

**Lincoln County Board of Commissioners  
June 6, 2016  
Regular Meeting**

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

9:30am Chairman Hubert called the meeting to order.

Minutes, Claims

**Commissioner Wood made motion to accept the minutes for May 23, 2016 with addition of Commissioner McConnell's name on the second page. Commissioner McConnell seconded. Discussion; addition of Commissioner's McConnell's name was for contacting the contractor for the rain gutter on the side of the building. Vote; unanimous in favor, motion carries.**

**Commissioner Wood made a motion to pay the indigent claims for June 6, 2016 and June 3, 2016 in the amounts of \$2,523.04 and \$1,978. Commissioner McConnell seconded. Vote unanimous in favor, motion carries.**

**Commissioner Wood made a motion to pay the additional Capital Outlay for the new pop machine for \$3,799. Commissioner McConnell seconded. Discussion, need to get taxes removed from the invoice. This claim was pre-paid to the Clerk's Zions credit card before the meeting to allow the Treasurer to charge the new pop machine to the credit card. Vote unanimous in favor, motion carries.**

9:52am Correspondence.

Chairman Hubert received an email from Dan Blocksom, Idaho Association of Counties, regarding new overtime rules. New overtime rules don't impact any employee at the County.

Discussion on "On Call" hours. On Call is defined as restricting of motion and must be available for call. Is the Sheriff's deputies keeping track of "On Call" hours? Will have Sheriff attend the next meeting and report.

Jerry Myers, from the Heritage Foundation sent an email in response to their visit to Chairman Hubert. He apologized for not responding sooner, they have been very busy. Will respond to the Commissioners soon.

**Commissioner Wood made a motion to approve the claims for June 6, 2016, in the amount of \$23,302.35. Commissioner McConnell seconded. Vote unanimous in favor, motion carries.**

## 10:02 Tree Trimming

Dan Larsen is concerned about the dead snags and branches that are over the memorial and the birds are making a mess on the memorial. It also is a hazard if some of the branches should fall, Some of the trees are starting to rot and are becoming a hazard.

Commissioner McConnell suggested we should have an arborist come and inspect the trees. We should look into the cost of a high lift truck that can trim back the large trees this fall.

Another issue, Mr. Larsen is requesting more camera's on the front of the building to protect the memorial from vandalism. Clerk Farnworth was instructed to make sure the new security quote includes those cameras.

Mr. Larsen also has concerns about the new sprinkler system. The sprinklers are over-spraying and they are hitting the memorial and leaving white residue. Would like to have them turned down so they don't shoot onto the memorial.

Commissioner McConnell will notify Jarret Gray about the sprinkler system.

## Old Business

### Fire District Boundaries

E. Scott notified Chairman Hubert that this is addressed in I.C. 31-1411. It is up to the Fire District to follow up with a request for an annexation. Commissioner Hubert will contact Dietrich Fire, Commissioner Wood will contact Richfield Fire and Commissioner McConnell will contact Shoshone City and Rural Fire.

Later discussion on annexation into a Fire District with E. Scott. E. stated that there must be a petition from the landowner before the fire district can take action. Commissioner Wood did not agree with that interpretation of the statute.

### Northwinds Contract for the Land Transfer to BLM

The contract has been reviewed by E. Scott, and he has no issues with the contract. Review and discussion. Stipulations included that the County will pay for removal of any findings of hazardous materials.

**Commissioner Hubert made a motion to contact the NorthWind Resource Consulting firm to do the reports needed to transfer lands into the county ownership for a cost of \$9,631.79. Commissioner McConnell seconded. Discussion, NEPA policy and two reports that must be provided to the BLM prior to the transfer of land need to be done by a technical consulting firm. The bid is good for June 1<sup>st</sup> to Sept 30 and valid for 180 days. The issue with the Sage Grouse protection could become a problem if this is not taken care of before it becomes a forced issue. Vote unanimous in favor, motion carries.**

10:36am South Central Community Action Partnership, Inc, Annual Report

Ken Robinette

2015 Report for Lincoln County was presented.

The ID H&W has implemented a new database which has caused issues with reporting information. Some information is missing on the current report, in the funding categories because of the new database.

HUD pulled the funding from the SCCAP for transitional housing and monies were allocated from transitional housing to shelters. Will probably have to sell some houses to pay the HUD loan used to provide homes for families. This fund has helped families get established who are homeless by assisting with housing payments and helping families to get work.

SCCAP can help counties with requests for rent. They can go to Gooding office and seek assistance for rent or mortgage payments. Suggest that we tell them to call for an appointment. They should call especially if they have received an eviction notice. If just struggling with payments, may still be able to help. It depends on the circumstances. Rental costs are exploding because there is no available low cost housing in the Magic Valley. Our Indigent Director already works closely with the Gooding office.

SCCAP is helping families to build homes, currently in Kimberly, but would like to move into Lincoln County. Need at least 4-8 lots available, ready to build from a developer and must already have city services available.

