

**Lincoln County Board of Commissioners  
Regular Meeting  
December 5, 2016**

**Present: Chairman Roy Hubert, Commissioner Cresley McConnell,  
Commissioner Rebecca Wood, Clerk Brenda Farnworth for minutes.**

9:33am Chairman Hubert called the meeting to order

Claims, Minutes

**Commissioner McConnell made a motion to approve the regular meeting Board minutes with corrections. Commissioner Wood seconded. Discussion; correction to add, “reason for not voting on the water source ordinance because the Commissioners were waiting to ensure they had the latest maps”. Vote unanimous in favor, motion carries.**

**Commissioner McConnell made a motion to approve the claims of December 5<sup>th</sup> for \$26,234.36. Commissioner Wood seconded. Vote unanimous in favor, motion carries.**

Correspondence:

District Court order of Dismissal with Prejudice on the Ray McClure suit of County Commissioners.

Letter from Sheryl Ann Mason Parsons requesting a letter of support for purchase of the canal building for Hope for the Hungry. Clerk Farnworth will draft a letter for approval at the next meeting.

Certificate of Compliance received for the Snake River Juvenile Detention Center.

Chairman Hubert reviewed the email from last year on alcohol liability at company parties from ICRMP. Yes the County could be liable for employees who leave a part hosted by the County and have an accident due to alcohol. Carefully monitor the alcohol consumption and provide rides.

Lincoln County has increased in the tonnage that has be going through the solid waste transfer station.

Clerk Farnworth presented Extra's from Warnke Construction that were above the bid of remodeling the Courthouse for the Driver's License additions. With these additions, to date the project has cost \$20,807.

**Commissioner McConnell made a motion to approve payment for the extra work done by Warnke Construction; \$50 for basement door, \$87.50 for Sheriff's office extra labor only and \$3,167.50 for remodel of the DMV testing area. Commissioner Wood seconded. Discussion. Door for the basement was approved as requested by Dave. \$3,305.00 total. Vote unanimous in favor, motion carries.**

## Old Business

PowWow presentation from the IDOC. Chairman Hubert suggested that we ask the Times News to come and do an article on the PowWow and the mentor program. See if we can help generate some interest in the County for the program. Clerk Farnworth to request Times News to attend a Commissioners meeting.

## 10:14am P&Z Ordinance Discussion

A letter from the P & Z Board from E. Scott was read into the record by Commissioner Wood.

Discussion on possible changes to the ordinance; allowing building on pivot corners, how many divisions are allowed before a sub-division ordinance is triggered, lot/boundary line adjustments, violations of out of compliance, RV on private property and tiny houses/container houses.

Will need to continue the discussion at the next meeting.

## 11:38am Water Source Ordinance Adoption

Review and discussion of the current maps of the water source flow.

**Commissioner McConnell made a motion to accept the Lincoln County Public Health and Safety Source Water Protection Ordinance 2016-12-5 and include Appendix B Addition 1212-10-1 & maps of public well systems for the cities of Shoshone, Richfield and Dietrich as well as the County map. Commissioner Wood seconded. Discussion; this ordinance is so important because of the flow of the water through our county to protect all those downstream of us and all should join in as a whole to protect the water for the future generations. Vote unanimous in favor, motion carries.**

Commissioner McConnell noted that he had received three phone calls and fielded some great questions and Commissioner Wood was called with questions and once it was explained they had no objections. Chairman Hubert had phone calls as well from some of the large dairies and once the conditions were explained it was understood. There was one major article posted against the ordinance which contained some mis-information and caused concern with some constituents.

Mary Davidson announced that the Ordinance was properly published and public meetings were held and no public attended the first meeting and only one attended the second public meeting.

12:03pm Chairman Hubert adjourned the meeting for lunch at the Care Center.

1:07pm Chairman Hubert re-convened the Regular Meeting.

Executive Session IC 74-206(1) (d) Indigent

**Commissioner McConnell made a motion to go into Executive Session pursuant to IC 74-206(1)(d) Indigent. Commissioner Wood seconded. Vote; Commissioner Wood, aye; Commissioner McConnell, aye; Chairman Hubert, aye. Vote unanimous in favor, motion carries.**

Chairman Hubert adjourned the Regular Meeting to Executive Session.

1:15pm Chairman Hubert adjourned Executive Session and re-convened the Regular Meeting.

**Commissioner McConnell made a motion for case#2017018 to deny for lack of interview. Commissioner Wood seconded. Vote unanimous in favor, motion carries.**

Chairman Hubert left for the day and left Vice-Chairman McConnell in charge.

Quit Claim Deed for Fire District

Discussion on the exceptions in the deed for the Union Pacific Railroad, including restriction on use. The questionable exception is for the housing of the 24 hour ambulance crew. Need to have a clarification on that issue. Would like to review the new fire station plans and discuss with E. Scott.

1:30am Old Business

Jim Wrigley from Ireland Bank dropped in with some more information on an installment purchase of a new courthouse. The Supreme Court has sanctioned this resource for new buildings but it needs to be the first option prior to going to the public for a bond. One of the stipulations is there has to be an appropriation made each year for payments.

1:57pm County Logo Contest

Commissioner Wood reviewed the rules of the contest. We only had two entries, Ann Parker and Lonnie Bingham.

**Commissioner Wood made a motion to accept Ann Parker's entry as the winner of the contest. Commissioner McConnell seconded. Discussion, we may not use the logo as presented or may request it be modified. Vote unanimous in favor, motion carries.**

2:15pm P&Z Notification

Don Hudson

Explained why he took the action he took in going to a public forum on the Source Water Protection Ordinance. The comments he had received in discussion with others was the public did not know about it or that some businesses said it would affect their business expansion plans. He feels the Commissioners are losing the confidence of the electorate.

He suggests that we utilize email as a forum for information dissemination. He also felt that Jerry Mason did not get direction from the DEQ to draft this Source Water Protection Ordinance. He was only giving guidance.

Don also objects to section on the penalties that are in Section 8 of the Ordinance.

Clerk Farnworth commented that there are issues with sending information by email due to privacy issues. It is under discussion in regards to Jury notifications at the State level.

Further discussion and clarification with Don Hudson and Rusty Parker.

Old Business

Commissioner Wood reported that she had a conversation with Steve Fiscus of the State Tax Commission on the homeowner's exemption for couples who go on missions. They interpret the statute to allow for the homeowner's exemption. She will give the information received to E. Scott to inform the Assessor.

2:55pm Vice Chairman McConnell adjourned the meeting.

Respectfully,

Brenda Farnworth, Clerk

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Roy E. Hubert, Chairman

Attest:

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Brenda Farnworth, Clerk