

Abbreviated Minutes: Complete Set of Minutes Are on File in The Clerk's Office



**Madison County
Commissioner Meeting Minutes
December 21, 2020**

Attendees:

Jon Weber, Commissioner (Chairman)
Todd Smith, Commissioner
Brent Mendenhall, Commissioner
Troy Evans, Deputy Prosecuting Attorney
Kim Muir, County Clerk
Commissioner Elect – Doug Smith

Pledge of Allegiance
Invocation by Commissioner Smith

ACTION ITEMS

This meeting was streamed electronically. Troy Evans was excused from this meeting as he was on vacation.

Public Comment: There was no one present to comment.

Calendar Items:

The next Commission meeting will be held Monday, January 11, 2021. This meeting will include swearing in of Elected Officials from the past election.

Discussion Items:

COVID-19 discussion and update

Commissioner Mendenhall reports there are currently 136 cases, we are going down below the red threshold for the red category, if we can maintain for 14 days. There are currently 2 people hospitalized in our county for COVID. We are on a downward trend attributed to cooperation of our citizens.

Review 2021 Commissioner Agenda Calendar: This matter will on the next agenda for approval.

Approve Hospital Board member:

Trent Cichos has agreed to serve for 3 years as a Hospital Board member. After review and discussion, Commissioner Smith made a motion to appoint Trent Cichos to the Hospital Board for a term of three years. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Change to P & Z Board membership:

The possibility of changing the P & Z board to a 9-member board was discussed. Bradley feels this would be a good rounded board. This matter will be on the next agenda to discuss further. Any changes would require a public hearing and requires 15 days to advertise, and a change to our Madison County ordinance.

Contracts/Documents:

After review and discussion, Commissioner Mendenhall made a motion to sign and approve the Annual Vessel report. Commissioner Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Smith made a motion to sign and approve the annual Road Report. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Weber made a motion to sign and approve the ratify the CAT Board Election of Commissioner Todd Smith. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to sign and approve the Commuting Authorization form as presented by Darby Pozenel. Commissioner Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Smith made a motion to sign and approve the Letter of Support for the Solid Waste District. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Smith made a motion to sign and approve the contract for providing restaurant/concessions at Teton Lakes Golf Course. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to sign and approve the letter of support for the East Parkway Corridor – Barney Dairy Road to 7th North. Commissioner Smith seconded and voting was unanimous. The motion passed.

Routine Matters:

After review and discussion, Commissioner Smith made a motion to approve the Commission meeting minutes of November 23, 2020. Commissioner Mendenhall seconded and the voting was unanimous. The motion passed.

After review and discussion, Commissioner Smith made a motion to approve the Commission meeting minutes of December 7, 2020. Commissioner Mendenhall seconded and the voting was unanimous. The motion passed.

After review and discussion, Commissioner Smith made a motion to approve the claims presented by the Clerk. The General Fund total claim amounts were \$34,445.28. The grand total of claims was \$924,509.12. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commission made a motion to approve the Certificates of Residency for Zachary Mace. Commissioner seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Smith made a motion to approve the personnel actions. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Executive Session:

Commissioner Weber made a motion to go into Executive Session at 9:30 a.m. Idaho Code § 74-206(1)(b) employee matters and (d) exempt records, Ann Marie Sorensen, Indigent Clerk. Commissioner Mendenhall seconded the motion. A roll call vote was taken as follows: Commissioner Weber – yes, Commissioner Smith – yes, Commissioner Mendenhall - yes. The motion passed. Commissioner Weber returned the County Commissioner meeting to open session at 10:00 a.m.

After review and discussion, Commissioner Mendenhall made a motion to approve signing an Approval on Case No. 2019021. Commissioner Smith seconded and voting was unanimous. The motion passed. Commissioner Weber made a motion to approve signing a Lien on Case No. 2020001. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Road and Bridge, Cindy Roberson, LHTAC recognition of Dianna Brown:

Dianna Brown has successfully completed the LHTAC roadmaster program. Dianna was present and Commissioners presented her with a certificate and a jacket.

Ann Marie Sorensen, HRA Wellness discussion:

Open enrollment time is finished up. We had 5 people that did not sign up. There are 5 employees that did not complete the required wellness check. Ann Marie is wondering how we handle those not getting the wellness check. COVID has thrown doctor visits off and we are late in the year even following up on the wellness checks. Reducing the HRA amount for those not completing the wellness checks was discussed. If we set up a policy and we need to stand by it.

We need to visit with Troy regarding Chad Brokens regarding receiving the HRA funds that are more than what his deductible is. Troy has is talking with the Employer Support people in the military regarding this.

Shane Ruebush, Ordinance #431 discussion:

Commissioner Weber comments the Ruebush's have brought a lot of insight to the commission. They have studied issues out well. Shane said there was a noted change that happened in the process regarding definitions for this ordinance that he didn't feel was handled correctly. What went to hearing on October 8, 2020 wherein commercial projects of 3 structures was presented at the first hearing. On November 12 the last night of the hearing – the definitions were changed and projects allowing more than 30 structures was submitted. This was all a public hearing. The specific changes were never discussed. The material change has never been brought before the public. They want another public hearing to address the material change in the definition. The commission passed the change, but the definition change was not in there.