The Magic Valley has a shortage of available workers for programs. A lot of workers who apply cannot pass a background check. The economic development program really needs to focus on bringing in a workforce.

The State of Idaho changed the energy assistance program eligibility qualifications through the H&W. This greatly changed the amount of assistance that the SCCAP could provide. They are no longer seeing customers face to face to offer consulting to lessen consumption. They now have to contact those who had assistance last year through a letter and if they answered the questions correctly, they would automatically qualify. Some positives and negatives of the new program guidelines.

Still requesting a \$1,500 contribution for the 2017 fiscal year for the budget.

11:30am Search & Rescue  
Don Hudson, Search & Rescue Chief

Don updated the Commissioners on a decision of the S&R to get a contractor to replace the roof on the building that was blown off during a windstorm and to finish the building plans. Would like to get all the projects finished so the public can use the shooting range. Availability of volunteer labor is limited right now.

Don requested an update on the status of the ICRMP claim. Clerk Farnworth has not heard back from ICRMP yet, just sent in some photographs from Commissioner McConnell last week.

Requesting financial assistance from the Commissioners to complete the work on the range. Had some extensive repairs that had to be paid that took most of the treasury funds.

Chairman Hubert requested that as soon as the insurance has replied with a decision, Don should come to the Commissioners with some bids for the work requested.

Don also requested again assistance of approximately \$3,500 for turnout gear needed for the Search and Rescue responders, which was requested last year.

#### Old Business

Football field & Old School building appraisals

Chairman Hubert has the appraisals for the ball field and the Old School building & lot.

The ball field is 4.39 acres and was valued to comparable residential properties at \$15,000 per acre for a total value of \$65,900.

The school building lot and gymnasium is 47,060 S.F. valued at \$3 per S.F and the 3,200 S.F. shop building valued at \$20 per S.F. They did not value the gymnasium at anything. The total value for the lot and building was placed at \$205,000, valued with comparables in commercial sales. Sale comps seemed high.

Discussion on the difference in the methods of valuation of the different properties.

10:32am 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 meeting to Executive Session.

11:50a.m. Chairman Hubert adjourned the Executive Session and re-convened regular session.

**Commissioner McConnell made a motion for case #2016031 to approve in the amount of \$21,685.14. Commissioner Wood seconded. Vote unanimous in favor, motion carries.**

**Commissioner McConnell made a motion for case #2015024 to approve the additional amount of approximately \$900. Commissioner Wood seconded. Discussion, still accumulating final bills, therefore the \$900 is an estimated amount. Vote unanimous in favor, motion carries.**

11:53am maintenance update  
Dave Davidson

Chairman Hubert requested that Dave notify Jarrett Gray about the requested change in the new sprinkler system to not spray onto the memorial.

Downstairs window in deputy's office.

Dave has installed an air conditioner in the window, but it is not very stable and has issues with the security, it has an opening at the top that can't be closed because of the type of window is there. The window has to be an egress from the basement and can't really be changed. Discussion on options. Dave will look into some other options.

Probation meeting room.

Requests have been made on making it more appealing for meetings, i.e. restroom area and carpet. Discussion on options for bathroom. Requested that Dave get a bid. Carpet will not be replaced at this time, the Courthouse also has some serious need for new carpet.

The fan went out of the Court Room air conditioner and had to be replaced. Commissioner McConnell suggested that it could be under warranty, was just installed in 2013. Dave noted that it was installed by Terry's Heating and Air Conditioning and they repaired it. Clerk Farnworth pulled the file and the operation units are under warranty for 10 years. Clerk Farnworth to watch for billing and ensure credit is given for warranty.

Arts in the Park, water service.

The old hose that was used in the past was torn out when the new concrete slab was poured. Discussion on possible solutions. Dave will make a temporary solution with PVC and hoses that can be removed in the winter and put back next year. Discussion on the new grass; it is starting to fill in and should be OK.

Dave suggested that in the future, if we sell a building, that we inventory any items that are not to be sold with the building and make the new owner aware in writing. He had a few issues getting the flags and American Legion items that were in the building back from the new owner.

12:17pm Chairman Hubert adjourned the meeting for lunch.

1:03pm Chairman Hubert re-convened the meeting

Pending Issues Hearing  
Ann Youts

Treasurer Youts presented two pending issues that have not resolved. Their tax debt has not been paid nor made arrangement with the Treasurer for payment. The three years are up and the Treasurer has tried in numerous ways to contact the owners and followed all legal procedures required to notify the owners.

Kathy Whittaker keeps trying to make arrangements, but has not been able to come up with the taxes by today, which was the deadline. The property is in Dietrich and Dwight Bingham has leased the parcel for several years. He paid the property taxes the last time it was three years delinquent and is not interested in paying it this time.

