

# LINCOLN COUNTY COMMISSIONERS

## Regular Meeting

February 10, 2020

**Present: Rebecca Wood, Chairman; Roy Hubert, Commissioner; Rick Ellis, Commissioner; Cindi Sievers, Clerk for Minutes.**

9:30am Chairman Wood called the meeting to order and led everyone in the Pledge of Allegiance.

Claims and Minutes

Discussion on the County Audit. Public comment on the Audit; suggestion to add it to the County website.

**Commissioner Ellis made a motion to pay the February 10, 2020 accounts payable for \$44,325.98. Commissioner Hubert seconded. Discussion on Ace Hardware. Wrong code for Neher Park. Vote unanimous in favor, motion carries.**

Discussion on Idaho Power charges Commissioner Hubert looked into a charge of \$28.00 for the lot across the street from the courthouse. There are two lights and a meter for the timer on the sprinkler system. He wants to discuss the charges and omit the use of the lights on the property. Chairman Wood will talk to Dave about the lights.

**Commissioner Hubert made a motion to pay the Indigent for February 10, 2020 accounts payable for \$865.00. Commissioner Ellis seconded. Vote unanimous in favor, motion carries.**

**Commissioner Ellis made a motion to accept the minutes for the Board of Equalization and Regular Minutes January 27, 2020 as presented. Commissioner Hubert seconded. Vote unanimous in favor, motion carries.**

Commissioner Hubert stated he has received calls from the increase of ag taxes. The total increase was just over \$57,000 for the year. There is no windfall of revenue from the increase. The increase on land was from the State, not from the County Assessor. Chairman Wood discussed the method of the tax shift that allocates the increase and decrease between Ag and Homeowner's taxes. Discussion on the tax bill hearings being done in the legislature.

Correspondence:

Discussion on the Census map approval. Chairman Wood will sign and return to Cindi, P&Z Administrator, to mail back.

10:00am Rex Harding, TD&H Engineering, Jeff McCurdy and Brandy Lowe, Region IV, Care Center Project

Discussion on the grant application for the Care Center. The grant will not cover the project for new construction because the building is in the flood zone. Commissioner Hubert asked if the floodplain was re-evaluated, and the building was found not to be in the floodplain, could the grant be sent again. In addition to the flood zone, there is a matter on revenue that makes the

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application turned down by the Commerce. The Commerce is allowing the County to receive \$105,000 to make the improvements to existing bathrooms and there will not be a match of funds required. Region IV will move forward on the grant for improvements. Discussion on the needs for the remodel.

Chairman Wood asked about grants for Neher Park and old buildings in the County for improvements. Discussion on brownfield grants and how it works.

Jeff McCurdy, Region IV, discussed Economic Development, Regional Economic strategies for resources for the challenges for the county to make improvements. Discussion on 501(c)(3) grants, and programs for funding through USDA, and resources available through Region IV.

Joann Rutler, Shoshone business owner, asked about her business and if Region IV would be able to help her make improvements to her motel/rental rooms. Jeff discussed options for her to help with financing.

10:30am Action Items

Dave Davidson, Maintenance, here to discuss the Chemical License Application.

Dave asked if Lincoln County would send in his application for his chemical license application. He had the license through the Highway District and would like to keep it current. Discussion on what he needs from the Commissioners to send in the application for the license. This is only for spraying on the County properties, not any other entity.

**Commissioner Ellis made a motion to sign the application for Dave Davidson's chemical license application. Commissioner Hubert seconded. Discussion; a copy of the insurance will be needed for the application. Vote unanimous in favor, motion carries.**

Dave updated the Commissioners on the EMS Quarters/Maintenance Yard and the Courthouse improvements and the maintenance. Commissioner Hubert asked Dave about the lights and timer for the water on the lot across the street. Dave will check this out to see what has to be done to minimize the cost for electricity.

Sandy Conklin, Public Defense Coordinator, here to discuss the Public Defense Contract.

Sandy discussed the need for a second Public Defense Attorney because of an increase in arrests. Brendan Ash, Public Defense Attorney, will be sharing the workload for public defense. The contract for him has not yet been returned. Discussion on the reasons for the increased need for a second Public Defender. No action needed.

11:00am Discussion on the Employee Policy Manual.

