

**REGULAR SESSION, OCTOBER 17, 2022**

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

**TREASURER**

Treasurer Wines presented the list of Circuit Breakers and Disabled Veterans for 2022 that qualify for the solid waste fee to be waived. Commissioner Bolton moved to approve the waiving of the solid waste fee from the list presented. Commissioner Buhler seconded the motion. Motion carried.

**CLAIMS**

Commissioner Bolton and Buhler moved and seconded to approve the September & October 2022 Claims. Motion carried.

General \$76,327.33	Road and Bridge \$-0-	Consolidated Elections \$23.98
District Court \$3,702.05	Fair \$2,220.11	Public Health \$15,383.03
Hagerman Police \$651.15	Wendell Police \$1,370.09	
Jr. College \$-0-	Landfill \$-0-	
Revaluation \$-0-	Veterans Memorial \$3,375.00	Weeds \$1,260.89
Waterways \$-0-	ARPA Recovery \$-0-	
TOTAL \$104,401.98		

Ambulance \$10,509.32

**RESOLUTION 2022-10-17**

Commissioner Bolton moved to adopt resolution 2022-10-17 for Property Tax Exemption, this is to correct the date. Commissioner Buhler seconded the motion. Roll call vote: Bolton-Yes, Buhler- Yes, Bolduc-Yes. This is to correct the dates on resolution 2022-06-06.

**GOODING COUNTY  
Resolution 2022-10-17**

**A RESOLUTION OF THE GOODING COUNTY BOARD OF COMMISSIONERS  
AUTHORIZING THE BUSINESS PROPERTY TAX EXEMPTION PURSUANT TO  
§63-602NN, IDAHO CODE FOR GOODING COUNTY**

WHEREAS, Idaho Code § 31-801, grants general powers and duties, subject to the restrictions of law, to the Boards of County Commissioners in their respective counties; and

WHEREAS, Idaho Code § 31-828, grants the Board authority “to do and perform all other acts which may be necessary to full discharge of the duties of the chief executive authority of the county government”; and

WHEREAS, the Gooding County Board of County Commissioners has passed Ordinance 111, establishing an investment amount not less than five-hundred thousand dollars (\$500,000) as required by Idaho Code § 63-602NN(2)(g); and

WHEREAS, Idaho Code § 63-602NN(2)(a) and (b), specifies what a “defined project” means and what “investments in new plant” means; and

WHEREAS, Idaho Code § 63-602NN, Idaho Code, defines “tax incentive criteria” as a taxpayer at a project size site that (1) makes capital investment in a new plant of at least five hundred thousand dollars at the project site and (2) demonstrate that significant economic benefits will accrue to the county; and

WHEREAS, Idaho Code § 63-602NN(3), Idaho Code, allows the Board of County Commissioners to negotiate the terms and grant such exemption for all or a portion of the market value of the defined project for a period of up to five (5) years; and

WHEREAS, Idaho Code § 63-602NN(5), requires the Board of County Commissioners to hold public meeting regarding whether or not to grant a tax exemption, which meeting was held on or about February 24, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Gooding County Board of Commissioners determine that:

1. Idaho Code § 63-602NN, enables the County to grant an exemption for up to five (5) years and the Gooding County Board of Commissioners has agreed to grant an exemption for five years beginning January 1, 2023 and ending December 31, 2027.
2. It is in public interest to exempt Equilon Enterprises, LLC Shell Oil US, investment in the new facility, new machinery and equipment associated with the project. With the expected total of investment of one-hundred-one million five-hundred-thousand dollars (\$101,500,000).
3. The exemption for Years One and Two will be one-hundred percent (100%).
4. The exemption for Year Three shall be ninety percent (90%).
5. The exemption for Year Four shall be eighty-five percent (85%).
6. The exemption for Year Five shall be eighty percent (80%).
7. For Years Three through Five, Equilon Enterprises may increase the exemption if they employ more than four employees at the investment site. Equilon Enterprises will be granted an additional one percent (1%) for each employee working full-time in Gooding County at the investment site over four, not to exceed a maximum of a one-hundred percent (100%) exemption.
8. Equilon Enterprises, LLC Shell Oil US, Company shall file an annual application (update) with Gooding County Assessor’s Office, on or before June 1<sup>st</sup>, showing the viability and progress of the project. The property eligible for the exemption shall not be placed on the new construction roll, pursuant to law, until the expiration of the exemption.
9. If at any time during project period Equilon Enterprises, LLC Shell Oil US fails to meet criteria of the exemption or ceases to do business in Gooding County, then Gooding County may seek recapture of property taxes that would have been paid but for the exemption.
10. The exemption for personal property included in the project will expire if the Idaho Legislature passes legislation which exempts personal property tax, in whole or part, during the term authorized by this exemption.

