

## **Lincoln County Commissioners**

**December 18, 2017**

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

**10:00am – 1:30p.m.      *Commissioners at Capital for a Day in Gooding***

**2:00p.m.**      Chairman McConnell called the meeting to order and led everyone present in the Pledge of Allegiance.

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

2:30pm

**Commissioner Hubert made a motion to pay the \$536.00 power bill based on Mary checking on the definite amount. Commissioner Wood seconded. Discussion. Mary to check out the story with the owner and if the situation is correct, leave to Mary's discretion to determine and pay. Vote unanimous in favor, motion carries.**

Claims, Minutes

**Commissioner Wood made a motion to approve the Indigent claims for December 8, 2017 for \$22,923.25 and December 18, 2017 for \$1,438.00. Commissioner Hubert seconded. Vote unanimous in favor, motion carries.**

**Commissioner Wood made a motion to approve the claims for December 18, 2017 for 21,395.82. Commissioner Hubert seconded. Discussion, claims include November and December insurance reimbursements and cell phone stipends. Vote unanimous in favor, motion carries.**

**Commissioner Hubert made a motion to approve the minutes for December 4, 2017 as presented. Commissioner Wood seconded. Vote unanimous in favor, motion carries.**

2:55pm Bid for Tree Removal – Third Day Lawn Care

Two companies were contacted for bids, but one company did not have insurance. The only bid received is from Third Day Lawn Care. Includes removals at the Care Center and Fair Grounds. He identified 2 trees that were rotten and need to be totally removed. Bid includes a deposit for the rental of lift prior to working.

Commissioner McConnell will tour the properties with Jarrett to agree on the trimming and the trees that need to be removed.

**Commissioner Hubert made a motion to approve the bid from Third Day Lawn Care for \$4,750. To thin, elevate and remove the trees that are dead at the Courthouse, Fair Grounds and Care Center. Commissioner Wood seconded. Discussion. Commissioner McConnell will review the work to be done prior beginning. Hard to tell a live tree from a dead tree at this time of year. Vote unanimous in favor, motion carries.**

3:06pm Capital Defense Fund Agreement

This agreement is a new request from IAC, E. Scott feels due to a conflict with Ada County over the fund administration. E. Scott reviewed and approved.

**Commissioner Wood made a motion to allow the Chairman to sign the Joint Powers Agreement with the Idaho Capital Crimes Defense Fund. Commissioner Hubert seconded. Vote unanimous in favor, motion carries.**

**Commissioner Wood made a motion to go into Executive pursuant to IC 74-206(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.**

3:31pm Chairman McConnell adjourned Executive Session and reconvened the Regular Meeting.

Discussion on the cleanup of the asbestos in the evidence room. They will be in a secure area and all contractors will need to have a background check. The process will be very tedious and particular to clean and ensure that evidence is not damaged. Background checks will take approximately two weeks.

Deputy Smith is going through the evidence room and cataloging evidence and will be reviewing with the Prosecutor the status on the cases and if the evidence can be destroyed according to statute.

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

3:47 C McConnell adjourned Executive Session.

January 10<sup>th</sup>, the Commissioners are invited to go with the Sheriff and Chief Deputy Jefferson County to look at their jail operation. Plan to leave at 9am and meet at 1pm. The new Sheriff there has turned the operation into a revenue stream for the County.

ICE, Immigration and Customs Enforcement, is talking about putting in a facility in the Magic Valley area and that will increase the need for jail beds. Discussion.

#### 4:00pm Well Site Testing Refunds

Commissioner McConnell noted that we received the payment on the settlement for the Civil Penalty of \$60,000 from 4 Bros Dairy, paid to the County General Fund.

Mary Davidson has been in discussion with the attorney of 4 Bro's Dairy and they requesting a letter from the County stating that the Dairy is in compliance with all County ordinances. They have a permit for 15,500 animal units for their CAFO. Discussion on counting cows. Discussion on using a feed use formula to calculate animal units. Mary will work on using the feed use formula to test their animal units to their permit.

Anonymous donor is willing to pay for all previously unpaid well testing receipts as long as we can ensure they were not previously paid. He gave Mary his list of those who had already been paid for and she has compiled a list of those who have not been reimbursed.