Chairman Wood discussed the changes on the policy. Discussion on the Sheriff Deputies vacation formula for an accurate accrual on page 27. She stated in her IAC Conference she learned that we need to do whatever it takes; it has to be calculated correctly. Discussion on the way sheriff's deputies are paid out for the overtime paid by a grant.

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Chairman Wood read the review of the changes into the record. Since we receive a discount from ICRMP by having all the employees read and acknowledge the new Employee Policy Manual, this will need to be finalized and approved next week.

11:35am Payson Reese, Lost-N-Lava and Arts in the Park

He discussed this year's program for Lost-N-Lava and Arts in the Park. The 11<sup>th</sup> Annual Lost-N-Lava event will be held September 18-19, 2020. He named the musicians who are scheduled to attend this year at Lost-N-Lava. Part of the proceeds go towards a scholarship for a Lincoln County High School Senior seeking higher education in the AG/Ranching field.

Arts in the Park will be held July 11-12, 2020. He discussed the events, music festival, the arts & crafts, and other vendors participating at Arts in the Park this year.

Discussion on the heat in the Museum now that EMS has moved out of the upstairs of the Masonic Hall. Payson would like to use the upstairs for the Museum's use. Discussion to leave the heat at 60 degrees and only turn up while someone is in the building.

Discussion on the IAC Conference that Commissioners, and Payson, as Emergency Services, attended last week.

Discussion on a 501(c)(3) company to be setup to help with grants for the County. Chairman Wood discovered the two nonprofit organizations do not have the qualifications to help with some of the grants available to the County. She would like a nonprofit created to support and get grants to help the betterment of the communities and County.

11:52am Chairman Wood adjourned the meeting for lunch at the Care Center.

1:00pm Chairman Wood reconvened the meeting.

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

1:24pm Chairman Wood adjourned Executive Session and reconvened the regular meeting.

**Commissioner Ellis made a motion to grant the request of a sick bank donation of 17.09 hours. Commissioner Hubert seconded. Vote unanimous in favor, motion carries.**

**Commissioner Ellis made a motion to grant the sick bank request for 16.75 hours. Commissioner Hubert seconded. Vote unanimous in favor, motion carries.**

**Commissioner Hubert made a motion to honor the request of 75 hours of sick bank. Commissioner Ellis seconded. Discussion to return for additional hours later if needed. Vote unanimous in favor, motion carries.**

Sheriff King talked with the Jerome County Jail about charging the County the \$68.00 per day when people are being booked and released same day. This process just started and they back charged the billing for all of the occurrences from last year. Commissioner Hubert discussed

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would it cost the County if we are not in compliance. He discussed the jurors, prisoners, and other people who need accesses to the courtroom.

Public comment asked how much would it cost to move the court to another building. CA Roats discussed the upcoming trials that cannot be moved. He stated it would take more than \$250,000 in legal costs if we were to be sued for not being ADA compliant. He stated some of the courts like sentencing hearings could take place at another location, but not a jury trial. He stated that is what could cause a violation to the ADA access as a constitutional and statutory right for a juror, witness, or victim, which could lead to a lawsuit.

Clerk Farnworth, via phone, stated there is no room for an ADA compliant bathroom in the courthouse. There is not enough room for what we have now on the first floor where the ramp would get the public. She expressed that the elevator and bathroom should be done now with the funds the County has to remedy the issue of noncompliance. This will help people for the next 1-2 years no matter what happens with the courthouse. Continued discussion on ADA compliance and the courthouse. Commissioner Ellis presented the proposal for the ramp for signature and payment of 50% down to start the project. Because it was not listed as an action item, it will be put on next week's agenda.

2:16pm RFP & RFQ discussion.

CA Roats discussed the Recall stating there are two recall petitions concerning the two board members regarding the decision on the courthouse. He asked if the Board wanted to wait to see if there will be a recall election before expending contractors' time and money for a bond. Commissioner Hubert stated that it does need to be done now to have everything done for this November election. CA Roats suggests waiting for next week to put the RFP & RFQ back on the agenda. He was waiting to hear the Board's direction before moving forward in light of the petitions being circulated.