11. All these exemptions are based on the condition that Equilon Enterprise will only use the one-half-a-mile of county road as they indicated in their presentation at the public hearing for the transportation of the manure.

BE IT FURTHER RESOLVED that this resolution shall be effective this 17th day of October, 2022.

	YES	NO	Did Not Voted
<u>/s/ Mark E. Bolduc</u> Mark E. Bolduc, Chairman	<u> X </u>	_____	_____
<u>/s/ Ronald Buhler</u> Ronald Buhler, Commissioner	<u> X </u>	_____	_____
<u>/s/ Susan M. Bolton</u> Susan M. Bolton, Commissioner	<u> X </u>	_____	_____

Attest: /s/Denise M. Gill  
Denise M. Gill  
Gooding County Clerk

**RESOLUTION 2022-10-17a**

Commissioner Buhler moved to adopt resolution 2022-10-17a for Property Tax Exemption. Commissioner Bolton seconded the motion. Roll call vote: Bolton-Yes, Buhler- Yes, Bolduc-Yes.

**GOODING COUNTY  
Resolution 2022-10-17a**

**A RESOLUTION OF THE GOODING COUNTY BOARD OF COMMISSIONERS  
AUTHORIZING THE BUSINESS PROPERTY TAX EXEMPTION PURSUANT TO  
§63-602NN, IDAHO CODE FOR GOODING COUNTY**

WHEREAS, Idaho Code § 31-801, grants general powers and duties, subject to the restrictions of law, to the Boards of County Commissioners in their respective counties; and

WHEREAS, Idaho Code § 31-828, grants the Board authority “to do and perform all other acts which may be necessary to full discharge of the duties of the chief executive authority of the county government”; and

WHEREAS, the Gooding County Board of County Commissioners has passed Ordinance 111, establishing an investment amount not less than five-hundred thousand dollars (\$500,000) as required by Idaho Code § 63-602NN(2)(g); and

WHEREAS, Idaho Code § 63-602NN(2)(a) and (b), specifies what a “defined project” means and what “investments in new plant” means; and

WHEREAS, Idaho Code § 63-602NN, Idaho Code, defines “tax incentive criteria” as a taxpayer at a project size site that (1) makes capital investment in a new plant of at least five hundred thousand dollars at the project site and (2) demonstrate that significant economic benefits will accrue to the county; and

WHEREAS, Idaho Code § 63-602NN(3), Idaho Code, allows the Board of County Commissioners to negotiate the terms and grant such exemption for all or a portion of the market value of the defined project for a period of up to five (5) years; and

WHEREAS, Idaho Code § 63-602NN(5), requires the Board of County Commissioners to hold public meeting regarding whether or not to grant a tax exemption, which meeting was held on or about October 3, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Gooding County Board of Commissioners determine that:

12. Idaho Code § 63-602NN, enables the County to grant an exemption for up to five (5) years and the Gooding County Board of Commissioners has agreed to grant an exemption for five years beginning January 1, 2025 and ending December 31, 2029.

13. It is in public interest to exempt Equilon Enterprises, LLC Shell Oil US, investment in the new facility, new machinery and equipment associated with the project. With the expected total of investment of one million four-hundred-thousand dollars (\$100,400,000).

14. The exemption for Years One and Two will be one-hundred percent (100%).

15. The exemption for Year Three shall be ninety percent (90%).

16. The exemption for Year Four shall be eighty-five percent (85%).

17. The exemption for Year Five shall be eighty percent (80%).

18. For Years Three through Five, Equilon Enterprises may increase the exemption if they employ more than four employees at the investment site. Equilon Enterprises will be granted an additional one percent (1%) for each employee working full-time in Gooding County at the investment site over four, not to exceed a maximum of a one-hundred percent (100%) exemption.

19. Equilon Enterprises, LLC Shell Oil US, Company shall file an annual application (update) with Gooding County Assessor’s Office, on or before June 1<sup>st</sup>, showing the viability and progress of the project. The property eligible for the exemption shall not be placed on the new construction roll, pursuant to law, until the expiration of the exemption.

20. If at any time during project period Equilon Enterprises, LLC Shell Oil US fails to meet criteria of the exemption or ceases to do business in Gooding County, then Gooding County may seek recapture of property taxes that would have been paid but for the exemption.

21. The exemption for personal property included in the project will expire if the Idaho Legislature passes legislation which exempts personal property tax, in whole or part, during the term authorized by this exemption.

22. All these exemptions are based on the condition that Equilon Enterprise will only use the one-half-a-mile of county road as they indicated in their presentation at the public hearing for the transportation of the manure.

BE IT FURTHER RESOLVED that this resolution shall be effective this 17th day of October, 2022.