Kim and Kristi Gentry owners have moved to Arizona and the Treasurer has had mail returned and not be able to contact them directly. Heard from family that they were not interested in saving the property. The potential tax deed was published in the paper and they have had three years to pay and redeem.

Two other issues that were expected to be brought up have been taken care of.

Chairman Hubert said they would wait for the allotted time on the agenda before taking action, just to give the owners a last chance.

#### Old Business

Chairman Hubert shared correspondence from ICRMP with the other Commissioners on a pending case. Original was given to the Clerk to file.

#### Masonic Hall Wall

Commissioner McConnell took pictures of the issue and shared with the other Commissioners.

The rocks are sagging, even over the keystones over the windows, and need to be grouted back in and can probably hold. It appears the damage was done when the roof was leaking. The roof has been repaired.

Need a mason to come and look and possibly give an estimate to repair. Clerk Farnworth mentioned that Cindi Siever's husband is a mason, will contact him to see if he would come and look at the damages and possibly give an estimate to repair.

#### Old Business

E. Scott joined the meeting to update Commissioners.

#### Care Center Agreement

Could not find the original word document, so the Clerk's office recreated the document. That has been done, still need to review.

Deputy Denning has been filed with a small claim suit over a broken phone. The owner also filed a tort claim with ICRMP. The small claims will expire and the tort claim will be left.

E. Scott gave an opinion on putting camera's in the waiting area of the Probation office. Suggested if we put up a camera, that a sign be posted notifying visitors.

#### Rain Gutter

Commissioner McConnell reported that the contractor had issues with the company and since dismissed them and hire a new one. Repair is scheduled for the third week of June, will be using a scissor lift to not damage the new lawn or cement.

Small Claim Suit-Betty Peyman – agenda item at 2:30pm.

E. Scott cannot give legal counsel on a small claim, suggest the Clerk go to ICRMP for help in drafting the official answer to the claim.

Discussion on the Prosecutors assistant leaving.

Recreation District Agreement, need direction from the Commissioners just need it updated with new dates.

Discussion on annexation into a fire district. Review of the statute, E. Scott's opinion is the fire district must receive a petition from an owner before action can be taken. Commissioner Wood disagreed.

2:00pm End of Pending Issues Hearing

**Commissioner Wood made a motion that the County take for non-payment of taxes for three years, parcel RPS01000170198AA and start arrangements to be sold at public auction. Commissioner McConnell seconded. Vote unanimous in favor, motion carries.**

**Commissioner Wood made a motion for the County to take parcel RP06S19E102400A for non-payment of taxes for three years and to start proceedings for the land to be sold at public auction. Commissioner McConnell seconded. Vote Unanimous in favor, motion carries.**

Discussion on motions. They owners can still come in and redeem, but they need to pay the entire three years and estimated new year's tax in full at the time. The Commissioners have fourteen months to sell the property. Commissioner Wood suggested that we sell during the summer and not during the winter months.

Old Business

Beverage Licenses

**Commissioner McConnell made a motion for the Chairman to sign the Retail Alcoholic Beverage License for; George Netuschil for Desert Trading Inc, //dba// Bear Claw Trading Post, Wendy Thueson for Sawtooth Food Town, Mike Piper for Piper's Shopping Center. Commissioner Wood seconded. Vote unanimous in favor, motion carries.**

Recreation Letter for Tax Exempt

The Recreation District needs a letter from the Commissioner's stating that they are a non-profit organization and a government organization. Clerk Farnworth drafted a letter for the Commissioners.

**Commissioner McConnell made a motion to have the Chairman sign the letter designation Lincoln County Recreation District as a non-profit organization. Commissioner Wood seconded. Vote unanimous in favor, motion carries.**

2:16pm Access Idaho Credit Card Fee

Linda Jones presented to the Commissioners a change in the credit card fee contract addendum for counter fees that are being charged at the DMV. The fee has been changed from \$1 + 3% to just 3%.

**Commissioner McConnell made a motion to approve for Access Idaho the “2nd Amendment to Addendum A to the Service Level Agreement for Electronic Transaction and Access for Payport Electronic Payments to Lincoln County Assessor”. Commissioner Wood seconded. Vote unanimous in favor, motion carries.**

2:30pm Small Claims Suit – Betty Peyman

Item was discussed earlier with E. Scott. Clerk Farnworth will draft an Answer for the Commissioners with the assistance from ICRMP for the next meeting. We have 20 days to respond.

Discussion on information received from Southern Idaho Solid Waste on this issue when discussed with them.

Old Business

Discussion on comp-time hours paid out for the Sheriff’s department and comp-time still being earned. Concerned that it isn’t being controlled, even though a budget increase was approved for more hours to be paid out to control the comp-time accrual.

Requested that the Sheriff attend the next Commissioners meeting to discuss.

2:45p.m. Chairman Hubert adjourned the meeting.

Respectfully,  
Brenda Farnworth  
Clerk

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Roy E. Hubert, Chairman

Attest:

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Candace Lucero, Deputy Clerk