

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



**Madison County  
Commissioner Meeting Minutes  
July 27, 2020**

**Attendees:**

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

Pledge of Allegiance by all  
Invocation by Troy Evans

**ACTION ITEMS**

**Public Comment:** None.

**Calendar Items:**

Next Commission Meeting: Monday, August 10, 2020.

**Discussion Items:**

**COVID-19 discussion and update:**

Commissioner Mendenhall provided an update on the COVID-19 cases. Madison County currently has 20 active cases.

**Budget and levy discussion:**

The budget hearing was moved to September 3, 2020 at 9:00 a.m. Any changes in the budget need to be prepared and reviewed for the next Commissioner meeting.

**Contracts/Documents:**

Commissioner Mendenhall made a motion to approve the MOU with the City of Rexburg to acquire a small portion of property for the East Parkway Corridor. Commissioner Smith seconded and voting was unanimous. The motion passed.

Commissioner Smith made a motion to appoint Kort Black to the Planning and Zoning Commission. He will be replacing Matt Hartline. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

**Routine Matters:**

Commissioner Mendenhall made a motion to approve the budget meeting minutes of June 23 and 24, 2020, Commission meeting minutes of July 13, 2020, and the special COVID-19 meeting minutes of July 21, 2020 with Eastern Idaho Public Health and Elected officials. Commissioner Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Smith made a motion to approve the claims presented by the Clerk. Grand Total of claims \$286,701.14. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to approve the Certificates of Residency for Soledad Mecham, Genaro Quintero, Morgan Steele. Commissioner Smith seconded and voting was unanimous. The motion passed.

**Personnel Actions :**

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 9:15 a.m. Idaho Code § 74-206(1)(b) employee matters, (c) to acquire an interest in real property which is not owned by a public entity. There were no indigent matters. Commissioner Mendenhall seconded the motion. A roll call vote was taken as follows: Commissioner Weber – yes, Commissioner Mendenhall - yes. The motion passed. Commissioner Weber returned the County Commissioner meeting to open session at 9:40.

After review and discussion, Commissioner Mendenhall made a motion to approve repealing Article 13, a Resolution adopted October 14, 1985, regarding monthly pay for Law enforcement and Ambulance personnel. Commissioner Mendenhall seconded and voting was unanimous. The motion passed. A Resolution will be prepared for passage at the next meeting that will repeal the 1985 Resolution.

**Rich Jones, Hardship request, Fat Cats, 2<sup>nd</sup> half taxes:**

Mr. Jones joined the meeting telephonically. An arrangement was previously made with the Commissioners to pay their taxes over three months. Fat Cats does not have the funds to make the second payment. The payment was due July 20, 2020 for approximately \$11,000. The remaining \$9,000 is due August 20, 2020. Business is down and over the past few months reflect business to be between 18 – 28 percent of last year's sales. They have received no new movies from Hollywood. Rich is hoping business will pick up around the Holidays and when the university students return, but is asking if the payment plan can be slid one or two months. Commissioners ask if he could make half of the payment that was due in July 2020. Rich replied they are currently bare bones with staffing and are trying to survive, but want to stick around for the long haul and paying the tax due is not possible at this time.

After review and discussion, Commissioner Smith made a motion to move the payment schedule one month. By August 20, 2020, the County will need a payment of \$5,500 with two additional payments each month thereafter. Commissioner Weber seconded and voting was unanimous. The motion passed.

**Angie Moffatt, Penalty and Interest waiver:**

Angie explained the situation with Marcell Parkinson, in her request for waiver of penalty and interest. After review and discussion, Commissioner Mendenhall made a motion to approve waiving the penalty and interest Commissioner Smith seconded and voting was unanimous. The motion passed.

**Jared Arnold, COVID funding updates, credit card limit discussion:**

Mark Backstein, who works in the jail was also present for the discussion. Jared and Mark are on the committee to explore funding needs for the COVID funding coming available. Ideas for funding from the committee were presented.

Mark explained the courts are currently shut down, but are doing hearings by Zoom in the jail. We are doing Teton and Fremont county hearings now. The area the hearings are being conducted is tying up

administration and is quite noisy. Mark would like to see a separate room set up for the Zoom conferences for online court meetings for the inmates. It would have to be secure with portable wash stations. Commissioners would like to see funding used to improve jails and too purchase ambulances as priority, as well as election worker protection.