	YES	NO	Did Not Voted
<u>/s/ Mark E. Bolduc</u> Mark E. Bolduc, Chairman	<u>X</u>	_____	_____
<u>/s/ Ronald Buhler</u> Ronald Buhler, Commissioner	<u>X</u>	_____	_____
<u>/s/ Susan M. Bolton</u> Susan M. Bolton, Commissioner	<u>X</u>	_____	_____

Attest: /s/Denise M. Gill  
Denise M. Gill  
Gooding County Clerk

#### **CORRESPONDENCE**

Commissioner Bolton moved to allow Chairman Bolduc sign a letter to FBJ, LLC. Commissioner Buhler seconded the motion. Motion carried.

#### **EMS BUILDING SIGNAGE**

Commissioner Bolton moved to table the approval of signage for EMS Building. Commissioner Buhler seconded the motion. Motion carried.

#### **REQUEST FOR PROPOSAL INFORMATION TECHNOLOGY SERVICES**

The County did not receive any sealed bids for the Information Technology Services as advertised. They will seek proposals from individual companies.

#### **CITY OF GOODING BUILDING INSPECTOR AGREEMENT**

Commissioner Buhler moved to sign the agreement with the City of Gooding for Building Inspection Services. Commissioner Bolton seconded the motion. Motion carried.

#### **COURTHOUSE RENEVATIONS**

Colby Ricks, Laughlin Ricks Architecture, Ernie Culver, Project Manager for Peterson Brothers Construction and Elizabeth Newland, Project Developer for Peterson Brother Construction joined the meeting to discuss option on the Courthouse Remodel budget. Colby discussed redesigning the courtroom so the hall way expansion is not needed. They discussed delaying the jail exercise yard and the security entrance. The group agreed on the changes and the delays.

#### **SOUTH CENTRAL PUBLIC HEALTH DISTRICT CENTER FOR COMMUNITY HEALTH**

Helen Edwards, Gooding County Representative to South Central Public Health District, joined the meeting to discuss the Center for Community Health. She has heard that other counties in the District object to participate in the Center due to the cost that the counties are paying for the Health Districts currently. The Board advised Helen to let them know that Gooding County is not interested in participating.

#### **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, Kaitlin Leguineche joined the meeting. The board recessed executive session and returned to regular session at 12:13 p.m. Commissioners Buhler and Bolton moved and seconded to approve 5030. Motion carried.

#### **PLANNING AND ZONING**

Commissioner Bolton moved to accept Curtis Merrill resignation from the Planning and Zoning Commission effective December 31, 2022. Commissioner Buhler seconded the motion. Motion carried.

#### **MINUTES**

Commissioner Bolton moved to accept the minutes from the September 12, 2022 meeting. Commissioner Buhler seconded the motion. Motion carried.

Commissioner Bolton moved to accept the minutes from the September 19, 2022 meeting. Commissioner Buhler seconded the motion. Motion carried.

Commissioner Bolton moved to accept the minutes from the September 30, 2022 meeting. Commissioner Buhler seconded the motion. Motion carried.

Commissioner Buhler moved to accept the minutes from the October 3, 2022 meeting. Commissioner Bolton seconded the motion. Motion carried.

#### **COMMITTEE REPORTS**

Commissioner Bolton reviewed her meeting at the Southern Idaho Juvenile Detention Center; the average age of their inmates is 16, their move to a new location went well. They had fire suppression sprinkler tampered with that released 1800 gallons of water.

Commissioner Buhler attended the weeds meetings. Commissioner Ruhtler from Lincoln County expressed her concern about the decrease in the Weeds budget this year. Denise Helsley, Weeds employee, was at the meeting taking minutes.

Chairman Bolduc recessed the meeting for lunch at 12:50 p.m. and reconvened the meeting at 1:35

**DIRECT COMMUNICATIONS**

Brooke Allen, Direct Communication, joined the meeting. Mr. Allen explained that there is a lot of grant funding available for Broadband. Commissioner Bolduc explained that Gooding County has applied for grants but was not successful. Mr. Allen has looked at the map and most of Gooding County is underserved. Direct Communications is located in Rockland, ID. All their tech support is located in Chubbuck, ID. Mr. Allen explained that they do lines above the ground and in the ground. They will write grants for Gooding County. They run and operate the systems with financial buy in for the County. They offer services as low as \$39.99 up to \$79.99. Mr. Allen will email the Clerk additional information for the Commissioners.

**EMPLOYEE COMMITTEE**

Commissioner Buhler moved to approve the employee gift certificates for \$25.00 and the employee holiday party up to \$400. Commissioner Bolduc seconded the motion. Motion carried.

**CORRESPONDENCE**

No correspondence.

Commissioner Bolduc adjourned the meeting at 2:05 p.m.

/s/Mark E. Bolduc  
Mark E. Bolduc, Chairman

/s/Susan M. Bolton  
Susan M. Bolton, Commissioner

/s/Ron Buhler  
Ronald Buhler, Commissioner

Attest: /s/Denise M. Gill  
Denise M. Gill, Clerk