

**REGULAR SESSION, SEPTEMBER 28, 2020**

Commissioner Bolduc opened the meeting at 10:00. Commissioner Bolton, Commissioner Buhler, and the Clerk, Denise Gill was present.

**INDIGENT**

Commissioner Buhler moved to go into an executive session pursuant to IC§31-874 to consider indigent matters. Commissioner Bolton seconded the motion. Roll call vote: Bolton-Yes, Buhler- Yes, Bolduc-Yes. Director, Linda Leguineche and Assistant Director, Kathy Ball joined the meeting. The board recessed executive session and returned to regular session at 10:15 a.m. Commissioners Buhler and Bolton moved and seconded to approve 4937. Motion carried.

**PUBLIC DEFENSE**

Joe James, Chief Public Defender, joined the meeting to discuss Idaho Public Defense agreement. Mr. James explained that the additional attorney was hired in 2019 to come into compliance with the requirements of the Public Defense Commission. The Public Defense Commission did not fully fund the additional attorney, but there is additional funding for retention of staff and additional items.

**RESOLUTION 2020-09-28**  
**APPOINTMENT OF CONFLICT PUBLIC DEFENDER**

Commissioner Bolton moved to adopt resolution 2020-09-28 for Appointment of Conflict Public Defender. Commissioner Buhler seconded the motion. Motion carried.

**RESOLUTION NO. 2020-09-28**  
**RESOLUTION FOR APPOINTMENT OF CONFLICT PUBLIC DEFENDER**

WHEREAS, the Gooding County Board of Commissioners have previously adopted Resolution No. 10-10-4, establishing a system for appointment of conflict public defenders;

WHEREAS, the Gooding County Board of Commissioners determine there is a need to modify the current system now in effect for appointment of conflict public defenders;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That Resolution No. 10-10-4 is hereby withdrawn and repealed in its entirety.
2. That legal representation of a qualified indigent person will continue to be primarily provided by the Gooding County Office of Public Defender as established pursuant to Idaho Code §19-859(1).
3. That legal representation of qualified indigent persons, who cannot be represented by the Gooding County Office of Public Defender, due to conflict of interest or other disqualification, shall be provided by contract, pursuant to Idaho Code §19-859(4).
4. That the Clerk of the Court shall maintain a list of conflict public defenders, which shall be comprised of a list of attorneys that have entered into a professional services contract with Gooding County.
5. That conflict public defenders shall be appointed from the list maintained pursuant to paragraph 4 above on a rotational basis.
6. The rate of compensation paid for conflict public defenders appointed from the list set forth in paragraph 4 above, shall be \$65.00 per hour, and no compensation shall be provided for travel time.
7. The rate of compensation may be changed from time to time, on a case by case basis, by order of the presiding District Judge or the Administrative Judge, after consulting with the Gooding County Commissioners.
8. The presiding District Judge or the Administrative Judge may remove the name of an attorney from the list set forth in paragraph 4 above, if the presiding District Judge or the Administrative Judge deems such removal necessary or appropriate.

Approved by the Board of Commissioners of Gooding County this 28<sup>th</sup> day of September, 2020.

**BOARD OF COMMISSIONERS**  
**GOODING COUNTY, IDAHO**

/s/Mark Bolduc

Mark Bolduc, Commissioner

/s/Susan Bolton

Susan Bolton, Commissioner

/s/Ron Buhler

Ron Buhler, Commissioner

Attest /s/Denise M. Gill

**CONFLICT PUBLIC DEFENSE**  
**CONTRACT**

Commissioner Bolton moved to adopt the contract for conflict counsel for Indigent Persons as presented. Commissioner Buhler seconded the motion. Motion carried.

**CLAIMS**

Commissioner Buhler and Bolton moved and seconded to approve the September 2020 claims. Motion carried.

General \$305,646.22	Road and Bridge \$75.03	Consolidated Elections \$5,723.80
District Court \$1,049.12	Fair \$53,575.39	Public Health \$6,939.42
Hagerman Police \$598.65	Wendell Police \$1,133.72	Public Defense \$3,616.75
Indigent \$16,984.77	Jr. College \$0.00	Landfill \$0.00
Revaluation \$0.00	Veterans Memorial \$3,375.00	Weeds \$2,219.94
Waterways \$0.00		
TOTAL \$393,893.36		
Ambulance \$11,339.81		

**PROTOCOL FOR**  
**COURTHOUSE AND OTHER COUNTY OFFICES**

Commissioner Bolton said that Shelli Tubbs, 5<sup>th</sup> District Trial Court Administrator said that Gooding County is not under the order of the Supreme Court and we only have to post signage for entering the courtrooms and court offices. Commissioner Bolton said “it is time to open the doors to the public”. Commissioner Bolduc stated to have masks available for the public at offices, if offices wish to require them.

