

# **Lincoln County Commissioners**

## **Minutes for October 2, 2017**

**Present: Chairman Cresley McConnell, Commissioner Rebecca Wood, Commissioner Roy Hubert, Chief Deputy Cindi Sievers for minutes.**

9:30 Chairman McConnell called the meeting to order and led all present in the pledge of allegiance.  
Claims & Minutes

Correspondence

Water Quality Section of the Coordinated Water Resource Management Plan is having a hearing on October 18<sup>th</sup> at 1:00pm.

Essay contest for Forest Products Week. Prizes for contestants from grades K through 12.

Courthouse generator. Commissioner Hubert discussed the generator with Magic Valley Electric. Discussion on the issues with the generator.

Commissioner Hubert had a discussion with Jerry Mason regarding the County Commissioners as the Planning & Zoning Board and being paid during the regular meetings. Mason said that it is not an issue; Commissioners are paid for everything that comes to them. However, they cannot be paid an additional amount for the Planning & Zoning meetings.

Discussion on GEM Plan insurance for mental health coverage.

**Commissioner Wood made a motion to accept the minutes for September 18, 2017 as presented. Commissioner Hubert seconded. Vote unanimous in favor, motion carries.**

**Commissioner Wood made a motion to pay the Indigent claims for October 2, 2017 for \$1,000.00, and \$210.00. Commissioner Hubert seconded. Vote unanimous in favor, motion carries.**

**Commissioner Wood made a motion to pay the claims for October 2, 2017 for \$39,319.78. Commissioner Hubert seconded. Discussion on vehicle repairs. Vote unanimous in favor, motion carries.**

10:00am

So Idaho Economic Development (SIEDO)

Connie Stopher, Madeleine Smith, Dan Pierson, Rusty Parker, Payson Reese, Julia Oxarango-Ingram.

Connie Stopher talked about what could be done for the Magic Valley communities to build the economic growth. Discussion on the marketing ideas she has developed for economic growth in the valley. Discussion on companies that have been contacted to consider building in the Magic Valley to increase the economy. Commissioner Hubert discussed the beneficial incentives Lincoln County has that could be useful to a small or big business such as the location going to Sun Valley, the rail service, and other rewards ideal for business. Rusty Parker asked what services are included in the cost. Stopher said SIEDO treats the prospective business owners with a first class treatment while they are looking for a location to build or open business in the Valley. The fees for this service were discussed.

10:34am Executive Session Employee

**Commissioner Hubert made a motion to go into Executive Session pursuant to IC 74-201(1)(b) Personnel. Commissioner Wood seconded. Vote; Commissioner Wood, aye; Commissioner Hubert, aye; Chairman McConnell, aye. Vote unanimous in favor, meeting adjourned to Executive Session.**

Chairman McConnell adjourned Executive Session.

10:45am Commissioner District for Chairman McConnell  
Rusty Parker

Chairman McConnell informed Rusty that he has attained a lawyer for the matter of not currently living in his district. E. Scott had contacted the Attorney General and did an investigation on the matter. Due to a personnel issue for E. Scott, it would be a conflict of interest if he were to act as legal counsel on the matter.

Chairman McConnell referenced the statutes that pertain to his situation. He gave a history of his residence. Discussion on what has been said about his state of residency of temporarily out of district while he builds a new home in his district. Rusty felt Chairman McConnell should resign. Chairman McConnell read into the record the Attorney General's response to the issue.

Discussion on commissioner district lines and how the re-districting was started. The Commissioners are retaining an attorney to show due diligence by having the attorney interpret the statutes.

11:20am Agreement for Legal Services- Worst, Fitzgerald & Stover  
Chairman McConnell recused himself and left the meeting.

Commissioner Hubert discussed the agreement from Worst, Fitzgerald & Stover. Discussion of why the County would need to hire an attorney. E. Scott advised Commissioners Hubert and Wood that he couldn't represent them because of a conflict of interest. E. Scott advised them to hire an attorney in the case the issue of Chairman McConnell's residency is filed as a court case. Discussion on when the attorneys should be retained.