After review and discussion, Commissioner Weber made a motion to amend the agenda to include the Valley Agronomics matter at 11:30 a.m. Commissioner Weber – yes, Commissioner Smith-yes, Commissioner Mendenhall – yes. Commissioner Smith seconded and voting was unanimous. The motion passed.

**Bradley Petersen, Vehicle Purchase:**

Bradley doesn't want to get into all of the county vehicles, just the fleet vehicles. He would like to focus on how to manage fleet vehicles more efficiently. He would suggest getting one extra vehicle, as there has been a need for additional cars, especially in the summertime. A few of the older unreliable cars have been sitting in the parking lot. Bradley would like to send them to the auction.

After review and discussion, the Commissioners directed Bradley to sell four of the unreliable cars and purchase two more. Also, to get into a system where we buy a new vehicle yearly. He was asked to research purchase vs. leasing and select the best option, but the Commissioners are leaning towards purchasing.

**Bradley Petersen, Software discussion:**

Bradley presented documentation from ATG which allow blueprints to be submitted online for residential, floodplain and commercial buildings. Paul Sorensen was present and stated the IT budget would allow purchase for the initial set up fee and then the long-term annual maintenance fee will need to come from the Planning and Zoning budget. Bradley would like April, David and himself have access to the project.

After review and discussion, Commissioner Mendenhall made a motion to purchase the software for blueprint review through ATG. Commissioner Smith seconded and voting was unanimous. The motion passed.

**Kelly Hoopes, Horrock's Engineering, Bid opening for two bridges on the east side frontage road:**

Bids were open: There was one received. Oldcastle for two box culverts on the East side frontage road at a price of \$174,782 for the Liberty Park Canal precast box culvert and \$145,041 for the Texas Slough box. The pre-casters will present their design to Kelly and he will review and approves. Cindy Roberson was also present. She reports the quitclaim deeds are complete, but there is still more work to be done.

After review and discussion, Commissioner Smith made a motion to accept the Old Castle bid on the East side frontage road. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Kelly explained the COVID safe process for the West side frontage road public hearing scheduled at 5:30 today. He will be in the Commission room to explain the process to anyone in attendance, but asks that he be in the room alone to talk with the public, to stay in line with social distancing requests.

Commissioner Smith asked about funding for the west side frontage road. The matter was discussed.

**Kelli Savage, possible donation to the Idaho Gold Star Memorial Monument:**

Kelli joined telephonically and explained the details of the monument currently under construction in Bannock County. The dedication was set in June of 2020, but because of COVID it was cancelled. It is now set for May 28, 2020. It is a monument honoring those who gave their lives for freedom. Kelli is seeking funding for the memorial. Kelli explained the levels of donation she is seeking.

After review and discussion, Commissioners determined the County supports the local military honor at Smith Park and for now a contribution would not be made.

**Jeff Moorey, Request of waiver of penalty and interest, Aubri Apartments:**

Mr. Moorey has submitted payment in full including \$6,500 in penalty and interest, but is asking for a waiver of penalty and interest. Mr. Moorey was expecting a call to explain this process, but due to a miscommunication error, was not contacted.

After review and discussion, Commissioner Mendenhall made a motion to deny the request of waiver of penalty and interest. Commissioner Smith seconded and voting was unanimous. The motion passed.

See the motion made earlier to allow for amending the agenda.

**Valley Agronomics, Courtney Beck and Tonya Grover with the City of Rexburg:**

Valley Agronomics currently has a plant on the north and south end of town. They are closing the plant at the north end of town and would like to expand the plant on the south end in the impact area. The Light Industrial zoning ends at the end of their building which they would like extended to the end of their property which is currently zoned Community Business. The City of Rexburg has already passed the comp plan changes. The reason for decision (RFD) by the City (2003 South Yellowstone) was printed and reviewed. When the City changes zoning in the impact area, statute requires the City to obtain final approval from the county.

After review and discussion, Commissioner Smith made a motion to amend the agenda to include Valley Agronomics request for zoning changes. Commissioner Seconded and voting was unanimous. The motion passed.

**Jail visit:**

The Commissioners toured the jail and had lunch with the Sheriff and supervisors.

There being no further business Commissioner Weber made a motion to adjourn the meeting at 1:45 p.m. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Approved:

Jon O. Weber, Commission Chairman

Todd Smith, Commissioner

Brent Mendenhall, Commissioner

Attest: Kim Muir, Clerk