#### **ELECTED OFFICIALS AND DEPARTMENT HEADS**

Don Gill recapped the events recently held at the fairgrounds. Friday and Saturday night of the Gooding Pro Rodeo were sold out at the 70% occupancy. The stock was excellent and the WPRA broke arena records. The Wrangler Network broadcasted the rodeo in 32 different countries, the broadcast has been viewed more than 25,000 times and seven different rodeo committees attended the rodeo. The Lincoln Inn, Valleywide and other businesses and organizations saw an increase in sales or a positive economic impact for the businesses. Don met with the City of Gooding to ask for a waiver for the building permit fee for the lighted sign to be placed at the fairgrounds. The request was approved. Barbara Porter, EMS Director, reported that the EMS call volume has been steady. They are waiting for parts to repair an ambulance. Ms. Porter stated the new EMS building is coming along. Treasurer Wines is balancing accounts for year end. She is transitioning an employee from the Assessor’s office to hers. Assessor Baldwin has had employees with a potential COVID 19 exposure. Carol Johnson, Juvenile Probation, reported no one is in detention. They are getting busier since school has started. There are new administrative orders for Juvenile Probation. Tracey Martin, Adult Probation, reported that cases are picking up a bit. They will not be doing other County’s testing. Mario de Haro Marti, said that one of the University of Idaho Extension office employee’s has tested positive for COVID19. They are wrapping up 4-H projects from this year. The livestock entries were down this year. He feels that it was still a good year. His AmeriCorp position will be expanding. Cindy Kinder is working on farming suicide prevention and food science classes. Mario has done a variety of presentations online. Extension classes are offered online. Karl Souza, Building and Grounds, has been working on the hot water in jail. Cathy Harris, Planning and Zoning, informed the Board that the new person is working well. This fiscal year they have seen an increase in ag permits, land splits, and building permits. Assessor Baldwin has hired for the DMV position. The State is releasing their new DMV program on October 13<sup>th</sup> and the new employee starts October 13<sup>th</sup>. Prosecutor Pember reported civil things are normal and they still cannot have jury trials. Commissioner Bolduc spoke in regards to the purchasing of the accounting office for the new judicial building, however it may be two to three years before it can be remodeled. He also explained that county vehicles will be available to use instead of personal vehicles. Departments will need to reserve a car with Chuck Gardner. Chuck will provide service and repairs to these vehicles and other departmental vehicles and equipment. Commissioner Bolton stated, customer service is important to her and would like to see the courthouse open. Several departments agreed with her. There will not be any security at the doors to monitor individuals coming in. There will be signage on the doors explaining when an individual is required to wear a mask. If departments wish to enforce the mask requirement they will need to post a notice on their office door and have masks available.

#### **JUVENILE PROBATION**

Carol Johnson, Chief Juvenile Probation Officer, acknowledged not having vehicle maintenance on her budget, due to the vehicle maintenance available with the County. Carol requested a new copier with a fax option. The Board approved her request.

#### **DISASTER SERVICES**

##### **PPE**

#### **SOUTH CENTRAL PUBLIC HEALTH DISTRICT SURVEY**

Missy Shurtz, Gooding County Emergency Manager, joined the meeting via telephone. She informed the Board that the PPE supplies can be used at the Commissioners desecration. The Board wants to reserve what she has on hand. Ms. Shurtz explained the South Central Public Health District Survey she sent out was to get a number of how many COVID vaccines they may need.

#### **EMS BUILDING**

##### **PAY REQUEST #5**

The Board reviewed EMS Building Pay Request #5. Commissioner Bolton moved to authorize Pay Request #5. Commissioner Buhler seconded the motion. Motion carried.

#### **2020 L1 APPROVAL**

The Board reviewed the 2020 L1 to be submitted to the State. Commissioner Bolton moved to approve the L1 for the next budget year. Commissioner Buhler seconded the motion. Motion carried.

#### **RESOLUTION 2020-09-28a**

Commissioner Bolton moved to approve resolution 2020-09-28a. Commissioner Buhler seconded the motion. Roll call vote: Bolton-Yes, Buhler- Yes, Bolduc-Yes.

#### **RESOLUTION 2020-09-28a**

**WHEREAS**, Board of County Commissioners adopted a budget for Gooding County for Fiscal Year 2020-2021 at a determined amount which included a multiple funds as provided in IC§31-1605, and  
**WHEREAS**, Fiscal Year 2020-2021 has the budget to pay the salaries for Disaster Services, and  
**WHEREAS**, IC§31-1605 further provides during the year the county commissioners may proceed to adjust the budget as adopted in the event of any unforeseen contingency arising, and  
**WHEREAS**, IC§31-1605 that such amendments and appropriations may be made provided that there shall be no increase in anticipated property taxes  
**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF GOODING COUNTY COMMISSIONERS**,  
That following appropriations and amendments be made to the Fiscal year 2020-2021

Increase:

Disaster Services	01-11-405-00	\$8,621.00
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Decrease:

5% General Fund Reserve	01-18-729-00	\$8,621.00
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Adopted this 28th day of September 2020

**BOARD OF COMMISSIONERS  
GOODING COUNTY, IDAHO**

/s/Mark Bolduc

Mark Bolduc, Commissioner

/s/Susan Bolton

Susan Bolton, Commissioner

/s/Ron Buhler

Ron Buhler, Commissioner

Attest /s/Denise M. Gill

**CHAPMAN COLLECTION SERVICE**

Prosecutor Pember presented the agreement for Chapman Collection Service for collection services for the Ambulance District. Commissioner Bolton moved to allow Chairman Bolduc sign the Chapman Collection Service Agreement. Commissioner Buhler seconded the motion. Motion carried.

**CORRESPONDENCE**

The Board discussed the US Treasury Office of Inspector General Updated FAQ Guidance and the Board of Tax Appeal hearing to be conducted on October 27, 2020 via the telephone.

Commissioner Bolduc adjourned the meeting at 3:35 p.m.

/s/Mark Bolduc

Mark Bolduc, Chairman

/s/Susan M. Bolton

Susan M. Bolton, Commissioner

/s/Ron Buhler

Ron Buhler, Commissioner

Attest: /s/Denise M. Gill

Denise M. Gill, Clerk