**Commissioner Ellis made a motion to move forward with the RFP & RFQ for the bond. Commissioner Hubert seconded. Discussion, Chairman Wood discussed the Ethics class with Jerry Mason at the IAC Conference last week, previous requests were not done legally. The previous requests were written by Colby Ricks, the architect that was chosen by the Board, and it was very illegal. CA Roats noted he was not in office when this occurred. Vote; Commissioner Ellis yes, Commissioner Hubert yes, Chairman Wood no, motion carries.**

Quorum and Open Meeting Law discussion. CA Roats wants to emphasize that when discussions are taking place on an item for the courthouse made outside of a public meeting and not in a public meeting, it shows a lack of transparency to the public.

Old Business

The two 501(c)(3) companies do not meet the needs of the County for a betterment of life for Communities with grants. The Mission Statement's don't comply with the needs for grants. One was for food and the other for commerce. Chairman Wood discussed what she learned at a Grant Writing session that would benefit the County.

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Discussion on the gravel pit survey and markers. The markers will be permanent, but not made of solid concrete.

### Sheriff's Budget – Scott Denning

Scott would like to propose the Commissioners freeze or closely watch the budget from now until the duly elected Sheriff is in office. The Commissioners agree that the budget is set and have no authority to manage the budget. CA Roats discussed the appointment of the Sheriff and how it is the same as if he were elected and has no reason to have his budget managed. The Commissioners agree that they would not tell the Sheriff what he can do with his budget that was set last fiscal year.

Commissioner Hubert stated Commissioner Ellis and he are going to Boise tomorrow to discuss with Legislature about next year's budget to hopefully not freeze the County budget from the State level.

### Continued Old Business discussion

CA Roats discussed the Richfield property auction. He can't put the property in the County's name until a family member becomes named as a representative to act in the deceased behalf. He is working to resolve the issues.

Care Center Grant application was turned down, but was awarded \$105,000 with no County Funds to match. This is the first time a no matching fund grant has been issued.

Cindi talked about the electric car charging stations that was discussed at the SIRPZAD meeting with other surrounding Planning & Zoning Administrators. Idaho Power has grant money available that could help with the cost to put them in Lincoln County.

Code Enforcer update. CA Roats discussed the ordinances that has been reviewed and studied for enforcement.

Discussion on the P&Z ordinance regarding trailers being lived in in the County.

EMS Quarters discussion on the progress for the move in. The EMS employees are in the new location. This will make the response time better having EMS housed in the same place as the ambulance.

Chairman Wood had a discussion with a company to bring in wind turbines into Lincoln County. Discussion what it would bring to the County; reduction in taxes to residents, jobs, community service funding, field would still allow public recreation.

Discussion on the IAC Conference attended by Chairman Wood and Commissioner Hubert. Something would be in place for property taxes before the end of the legislative session. Discussion on the formulas used for tax distribution. Discussion on the other bills that are in legislation. Discussion on Medicaid Expansion and how Indigent is affected.

3:00pm Chairman Wood adjourned the meeting to go into the Ambulance District.

3:27 Chairman Wood reconvened the regular meeting.

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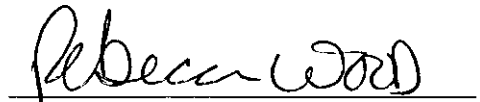
## Correspondence

A letter from Mike Telford was read into the record by Chairman Wood. The letter addressed the decision made by Commissioners to build a new courthouse. It stated that the results of the surveys and the recommendation of the Board appointed Committee to renovate the courthouse was ignored. In addition, the statement made by Commissioner Ellis to follow the results of the survey was on record, his vote is in direct contradiction to his word. Mr. Telford addressed the bond and the amount of County funds that could have been used to reduce the cost to the taxpayers. The Courthouse is one of the few historic buildings in the County that is still in existence and in use. It also addressed the ADA compliance. To end the letter, he urged the Commissioners to reconsider their vote, lower the bond with County funds first and renovate the courthouse.

3:30 Chairman Wood adjourned the meeting.

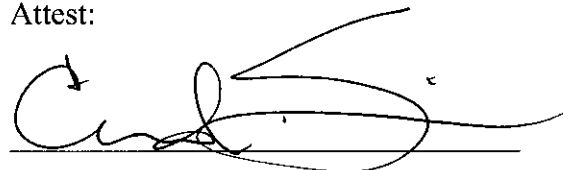
Respectfully,

Cindi Sievers, Clerk for Minutes



Rebecca Wood, Chairman

Attest:



Cindi Sievers, Deputy Clerk