



Cassia County Board of Commissioners

SPECIAL MEETING MINUTES

Tuesday, October 30, 2018

*Cassia County Courthouse • Commission Chambers
1459 Overland Ave • Room 206 • Burley ID 83318*

8:30 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.

1) In Attendance:

- a. Cassia County Officials - Bob Kunau – Chair, Tim Darrington – Member, Doug Abenroth – County Attorney, Sharene Ahlin – Deputy Clerk
- b. Minidoka County Officials - Bob Moore – Chair, Kent McClellan – Member, Sheryl Koyle – Member, Tonya Page – Clerk, Lance Stevenson – County Attorney

AGENDA ITEM

2) Discuss Joint Powers Agreements

- a. Abenroth expressed that repair expenses should have been shared as any other expense, evenly between the counties.
- b. Moore stated that he felt the issues are with the Misdemeanor Probation. He stated that he felt that the split of costs was just for equipment, staffing, and training. He believed there was a difference between leasing and owning a building. Minidoka believed that the square footage of the building selected by Cassia is excessive and if both boards are not in agreement that the agreement is then null and void. He further said the lease date on the contract stated it was from October 2017 to September 2017, making it invalid from the onset.
- c. Kunau discussed that Misdemeanor Probation had no functional building and that it was originally self-funding. The building that Cassia County had for that office had become inadequate and was not handicap accessible. Cassia County had agreed to rent the current building they are using.
- d. Koyle stated that after the initial walk through of the new building that Minidoka's Board of County Commissioners had indicated, at that time, that they did not want to participate in the lease of the building. She further stated that they have a problem with Adult Misdemeanor Probation going over budget. Minidoka's Board felt that the budgeting for the department should be handled differently, as opposed to continually going over budget.
- e. Darrington recalled the discussion where Minidoka's Board had stated their opposition to the leasing of the building for Adult Misdemeanor Probation. He pointed out that there were few options available for them to consider at the time. He felt that Minidoka should help in paying the costs.
- f. Kunau stated that while the building that was rented for Misdemeanor Probation is indeed large, that only the level they are using for the public was handicap accessible. He stressed the importance that Cassia and Minidoka continue to work together.

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- g. Moore brought up the matter that wages had ended up being higher than originally anticipated. He stressed that better communication is needed between the counties.
- h. Darrington reminded all parties present that the wages do need to be adjusted, and that Cassia has been reactive to the situation as opposed to being proactive.
- i. Moore stated that the past is the past, and that Minidoka is not responsible for the past expenses, as they had not agreed to participate in the lease. He further stated that Minidoka and Cassia need to discuss the matter and agree and move forward.
- j. Koyle mentioned that Minidoka had a \$26,000 repair and never asked for it to be reimbursed and that they understand operational costs.
- k. McClellan stated that rent is generally per square foot in cities, citing that is how it was done in Salt Lake City, Utah when he was there. Indicating that Minidoka County will end up paying more for probation, it necessitates rewriting of the Joint Powers Agreement. He further stated that the agreements need to be protected and are valuable to both counties.
- l. Moore discussed that the jail agreement was very specific, but that the probation agreement wasn't as specific.
- m. Stevenson stated that the lease of property is a new thing to the counties in the terms of the Joint Powers Agreements. He stated that the items should be approved by both boards. The Joint Powers Agreement needs to be put on the agendas of both boards annually, to keep reviewed and current. He stated that it was important as boards change to keep everyone updated as to the agreements and expectations.
- n. Moore wanted to look at costs per square foot.
- o. Stevenson did not believe a total redo of the agreement was necessary.
- p. Abenroth stated that it was important for both boards to be clear in their expectations so that the attorneys can draw up the agreements accordingly.
- q. Moore said he wanted the agreement to spell out the responsibility for costs of operation.
- r. Stevenson asked if the agreement was to include equipment, staffing, all costs, etc.
- s. Koyle inquired if they should go by square foot or by usable space.
- t. Stevenson stated that maintenance and use must be appropriately determined prior to payment being made.
- u. Moore stated that equipment, staffing, maintenance, etc. seems very vague. He questioned whether or not that includes the cost of providing the facility.
- v. Darrington expressed that the difficulties they were currently facing were likely due to a lack of communication between counties.
- w. McClellan stated that Minidoka County can't have Cassia County's Board coming back to the table for more money continually. A budget needs to be set appropriately. They need to be able to look at the contract to factor in building costs, and he desired to know if that cost should be based on square foot of usage.
- x. Darrington stated the Joint Powers agreements do work, and that they just need to iron out some of the details.
- y. Abenroth stated that they should be updating the language for any of the three departments going forward regarding a lease. He asked if they should look at the sharing of all costs equally.
- z. McClellan stated he felt the sharing of costs equally is fair.
- aa. Koyle stated that a lease value should also be assigned if a county owns the space being used as well.

- bb. Abenroth asked if they should discuss salary increases at this time.
- cc. Kunau stated that they are looking at an increase to salaries but that they have nothing firm currently.
- dd. Moore agreed that the growth in the region has brought wages up.
- ee. Page stated that the Minidoka County Board needs to make a determination on what they will do as it pertains to the shortfall of Misdemeanor Probation costs for FY2018.
- ff. The Minidoka County Board resolved to pay their half of the shortfall costs for Misdemeanor Probation excluding rental costs.

3) Adjourn

Motion and Action: Adjourn, **Moved by** Tim Darrington - Member, **Seconded by** Bob Kunau - Chair.
Motion passed.

APPROVED:

/s/ _____

Bob Kunau, Chair

DEPUTY CLERK OF THE BOARD:

/s/ _____

Sharene Ahlin

ATTENDANCE LOG ATTACHMENT