


*Abbreviated Minutes: Complete Set Of Minutes Are On File In The Clerk's Office*

<b>Madison County</b>		
<b>Madison County Commissioner Meeting Minutes</b>		
NOVEMBER 28, 2016	9:00 A.M.	COMMISSIONERS' ROOM
<b>ATTENDEES</b>	<b>Commissioners: Chairman Jon Weber, Kimber Ricks and Todd Smith</b> <b>Deputy Prosecuting Attorney: Troy Evans</b> <b>County Clerk: Kim Muir</b>	

Commissioner Ricks was excused.

**AGENDA TOPICS**

**Pledge of Allegiance:** Clerk Kim Muir

**Invocation:** Commissioner Weber

**Public Comment:** none

**County Business**

**Committee & Board Reports**

**Todd Smith:**

**Hospital discussion, Doctors being voting members**

Commissioner Smith read a letter from Dr. Loughgran regarding a physician meeting that asked for physicians to serve on the Hospital Board as voting Board members. The Commissioners said there are currently seven voting Board members. The Commissioners would like a recommendation from the Board as to their thoughts on this. This will be discussed at a later time once that recommendation is received.

The Board also mentioned that over a year ago there were proposed bylaw changes given to Commissioner Ricks with no response from the County. Troy will contact Steve and check the status of this. The remaining Commissioners do not recall seeing them. This will be discussed at a later meeting.

**Calendar Discussion**

- Department Head Meeting scheduled for January 9, 2016 noon to 2:00p.m.
- Revision of December Commissioner meetings: December 12 and December 19, 2016.
- County Christmas Party will be held December 7th at Fat Cats.
- Soil and Water Conservation District dinner will be held this Thursday. Commissioners Weber, Ricks and Smith will be attending.

**Discussion Items:**

Madison Memorial Hospital Bylaw changes and Board reappointments.

Commissioner Smith made a motion to reappoint Mauri Barton and Scott Dixon to the Hospital Board for a three year term. Commissioner Weber seconded and voting was unanimous.

### **Contracts/Documents**

After review, Commissioner Smith made a motion to accept the Madison County Ground Water Certification to the 2016 tax roll. Commissioner Weber seconded and voting was unanimous.

After review, Commissioner Smith made a motion to accept the Engineering Services Agreement with Horrocks Engineers, Inc. Commissioner Smith seconded and voting was unanimous.

The CE&I for the 5000 S. project will be discussed further at the next meeting. Cindy from Road and Bridge and Horrocks need to be at this meeting with the current contract for discussion and review. The Commissioners have an old one with Keller listed on it.

After review, Commissioner Weber made a motion to accept the Logan Bingham Subdivision roads into the County road system. Commissioner Smith seconded and voting was unanimous. These roads have been built to County standards and Reo from Road and Bridge has reviewed the specifications and the road and is willing to accept them as county roads. This subdivision's roads will now be under Madison County Road and Bridge.

After review, Commissioner Weber made a motion to reappoint Roger Christensen to the CAT Board. Commissioner Smith seconded and voting was unanimous.

After review, Commissioner Weber made a motion to accept the Arco Electric Change Order #2. Commissioner Smith seconded and voting was unanimous.

Review and sign: Odo Grandi with LHTAC /Western Construction Change Order  
This was discussed signed as set forth below.

### **Routine Matters**

After review, Commissioner Smith made a motion to approve the claims presented by the clerk. Commissioner Weber seconded and voting was unanimous.

After review, Commissioner Smith made a motion to approve and sign the Commission Meeting Minutes for November 14, 2016. Commissioner Weber seconded and voting was unanimous.

Commissioner Weber made a motion to approve the Certificates of Residencies for: Navie Jensen, Connor Stanford, Jade Parkinson, Marilee Love and Rodney Hall. Commissioner Smith seconded and voting was unanimous.

Commissioner Weber made a motion to approve the personnel actions with the exception of Jodi Thurber. Commissioner Smith seconded and voting was unanimous.

### **Agenda Items**

Ann Marie Sorensen, Indigent Clerk, Executive Session Idaho Code 74-206(1)(b) employee matters and (d) exempt records. Commissioner Weber made a motion to go into Executive Session at 9:30 a.m. pursuant to Idaho Code §74-206(1) (d) exempt matters. Commissioner Smith seconded the motion. A roll call vote was taken as follows:

Commissioner Weber-yes

Commissioner Smith-yes

Commissioner Weber returned the County Commissioners to open session at 9:45 a.m. Commissioner Weber made a motion to sign Liens on Case No's. 2017006, 2017005 and 2017007, sign Pre-Approval for Case No. 2017007, Approvals on Case No's 2016040 and 2017002. Non-Medical: Sign Approval for Case No. N2017003. Commissioner Smith seconded and voting was unanimous.

### **Shawn Boice**

Shawn reported that Carol Davis will be retiring in January, 2017. Shawn's office does not have a Chief Deputy will be appointing that person in January. The Assessor's office is completing the five year plan with the State Tax Commission.

### **Tax Cancellations for Keller, Grover, Swenson**

Janice and James Keller had their property split and subsequently the homeowners exemption dropped off.

Jody and Ann Swenson purchased a home in the Indian Hills Subdivision. The value of the homes in the subdivision has increased; the Swenson home was classified incorrectly. Shawn said that it was Assessor error and the entire area will be reassessed this next year. This is the only home in the area that was classified incorrectly as Shawn has checked the others.

Richard Grover has undergone a divorce and is in the process of dividing property. A main feeder ditch runs through the 2.9 acres and another contiguous property. Shawn would like to change the whole property to an Ag value.