Bradley states there are multiple changes discussed and the definitions were sent separately. The changes were made as a recommendation from P&Z, but there was discussion that talked about adjusting for the commercial portion. There were attachments sent out. Bradley said changes were made throughout the whole process that pertain to the comprehensive plan. Bradley has been very vocal as there is a demand with buildings going up and changes to the subdivision plan need to be made. This is a first step to review and correct definitions and the short plat plan, but we want to make sure we are not contradicting something in the comp plan.

The county has adopted the law stating up to 8 lots, but we have not updated the subdivision rule which state 3 lots. When you go above 5 lots, we have to change our subdivision plan and when you create a subdivision you have to plat. You can't by pass P&Z if something has to be platted. Other inconsistencies were pointed out by the Ruebush's and they want to point out inconsistencies that will cause problems in the future. Commissioner Mendenhall asks if they have a summary of the inconsistencies. A material change requires a public hearing. Ruebush's are asking the Commission to deny this matter. Based on concerns from citizenry we would send it back to P&Z. Commissioner Smith likes the proposed change. Small scale developments were discussed at length.

The public comment ended when the material changed from first meeting. Changes can happen in public discussion. The law can be more restrictive, but not enlarged. Ruebush's are for the changes, they would just like to see it done right.

Bradley said this is the first step to amend the administrative change. Bradley said there is no questions the definitions were changed that would require new notification and more public comment.

Commissioner Smith feels the change from 3 to 30 is pretty significant and that the practical application is great, but he is not comfortable with the material change.

Commissioner Mendenhall made a motion to deny the approval with the recommendation we refer to the P&Z Commission to do what is needed to firm up the language. Commissioner Weber seconded and voting was unanimous.

The Commissioners asked to make sure the definitions of the P&Z Commission or Bradley's staff is defined and go back through the hearing process again. Have Troy define legally who should do the hearing.

Joyce Cromar, Sugar Salem Moody Cemetery District:

Joyce Cromar joined telephonically. Commissioners were sent a proposal including pictures to replace the pump system. Commissioner Smith said giving another taxing entity money is a roadblock. We need to try to find another grant or way to come up with funding. The district was denied on a CHC grant. Bradley was present and will do some digging to find options for additional grant funding. The county can help with in-kind work.

Tim Solomon, Rocky Mountain Power general update:

Tim came in to give a construction update. RMP is still working on replacement of the transmission line and have thrown more money and expedited the schedule. There are no delays on the substation as were expected. Fiberglass poles were discussed. Rocky Mountain Power is still using steel poles, and there has been a delay in getting poles, as well as a big price increase. Everything from Goshen to Ammon is finished, as well as Rexburg to Rigby. The middle portion will be completed next, with hopes of finishing in the next year and a half. Forecast of charges to customers are higher, but they have deferred charging customers until next year. A general rate increase has not been filed since 2011. They have been impacted by COVID. They will not disconnect service, but will do collections on past due balances. They were impacted by winds, especially in Utah, but had outside power companies come in to assist. Customers were still a few weeks getting power back.

Solar power was also discussed. RMP is moving toward a more equitable price structure for those generating solar power. They have paid retail rates in the past and a market rate will be established for new systems coming in.

Scott Miller, Partial tax cancellation request for Allen Ridge Apts.:

Scott was present for Allen Ridge. He is here for the Urban Renewal District. Allen Ridge has discontinued rental of this facility, as of the end of July 2020. It is being torn down and he would like it to show as municipal tax-exempt property.

After review and discussion, Commissioner Mendenhall made a motion to cancel taxes on the ground going tax exempt at full level as of August 1, 2020. The full amount is \$1,569.71. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Bradley Petersen, Review and sign:

Commissioners would like to review the supporting documentation on the Ordinances and Resolutions, showing when the Findings of Facts were reviewed and approved. The following matters will be placed on the next agenda:

Clarify Findings of Fact on Nordic Ridge Final plat.

Ordinance #433 Thompson Street Rezone

Ordinance #434, rezone of 5.9 acres

Ordinance #435 Zone Change from TAG to Commercial,

Ordinance #436 Change from Light Industrial Light, Agriculture, and Transitional AG to Transitional Agriculture.

Resolution #454 Comprehensive Plan Map Change from AG Land and Rural Cluster to Rural Cluster,

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Jon Weber, Celebration of Service:

Commissioner Weber was thanked for 12 years of outstanding service to the County. Several of the projects he has worked were highlighted. Commissioner Weber was elected to the Idaho State House of Representatives for District 34b and was wished well in his new endeavors.

There being no further business Commissioner Mendenhall made a motion to adjourn the meeting at 12:20 p.m. Commissioner Smith seconded and voting was unanimous. The motion passed.

Approved:

Jon O. Weber, Commission Chairman

Todd Smith, Commissioner

Brent Mendenhall, Commissioner

Attest: Kim Muir, Clerk