**Commissioner Hubert move to sign the agreement for legal service with Worst, Fitzgerald & Stover retaining because of the district question by Don Hudson given to the prosecutor regarding Chairman McConnell. Discussion for time to spend on getting the decision. Commissioner Wood seconded. Vote unanimous in favor, motion carries.**

**Commissioner Wood made a motion to go into Executive Session pursuant to IC 74-201(1)(b) Personnel. Commissioner Hubert seconded. Vote; Commissioner Wood, aye; Commissioner Hubert, aye; Chairman McConnell, aye. Vote unanimous in favor, meeting adjourned to Executive Session.**

Chairman McConnell adjourned Executive Session.

12:00pm Chairman McConnell adjourned the meeting for lunch.

1:00pm Chairman McConnell reconvened the Regular Meeting

Indigent

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

Chairman McConnell adjourned Executive Session.

**Commissioner Wood moved to suspend case #2018002, pending further information. Commissioner Hubert seconded. Vote unanimous in favor. Motion carried.**

Chairman McConnell signed a notice of lien on case #2017042.

1:20pm Big Wood Canal Co. – Sign documents

Commissioner Wood read into the record the documents signed by Chairman McConnell for the purchase of the Big Wood Canal Company property. The amount for the purchase with closing costs is \$90,196.00. Discussion on the use of the property.

1:31pm

**Commissioner Hubert made a motion to go into Executive Session pursuant to IC 74-201(1)(b) Personnel. Commissioner Wood seconded. Vote; Commissioner Wood, aye; Commissioner Hubert, aye; Chairman McConnell, aye. Vote unanimous in favor, meeting adjourned to Executive Session.**

2:36pm

Animal Ordinance

Dr. Inbar

Dr. Inbar asked if Minidoka County was contacted. Chairman McConnell called Gooding County to inquire how to work with the kennels to house dogs. Chairman McConnell discussed the way Lincoln County could work with Gooding County. Commissioner Hubert asked about using the new property for the Sheriff's office that it would not meet state requirements for impounding animals. Dr. Inbar stated he is fine with selling the tags. Chairman McConnell will contact Gooding County for using the kennel runs and fees that would go with the tags and fines. Commissioner Wood will contact the State to see what the State's requirements are to house impound animals.

2:51pm

Discussion on the Richfield agreement to provide law enforcement. Discussion, the agreement with Dietrich will be the same for Richfield.

**Commissioner Hubert moved to accept the agreement with Lincoln County and the city of Richfield for law enforcement protection. Commissioner Wood seconded. Vote unanimous in favor. Motion carried.**

3:00pm Sheriff Vehicle Lease Contracts

Chief Deputy Phillips

Discussion on the lease contracts for the Sheriff's vehicles. Chairman McConnell said that they should split the vehicles for lease so not all vehicles are up for renewal at one time. Deputy Phillips agrees that some of the vehicles can be owned as long as it is maintained. Commissioner Wood restated that 3 vehicles are still good. Discussion on how the owned and leased vehicles would be done. Discussion on how the use of the vehicles would be done and why they needed a vehicle for each deputy.

Chairman McConnell signed the lease agreement.

3:29pm Commissioner McConnell recessed the meeting for a 10 minute break.

3:43pm Chairman McConnell reconvened the Regular Meeting.

Old business:

Discussion on the items listed.

Commissioner Wood is waiting for a bid on the basement mold and asbestos removal.

Discussion on the ITD task force. Commissioner Wood is still working with legislators and other entities. She will try to get back on ITD's agenda for next month.

Discussed dates for upcoming events.

Commissioner Hubert brought back floor plans for a new courthouse to review. Discussion on the floorplan layout. Julia Oxarango-Ingram joined the discussion.

Web site, Commissioner Wood is looking at other counties and getting some ideas.

ADA Accessibility & Transition. There was a complaint that an individual could not get in to renew a driver's license. Discussion.

4:30pm Melisa Berry with So. Idaho Tourism called and needed to reschedule.

4:40pm Chairman McConnell adjourned the meeting.

Respectfully,

Cindi Sievers, Chief Deputy

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Cresley McConnell, Chairman

Attest:

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Brenda Farnworth, Clerk