COMMISSION
REGULAR SESSION
Monday, April 29, 2024**

government funding for gender change operations including with inmates, and the state's refusal to mandate the use of preferred pronouns.

- o) The board discussed projected budget processes and expectations for future legislative sessions considering the end of federal funding from covid-era programs and the sustainability of various state departments.

20) 3:07 PM Joint Meeting with Minidoka Commissioners - Review of MCCJC operations and retention

- a) Lieutenant Shannon Taylor briefly reviewed the institution of the night shift differential and on-call pay. He noted that since its introduction they haven't lost any personnel at the jail and have since hired a few more detention deputies.
- b) He reported total expenditures for the two "A" Budget lines as \$16,250.53 for the night shift differential and \$14,855.16 for on-call pay, for a total of \$31,105.69 spent towards employee retention. They have expended 45% of that budget line with 58% of the year elapsed.
- c) There are still two positions open they have not been able to fill.
- d) He explained the on-call process and how they schedule deputies for the day and night shifts.
- e) It seemed that changes in compensation recently had positive results and that they should continue with the new differential pay.
- f) These pay changes will be included in the FY2025 budget requests.
- g) Taylor updated the joint board on the newly installed body scanner and the advantages it provides over strip searching inmates.
- h) Whitehead reminded the Board that conservative budgeting for the jail has allowed for the inclusion of these higher pay considerations without any negative impacts to the approved FY2024 budget. Conservative revenue projections are expected to exceed by about \$100,000.00 by fiscal year end.

21) 3:54 PM Lava Ridge Wind Project

- a) Commissioner Schaeffer explained his understanding of Kirton McConkie's presentation before the board joined the virtual Teams meeting with the law firm. Minidoka's position is that they are waiting for more information before making any decision of support.
- b) Jennifer Tessmer from the law firm introduced the other two attorneys present with her in the meeting. They discussed their general scope of work, their intentions for the meeting, and what they expected to happen in the coming months.
- c) It was mentioned that Jerome County committed \$5,000.00 to Kirton McConkie.
- d) Tessmer had emailed Prosecutor Larsen with several details including proposal, scope of work, contract for services, and so on but that information had not been passed on to the Commissioners.
- e) Communication regarding this collaboration meeting was not passed on so no one else joined the meeting as they had hoped. The point of this meeting was to secure support from other counties on their intentions to pursue litigation against the project should it continue. They already represented about fifty individuals and farmers on the matter.
- f) They requested this subject be addressed at the next Region IV Development meeting.
- g) They will coordinate another virtual meeting with counties and prosecuting attorneys to determine the support of surrounding counties.

UNFINISHED BUSINESS ACTION ITEMS

- 22) 3:41 PM Discuss and determine ongoing Gateway and/or Sage Grouse Issues
- a) Searle felt getting support from the State was key to their argument and wondered how to go about getting that support. He also suggested they familiarize themselves with the alternative EIS plans.
 - b) Kunau suggested reading up on the new Ag Protection bill, No. 608, to see how it may affect things.
 - c) McMurray was asked to reach out to Mary Darling and coordinate a possible meeting for next week.
- 23) 3:50 PM Discuss potential preferred provider work-med agreements
- a) Beck reported that Bowen Insurance has been working on this.
 - b) He expects more correspondence this week.
- 24) 3:51 PM Proposed county building discussion
- a) No new information has been received yet from erstad Architects.
- 25) 3:52 PM County Fair grandstands construction matters including but not limited to payment requests
- a) Beck reported that pillars and roof supports have been erected.
- 26) 4:27 PM Adjourn

4:27 PM **Motion and Action:** Adjourn, **Moved by** Bob Kunau - Member, **Seconded by** Kent R. Searle - Member.
Motion passed unanimously.

APPROVED:

A handwritten signature in cursive script, reading "Leonard M. Beck", written over a horizontal line.

Leonard M. Beck, Chair

DEPUTY CLERK OF THE BOARD:

A handwritten signature in cursive script, reading "Cally Velasquez", written over a horizontal line.

Cally Velasquez

SUMMARY CLAIMS APPROVAL REPORT INCLUDING BUDGET BALANCES

BOTH UNPAID CLAIMS & DEMANDS GENERAL GOVERNMENT FUNDS

57% OF FISCAL YEAR ELAPSED

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

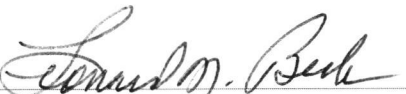
Fund	Budget	Actual	Demand/Claims Amt	Budget Remaining	% Budget Remaining
0001 GENERAL FUND (CURRENT EXPENSE)	5,736,912.00	2,967,171.98	44,378.50	2,769,740.02	48%
0002 ROAD & BRIDGE	754,095.00	278,509.37	581.51	475,585.63	63%
0006 DISTRICT COURT	377,630.00	135,511.71	54.94	242,118.29	64%
0008 JUSTICE FUND	13,922,579.00	7,111,248.45	17,833.17	6,811,330.55	49%
0012 M-C MISDEMEANOR PROBATION	1,184,800.00	672,317.27	1,813.90	512,482.73	43%
0013 911 COMMUNICATIONS	866,250.00	96,536.15	50.00	769,713.85	89%
0016 SOCIAL SERVICES-ASSISTANCE	537,550.00	104,568.21	4,216.00	432,981.79	81%
0020 REVALUATION	356,180.00	185,051.66	698.63	171,128.34	48%
0027 NOXIOUS WEED & PEST	439,385.00	140,686.03	55.32	298,698.97	68%
0029 PHYSICAL FACILITIES	12,041,300.00	938,492.63	107.06	11,102,807.37	92%
0048 EMPLOYEE BENEFITS FUND	3,873,550.00	1,945,692.65	129,487.45	1,927,857.35	50%
0053 NARCOTICS SEIZED ASSETS FUND	40,000.00	58,915.91	49,436.75	-18,915.91	-47% *
		Total Amount Paid	248,713.23		


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

4-29-2024


COMMISSIONER


COMMISSIONER


COMMISSIONER

attest: Cally Delacruz deputy clerk

* WARNING: This fund is over budget

Cassia County Commissioner Meeting

Attendance Log

Date: 4/29/2024

NAME (Please Print)	TOWN	REPRESENTING
1. Jo Thompson		CCSO
2. MART Adams	Burley	Assessor
3. Cyndi Deal	Burley	" "
4. Garin Evans		ISTC
5. Robert Rios		ISTC
6. Winston Inouye	Burley	MCCA
7. Jeff McCurdy		REGION IV DEVELOPMENT
8. Michele McFarlane		REGION IV DEVELOPMENT
9. John Russell	Nampa	Zwygart John? Assoc.
10. JOE LARSEN	Burley	CLERK
11. Heather Whitehead	Burley	Auditors
12. KELLY ANTHON	"	DIST. 27
13. Jared Olson	Minidoka	"
14. Dan Schaffer	"	MCC
15. Clay Handy	Burley	DIST 27
16. Doug Pickett	Carley	DIST. 27A
17. Tonya Page	Rupert	Minidoka County
18. Shannon Taylor		CASSIA Sheriff
19. Mitzey Ramsey	Rupert	Minidoka Co.
20.		
21.		
22.		
23.		
24.		