Discussion on how best to proceed.

**Commissioner Wood made a motion that Lincoln County accept the offer from the anonymous donor to pay for the receipts that Lincoln County has received during the spring well water issues and the County facilitate the payout. Commissioner Hubert seconded. Vote unanimous in favor, motion carries.**

#### 4:35pm Beverage License – Friday's Market

Piper's Grocery in Richfield has sold and starting in 2018 will be called Friday's Market.

**Commissioner Hubert made a motion to issue a Retail Alcohol License to Rachel Barnes of Friday Market LLC of Richfield. Commissioner Wood seconded. Discussion, also approve Chairman to sign. Vote unanimous in favor, motion carries.**

#### 4:40pm AAI Demolition

Discussion on the revised quote received from AAI for the basement cleanup. Discussion on the cost difference of only \$321 to have the asbestos totally removed and not just encapsulated.

**Commissioner Hubert made a motion to accept the revised bid from AAI Demolition to remove the asbestos rather than encapsulate it for \$7,158. Discussion, it was previously approved by motion but we are increasing the approval by \$321 to have it removed. Vote unanimous in favor, motion carries.**

#### 4:46pm BLM Land Transfer

Washington DC did not approve the land transfer for the BLM, noting that there could be spots where hazardous waste could still be there, where diesel tank was and where the trucks back into the transfer station and a corner of the old landfill that has been covered up. Possible solutions are;

1. To take the contaminated material out, and then they will send out BLM people to re-test. We will have to core test the old landfill for any hot issues. We will then have to cover the cost of gravel going back in.
2. We could go to legislators and have them discuss with Washington DC.
3. We could cut out the corner of the old landfill, if it is hot, and they would have to sell it to us at fair market value.

Discussion on which solution is best.

**Commissioner Wood made a motion to allow Commissioner Hubert to work with S. Idaho Solid Waste and BLM to remove the possible contaminated dirt portions and to bring in gravel as needed and also to approve retesting. Commissioner McConnell seconded. Discussion, It has to be done to make land transfer and Southern Idaho Solid Waste has time to help now. Vote unanimous in favor, motion carries.**

4:56pm ITD Letter update

Two letters sent, one to ITD and one to the Governor.

ITD Board meeting was the next day and they were very defensive and were not nice in their comments about the Lincoln County Commissioners.

Commissioners met with Legislators and the Governor this morning in Gooding and the issue was discussed again with them. The issue goes before JFAC for funding now.

Old Business

Website upgrade.

We have been allowed to post minutes and agendas back on the website for now. Commissioner Wood did work on a new website, but minimal progress.

Shoshone School is going to the voters again for a \$6m bond in March. No word from John Larson/

Generator is running and it was tested on a full load. Recommend that we put in a heater to keep it warm and two carbon-monoxide sensors in the room. Concerned about the cubby hole that it is housed in. There is not enough air movement in there. Possibly wait until spring and then make a plan to move the generator outside. Discussion on taking it outside. Heater and carbon monoxide sensors will cost \$1,527.22.

Commissioner Hubert made a motion to allow Magic Valley Electric to put in the heater for the generator plus two sensors and a circulating fan to be automatic when the generator comes on. Commissioner Wood seconded. Discussion. Motion tabled, not on the agenda.

**Commissioner Wood made a motion to amend the agenda to add the Courthouse Generator. Good faith reason is, it is necessary in case the courthouse loses power. Commissioner Hubert seconded. Vote unanimous in favor, motion carries.**

Previous motion for the repairs on the generator was removed from the table.

**Commissioner Hubert made a motion to allow Magic Valley Electric to put in the heater for the generator plus two sensors and a circulating fan to be automatic when the generator comes on. Commissioner Wood seconded. Discussion, the cost is \$1,527.22. Vote unanimous in favor, motion carries.**

Commissioner Wood requested an Executive Session to discuss the Ambulance Director applications.

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

5:26pm Chairman McConnell adjourned Executive Session.

5:35pm Chairman McConnell adjourned the meeting.

Respectfully,  
Brenda Farnworth, Clerk

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Cresley McConnell, Chairman

Attest:

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Brenda Farnworth, Clerk