After review Commissioner Smith made a motion to approve the three tax credits. Commissioner Weber seconded and voting was unanimous.

### **Road and Bridge, 5000 South discussion**

Reo Jensen and Robert Weekes were present.

A backup generator on the fuel tank at Road and Bridge was discussed. There is currently a backup generator, however the switch needs repair; Reo will check into the repair.

Boyd Smith talked to Commissioner Smith stating that ground water collects creating ponds next to the road and he is asked about installing a culvert on 400 West.

A citizen asked about the possibility of putting in a turn lane onto 5500 South. There is a lot of traffic in that area and Commissioner Smith would like Road and Bridge to look into this. There are large subdivisions in this area. In addition, the possibility of bringing 5500 South up to County standards was discussed.

### **Jared Arnold, Shooting at C & D site**

Jared reported that there have been instances when County employees have felt threatened by a stray bullet from people target practicing on BLM land on the south side of Highway 33 and shooting their guns toward the C&D site. Jared is proposing that he work directly with BLM to come up with a safe buffer zone.

### **American Mosquito Control Association**

The Association will be conducting a meeting in February. Jared, along with Jeremy, would like to go to this meeting in San Diego. In order to save expenses Jared will be driving. He will bring an agenda and a list of anticipated expenses to the next meeting.

### **Sites and facilities for solar eclipse**

Bathroom facilities for the solar eclipse have been assessed. Josh Hunter with Parker Septic suggested there should be at least 16 portable toilets at each park. The Fairgrounds will also need portable toilets. Jared will check with the City, County and Fairgrounds to coordinate websites and have campsites established. Commissioner Weber wants this to be a good experience for everyone who comes to the County.

### **County tipping fees**

Power County is charging \$1,400 per load of garbage, Madison County charges \$100. Based upon this, three semi loads were brought to Madison County last week from Power County, Idaho, to dump their trash here. Teton County would now like to bring their City garbage to us since tipping fees are so low. Commissioners want to make sure we are covering our costs and including potential repair and relocation costs if our site gets filled. Jared will do a cost analysis with surrounding counties and report back.

### **Odo Grandi Telephone conference regarding Western Construction Change Order**

This is in regards to the State source for the gravel to be used on the 5000 South Roadway. Western Construction would like to use gravel from the state source, and refund the benefit of doing so to the taxpayers in the amount of approximately \$18K. Madison County's share in the refund would be 7.34% of this amount. The rest would go to LTACH.

Troy, Odo, and LTACH's attorney, Dave Whincup, discussed this issue on November 18, 2016. Troy stated there are always two competing goals when dealing with these situations: first, that all potential contractors are able to compete on a level playing field; and second, that the public gets the best contract at the lowest cost. This is reviewed by courts on an abuse of discretion standard which creates a stiff burden on those arguing against the process. There are also standing questions and bidding timelines that have passed. Troy stated it is important to do the right thing regardless of any litigation assessment by the lawyers.

In this case, the initial contract clearly prohibits use of materials from a state source. As such, everyone bid their contracts knowing that was not an option. However, there are change order processes in the contract document, and it gives broad discretion to request changes. Western has asked for this change order, and Odo has reviewed the request and is confident any benefit to Western from using the state source is being fully refunded to the public. H&K and Depacto have complained thinking this may have been Western's plan from the beginning. Commissioner Smith stated that the other companies that bid the job are concerned that Western would get preferential treatment from the State from the beginning. However, Western's bid was approximately \$100K less than the second closest bid of Depatco's. Odo said both sources would provide suitable materials that work in this project. The gravel source if not in the state source is 16 miles further from the State Source.

The final decision in this matter rests with the resident engineer which is Odo, and not the sponsor, who is Madison County. As such, the Commissioners don't really get the final say, but Odo inquires regardless. The Commissioners asked Odo's recommendation on this matter, and he said after his

review, that a change order would be appropriate for Western and that it should be granted. He has provided a change order to the Commissioners for their review.

Commissioner Weber made the motion to accept the change order as recommended by Odo to allow Western to pull from the state source while refunding the public monies therefrom as stated. Commissioner Smith seconded and voting was unanimous.

**Jeremiah Cochran, Review highlights of the new compensation plan and implementation**

Jeremiah asked about the Counties wrap up timeline. Clerk Kim Muir stated that April 1<sup>st</sup>, before the new budget year begins would be the preferred date. Commissioner Smith asked how the County can avoid a wage study every year. Jeremiah recommended that we get a sampling of the market every three years using three or four key positions as benchmarks. The last study was performed in 2012 and the County has fallen behind. Jeremiah suggested that other jobs be positioned around those benchmarks and trends. Some positions will change depending on organization changes. Jeremiah said the County needs to make sure the system fits the needs over the next year.

When an employee receives a certification that will need to be built into the model. The question was asked, what specific targets should merit additional compensation? Just being a good employee is not enough. Jeremiah will work closely with Department Heads over the next few months to implement this program. He said the County has to be careful about creating a culture focused only on money. If a raise is given for a paralegal for example, other employees will want a paralegal position. Department Heads will need to be committed to the plan since they will be administering it. How do you adjust for competing Counties, Cities, ISP, etc. that are paying more and attracting our employees? Jeremiah commented that the work culture should matter far more than money. Money is important; however it should not be the main motivator. This will be discussed at a later date.

Commissioner Smith made a motion to adjourn Commission meeting at 12:25 p.m. Commissioner Weber seconded and voting was unanimous.

Approved:

Jon O. Weber, Commission Chairman

Todd Smith, Commissioner