



MINIDOKA COUNTY COMMISSIONER MEETING MINUTES

May 21, 2018

Present for this meeting were: Commissioner Moore, Commissioner McClellan, Commissioner Koyle, and Clerk Page.

The meeting was opened shortly after 8:00 AM with Kerry McMurray reading the guidelines of the **Mini-Cassia Criminal Justice Center jail tour**. The tour ended at 8:55 AM. The Board returned to Minidoka County.

The recital of the Pledge of Allegiance took place at 9:26 AM.

Commissioner Koyle moved to enter as a Board of Canvassers as required under I.C. 34-1205 with a second by Commissioner McClellan. Motion carried. Commissioner McClellan moved to canvass the results of the May 15, 2018 Primary Election with a second voiced by Commissioner Koyle. Motion carried.

Motion to return to regular session was voiced by Commissioner Koyle with a second voiced by Commissioner McClellan. Motion carried.

Commissioner Koyle moved to approve the May 7th and May 14th **minutes** with minimal changes. A second was voiced by Commissioner McClellan. Motion carried.

The **water on the road letter** was reviewed with changes made to allow for signatures and publication.

Janie Rutschke, IT Technician, was present to **surplus property and discuss sale of the property**.

Ms. Rutschke explained why the hard drive of PC's are destroyed after the county is through using the 4 to 7-year-old computers and gave a value of zero dollars for each computer due to the destruction of the hard drives.

Counselor Stevenson gave his legal opinion on the code section that oversees county sales; he recommended that the surplus of computers be auctioned off. However, advised per Idaho Code that the Board of Commissioners have the authority to sell personal property valued \$250 or less at private sale without notice or public auction.

Ms. Rutschke stated that by installing a \$30 clean hard drive saves the computer from taking up space in the landfill and gives an opportunity to the public for private sale. Any private sale would need to sign an acknowledgement of no warranty/liability. A motion was voiced by Commissioner Moore to surplus the list of computers presented by the IT Dept. with a second voiced by Commissioner McClellan. Motion carried. Ms.

Rutschke reminded the Board that she advised the Board back in March, in a Dept. Head meeting, as to her plans with no negative discussion at that time. A motion to approve private sales of surplus refurbished computers for \$30 was voiced by Commissioner McClellan with a second voiced by Commissioner Moore. Motion carried.

Members of the public present: Wayne Schenk, Diane Griswold, and Arb Evans.

Commissioner Moore opened the **public hearing for Sweet Mountain Subdivision**. Brett Stephens, Building and Zoning Admin, distributed information to each board member. This property is located one mile west of Burger King, at approx. 750 West. Irrigation wells will be sand points. Ms. Griswold presented Minidoka Irrigation District's agreement. Commissioner McClellan moved to approve Sweet Mountain Subdivision with a second voiced by Commissioner Koyle. Commissioner Koyle moved to close the public hearing with a second voiced by

Commissioner McClellan. Motion carried. This was a preliminary plat that had been approved by Planning and Zoning. Ms. Griswold will bring the final in for signatures after all other boards have signed.

Counselor Stephenson reviewed the **opioid contract** with the Board and does not entertain the signing of the document until we have more information.

The Board reviewed **Croft Acres East Replat**. Planning and Zoning recommended the replat to this Board for hearing. This subdivision replat will be noticed and brought before the Board at a later date.

Commissioner McClellan moved to approve the **by-law changes for the joint Mini-Cassia Veterans Advisory Board** with a second voiced by Commissioner Koyle. Motion carried. Contract signed.

Members of public present: Paul Aston, Dalles Duffin, Wayne Schenk, and Lisa Sibbett from PMT.

Commissioner Moore opened the **public hearing for Emery Park Subdivision II and rezone**. Brett Stephens, Building and Zoning Admin., distributed information to each board member. Location of this subdivision is 280 West 300 South, behind Probst Electric and High Output. This is in a commercial general zoning area. Mr. Aston explained the location and zoning ordinance for this subdivision and will bring the final plat in for signing, if approved by the board, on another date. Planning and Zoning has approved of the subdivision and rezone. Commissioner Moore asked if this is in the City of Rupert's impact area – yes. Mr. Stephens stated that he included easement approvals. PMT will be laying fiber in the area per Lisa Sibbett.

Commissioner Koyle moved to approve the Emery Business Park Subdivision II rezone from commercial to industrial light with a second voiced by Commissioner McClellan. Motion carried.

Commissioner Koyle moved to approve the Emery Park Business Park Subdivision II with a second voiced by Commissioner McClellan. Motion carried.

Commissioner McClellan moved to approve **claims and payroll** with a second voiced by Commissioner Koyle. Motion carried.

