

REGULAR SESSION, OCTOBER 31, 2022

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

WEST POINT HIGHWAY DISTRICT

Tim Moore, West Point Highway District, joined the meeting. The Board had asked Mr. Moore to attend this meeting to discuss the wear on their highway where the Shell Oil is building one of their anaerobic digesters. Mr. Moore explained that they are underfunded. He suggested a tax on cows be created to provide funding to the highway districts. Mr. Moore will contact Mr. Steve Leshner, Shell Oil, to find out what wear they anticipate on the highways while building their second digester. Commissioner Bolton sent an email to Steve Leshner, Shell Oil, Inc. explaining that West Point Highway District is in need of information on the road use, during construction, to assist in applying for grants.

REGION IV DEVELOPMENT

Dr. Michele McFarland, Region IV Development, announced that she was successful in obtaining a grant from Imagine Idaho Foundation, Inc. for Gooding County. This will allow Gooding County to gather speed information with an IT assessment that will assist with applying for Broadband grants. Dr. McFarland explained the Idaho Department of Commerce has recently announced that they are accepting qualifying proposals on expanding or extending broadband infrastructure to connect unserved and underserved areas. Proposals should also detail how planning funds will be used for local planning purposes to improve access.

Commissioner Bolton moved to hire ETS to do an IT assessment of current Broadband accessibility for Gooding County. Commissioner Buhler seconded the motion. Motion carried.

IMAGINE IDAHO

Commissioner Bolton moved to have Commissioner Bolduc sign the Memorandum of Understanding with Imagine Idaho and Imagine Idaho Foundation, Inc. Grant Agreement. Commissioner Buhler seconded the motion. Motion carried.

MARSY'S

Prosecutor Misseldine explained his objection to the proposed changes Marsy's Law. There is already constitutional victim's rights in Idaho, not just statutory rights as the email stated. It may allow victims to file their own motions. While the Idaho Prosecutor Association endorsed the proposed bill in 2019, no one individual Elected Prosecutor has supported the changes. The proposed bill replaces the word "defendant" with "accused." Victims are already notified when the defendants are released. The Board chose not to support the Marsy's Law Proclamation.

MINUTES

Commissioner Bolton moved to accept the minutes from October 24, 2022. Commissioner Buhler seconded the motion. Motion carried.

**TOTALCARE IT
IT SERVICE**

Aaron Zimmerman, Totalcare IT, joined the meeting. Mr. Zimmerman discussed the proposal for IT Service that Gooding County is seeking. He contacted Computer Art's Inc. to find out why they are no longer providing IT services to the counties. Totalcare IT offers cyber security, explained Mr. Zimmerman. Gooding County does have a few programs for cyber security. Mr. Zimmerman would like to be shown Gooding County's computer system to give them an opportunity to give the County a bid. Totalcare IT's head office is located in Idaho Falls. Sheriff Gough told Mr. Zimmerman that he will need to be finger printed in order work in his office. Commissioner Bolton moved to authorize Totalcare IT to do an assessment of Gooding County's computer system. Commissioner Buhler seconded the motion. Motion carried.

EXECUTIVE SESSION

Commissioner Buhler moved to go into executive session pursuant to IC§74-206(b) Employee Complaint. Commissioner Bolton seconded the motion. Motion carried. Roll call vote: Bolton-Yes, Buhler- Yes, Bolduc-Yes.

EXECUTIVE SESSION

Commissioner Buhler moved to go into executive session pursuant to IC§31-874(b) Indigent Matters. Commissioner Bolton seconded the motion. Motion carried. Roll call vote: Bolton-Yes, Buhler- Yes, Bolduc-Yes. Vacated executive sessions at 11:52.

**PUBLIC DEFENDER FEES
RESOLUTION 2022-10-31**

Commissioner Bolton moved to adopt resolution 2022-10-31 to set Conflict Public Defender. Commissioner Buhler seconded the motion. Motion carried.

RESOLUTION NO. 2022-10-31

RESOLUTION FOR APPOINTMENT OF CONFLICT PUBLIC DEFENDER

WHEREAS, the Gooding County Board of Commissioners have previously adopted Resolution No. 2020-09-28, 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. 2020-09-28 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 \$80.00 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 31st day of October, 2022.

**BOARD OF COMMISSIONERS
GOODING COUNTY, IDAHO**

/s/Mark E. Bolduc

Mark E. Bolduc, Commissioner

/s/Susan Bolton

Susan Bolton, Commissioner

/s/Ronald Buhler

Ronald Buhler, Commissioner

Attest /s/Denise M. Gill

Denise M. Gill, Clerk

THANKSGIVING CLOSURE

Commissioner Buhler moved to close the clerk's office the Friday after Thanksgiving. Commissioner Bolton seconded the motion. Motion carried.

TREASURER WINES

Treasurer Wines presented the home owners exemption, post abstract. Commissioner Bolton moved to approve the home owner's exemption post abstract batch #610240 \$28,363.89 and batch #610241 \$12,497.60. Commissioner Buhler seconded the motion. Motion carried.

COMMITTEE MEETINGS

Commissioner Buhler went to a Landfill meeting where they offered condolences to Stephanie Kelly for the loss of her husband.

JAIL INSPECTION

The Board conducted their quarterly jail inspection. Nothing adverse was found.

Commissioner Bolduc adjourned the meeting at 12:50 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