

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



**Madison County  
Commissioner Meeting Minutes  
March 9, 2020**

**Attendees:**

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

Pledge of Allegiance

Invocation: Commissioner Mendenhall

**ACTION ITEMS**

**Public Comment:**

Commissioner Smith reported a message he received from a Sugar City resident regarding ITD purchasing Highway 33 from the county. Brent Mendenhall attended the Sugar City Council meeting and gave a short report. Acquisition of the road through Sugar City was discussed.

The Commissioners discussed a number of members on the various county boards.

**Calendar Discussion:**

The next Commission meeting will be March 23, 2020.

**Donation to the City of Rexburg for Ball fields to match Hospital donation:**

Commissioner Smith suggests matching the Madison Memorial Hospital donation of \$50,000 to the ballfield project to begin soon.

Commissioner Smith made a motion to commit \$50,000 to the ballfields to match the Hospital. Commissioner Mendenhall seconded and voting was unanimous. Commissioners will review the budget at the end of the fiscal year to decide which fund to donate from.

**Contracts/Documents:**

After review and discussion, Commissioner Smith made a motion to sign and approve the Road Closure and Maintenance Agreement for the East Side Frontage Road/Farm Field Access. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Smith made a motion to sign and approve Resolution #443 adopting road closure and maintenance agreement for the Eastside Frontage Road. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Smith made a motion to sign and approve Resolution #444 adopting road closure and maintenance agreement for the Sugar City Half Interchange connector road State Highway 33. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Smith made a motion to sign and approve the Notification of Hearing for the Madison County, Mosquito, and Ambulance FY2021 Budget. The budget meeting was set

for August 31, 2020. 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 vehicle authorization for David Decker. Commissioner Smith seconded and voting was unanimous. The motion passed.

The Jake Nielson authorization will be discussed further, and no decision was made on that matter at this time.

**Routine Matters:**

After review and discussion, Commissioner Mendenhall made a motion to approve the claims presented by the Clerk in the amount of \$2,180,465.59, with \$134,548.83 coming from the general fund. Commissioner Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to approve the minutes of February 24, 2020. Commissioner Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Smith made a motion to approve the Certificates of Residency for Gerardo Ayon and Dallin Gordon. Commissioner Mendenhall 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.

**Board of Equalization:**

Shawn Boice was present to discuss the tax exemptions.

Shumway Academy, Four Paws Pet Adoption, Lighthouse Bible Baptist Church:

Shumway Academy has placed a double wide structure for the school on the property. This is the only change. The other parcels remain the same as last year.

After review and discussion, Commissioner Smith made a motion to sign and approve Shumway Academy, Four Paws Pet Adoption, Lighthouse Bible Baptist Church. Commissioner Mendenhall seconded the motion and voting was unanimous. The motion passed.

Jeff and Ryan Lerwill, Old Farm Estates, Development Site Improvement:

This property is platted for 50 townhomes. The additional adjacent phase is a road needing to be installed as well as infrastructure. The Ag property is contiguous with his other property. There are a dozen four and six-plexes, with town homes right across the street. Everything to the west of that will be farmed this year. Value on each lot is \$20,000 for the town houses. \$5,000 taxable value. Sugar City has approved and signed the plat.

The Lerwill's have given a detailed plan of the remaining property in Old Farm Estates and the property has been platted and approved for townhomes. There is additional infrastructure in the plan. Property to the west of the current development will be farmed this year.

After review and discussion, Commissioner Smith made a motion to sign and approve the Lerwill Development Site Improvement. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

**Elevation Management, Development Site Improvement:**

After review and discussion, Commissioner Mendenhall made a motion to sign and approve the Site Improvement for Elevation Management. Commissioner Smith seconded and voting was unanimous. The motion passed.

**Kirk Mace/Shane Boyle IDJC reports:**

Rhett Harris and Katelyn Kunzler were present to observe from Idaho State University.

A report for 2019 was presented showing annual case comparisons for juvenile arrests and petitions, probation and diversion releases and intakes and the different populations of those on juvenile probation. Commissioner Mendenhall asked about how the record follows a juvenile. Also shown was funding and grants received from the state. There was a discussion of transgender policies.

**Jared Arnold, Building Policy:**

Jared presented a sample policy and procedure for public use of the Courthouse. The Commissioners will review. This will be placed on a future agenda for discussion.

**Shane Ruebush (HOPE) Gravel Pit Overlay discussion:**

Shane is sitting in for Lexi Gordon as she is sick. HOPE received the response from the County regarding the gravel overlay and are asking for clarification and removal of a paragraph referring to Edstrom Construction's gravel pit. He would like the matter kept to gravel pits in the county in general.

Shane states that active mining area in the code is not defined and asks that exemptions be listed in the code. Commissioner Mendenhall asks what the exemptions would be. Kirsten asked if existing gravel pits in the county that were grandfathered (preexisting, non-conforming), can Madison County regulate if they choose to expand off their current parcel Madison County can regulate. Regulation is through State and Federal agencies for preexisting non-conforming gravel pits.

**Richard Horner, New Urban Renewal District:**

Richard presented copies of maps and a project list he will be discussing in Madison County and the City of Rexburg. He explained this year the 7<sup>th</sup> North and 2<sup>nd</sup> East intersection will be reconfigured and this is a \$4 million project, but urban renewal will contribute \$1 million. He is proposing the yellow on the map to be a new Urban Renewal District with the exception of the land south. The prices given do not include pavement, but to purchase right of way. Urban Renewal is based upon new construction and is a good economic tool which the county has been supportive of in the past.

The Commissioners want to see what the legislature will do with the budget freeze and believe the session is nearly over. We are hoping for a decision soon. Commissioner Smith's concern is the size of the proposed district because it will take a big chunk of county funds when the County has ambulance and justice fund issues. Commissioner Mendenhall stated the City is calling the shots on these districts and how the funds are spent, much more than the county. Richard stated the plan is currently being reviewed, projects can be subtracted from the list, but we cannot add. He is asking us to review the list.

The Commissioners feel the Moody Road overpass would be an LHTACT project. Richard asks if we are interested in moving forward and pursuing the matter further. Commissioner Smith stated he would like to put off any decision until the legislature adjourns. He has concerns this will reflect no tax revenue for our taxing districts for any of the land in the proposed district. Urban Renewal needs County approval for any districts outside of the City.

**Executive Session, Idaho Code § 74-206(1)(b) employee matters- Sheriff's Office, Ann Marie Sorensen, Indigent Clerk, (j) contract matters:**

Commissioner Weber made a motion to go into Executive Session at 11:00 a.m. 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 11:30 a.m. After review and discussion, Commissioner Mendenhall made a motion to sign an Approval on Case No. 2019025, 2020008 and 2020010 and an Approval and Denial on Case No. 2019020. Commissioner Smith seconded the motion. The motion passed.

There being no further business Commissioner Mendenhall made a motion to adjourn the meeting at 11:53 a.m. Commissioner Weber seconded and voting was unanimous. The motion passed.

Approved:

Jon O. Weber, Commission Chairman  
Todd Smith, Commissioner  
Brent Mendenhall, Commissioner

Attest: Kim Muir, Clerk