Commissioner McClellan moved to enter into the **Board of Equalization** pursuant to IC 63-501 with a second voiced by Commissioner Koyle. Motion carried. Assessor Max Vaughn presented an exemption request from Grace Community Church of Magic Valley, Inc. – they purchased property for a parking lot, RP09S24E179551. Commissioner Koyle moved to approve the tax-exempt application for Grace Community Church of Magic Valley, Inc. with a second voiced by Commissioner McClellan. Motion carried. Chairman Moore signed the exemption approval. Commissioner Koyle moved to exit BOE with a second voiced by Commissioner McClellan. Motion carried.

Brianne McCoy, **Public Defense Commission** (PDC), presented before the Board and inquired about willful non-compliance of a public defender at first appearance. Counselor Stevenson stated that public defenders are now in compliance and had been for the last 2 weeks or more. Ms. McCoy advised that commissioners can now apply for Extraordinary Litigation Funds. The PDC is tracking death qualified public defenders. There is a new standard for 'workload standards' coming up this year; June 21st is a town hall meeting in Twin Falls and June 29th in Pocatello; PDC would like to see commissioners at the town hall meeting so that PDC can see that commissioners understand the rules. Ms. McCoy indicated that she would stay in town to view public defense in action at first appearance. Arraignments are scheduled for every day at 1:15- 1:30 PM in Minidoka County.

Indigent:

Deputy Clerk Dockstader, Deputy Attorney Goodman, Joanne Smith were present.

2018-32 The requested medical review deemed services as being necessary. The board discussed the case. Clerk Page requested the Board enter into executive session.

A motion to enter into executive Session pursuant to IC 74-206 (1) (d) was voiced by Commissioner Koyle with a second voiced by Commissioner McClellan. Roll was called: Commissioner McClellan voiced aye, Commissioner Koyle voiced aye, and Commissioner Moore voiced aye. Motion carried.

The Board discussed information pertaining to applications for county aid.

Commissioner Koyle moved to exit executive session with a second by Commissioner McClellan. Motion carried.

2018-32

Commissioner Koyle moved to approve with a reimbursement of \$50 per month plus half of future income tax returns with a second voiced by Commissioner McClellan. Motion carried.

2018-50

Commissioner McClellan moved to deny based on lack of evidence to prove residency, obligated county, medical necessity, last resource, and medical indigency, along with applicant failed to cooperate with county and no interview. Commissioner Koyle voiced a second. Motion carried.

2018-34

Commissioner Koyle moved to deny for not being medically indigent and we are not the last resource with a second voiced by Commissioner McClellan. Motion carried.

2018-35

Commissioner McClellan moved to deny for not being medically indigent and we are not the last resource with a second voiced by Commissioner Koyle. Motion carried.

2018-38

Commissioner Koyle moved to deny for not being medically indigent and we are not the last resource with a second voiced by Commissioner McClellan. Motion carried.

2018-36

Commissioner McClellan moved to deny for not being medically indigent and we are not the last resource with a second by Commissioner Koyle. Motion carried.

2018-39

Commissioner McClellan moved to deny for not being medically indigent and we do not appear to be the last resource with a second by Commissioner Koyle. Motion carried.

2018-41

Commissioner Koyle moved to deny based on lack of evidence to prove residency, obligated county, medical necessity, last resource, and medical indigency, applicant failed to cooperate with county, and no interview. Commissioner McClellan voiced a second. Motion carried.

2018-40

Commissioner Koyle Moved to deny based on lack of evidence to prove residency, obligated county, medical necessity, last resource, and medical indigency, applicant failed to cooperate with county, no interview, and no medical records were on file with a second voiced by Commissioner McClellan. Motion carried.

2018-46

Commissioner McClellan moved to deny for not being medically indigent and we do not appear to be the last resource with a second voiced by Commissioner Koyle. Motion carried.

Clerk Page apprised the Board of a foreclosure on a property in which both owners are deceased.

The Board reviewed the Mini-Cassia Chamber of Commerce **correspondence**.

Commissioner reports:

Commissioner McClellan reported that he had a South Central Community Action Program meeting and they are working on housing. He attended the animal control board meeting to put together a plan as to the future and how to apply for and use the Gelling's' trust fund money. Animal control had been approached by a Twin Falls shelter to set up a "Magic Valley regional" shelter as well as by the City of Burley to set up a Mini-Cassia shelter. Minidoka Animal Shelter has been placing close to 100% of the dogs.

Commissioner Koyle reported had nothing to report.

Commissioner Moore reported that he attended the South Central Public Health District budget hearing for District V. They approved the budget and held the Health Hero Awards ceremony.

The meeting was adjourned with the tap of the gavel at 12:53 PM.

Robert Moore, Chairman

ATTEST:

Tonya Page, Clerk