

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

**Madison County
Commissioner Meeting Minutes
October 26, 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 led by Commissioner Elect – Doug Smith
Invocation by Commissioner Smith

ACTION ITEMS

This meeting was streamed electronically.

A Motion was made by Commissioner Smith to amend the agenda to include employee matters in the executive session under Idaho Code § 74-206(1)(b). Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Public Comment:

Commissioner Mendenhall reported on the “Start with Hello” campaign being implemented by the City of Rexburg, beginning with a focus on “Starting with kindness”. Commissioner Mendenhall will ask the Sheriff’s office to inform employees.

Calendar Items:

The next Commission meeting will be Monday, November 9, 2020.

IAC Fall Training will be held on November 12, 2020, in Idaho Falls.

Discussion Items:

COVID-19 discussion and update. Senator Hill wrote an article in the newspaper and many others have said to use common sense with the pandemic. This must also be an individual responsibility. Kootenai County repealed the mask mandate. EIRMC’s COVID case numbers are high.

Wage Study proposal. The matter was discussed, and will be placed upon a future agenda.

Waste District update.

There was a track hoe on the Dept. of Lands property last week to dig 3 test holes. Bed rock was hit at 10-12 feet. They feel the soil type is good and there is plenty of cover. Jon is visiting with the Pocock’s and Schwendiman’s this week who own farms next to the property. The Idaho Dept. of Lands will present the project to their board in November 2020. As a board of commissioners, a decision is needed to make a \$100,000 earnest money payment for the land swap with Department of Lands. Fremont will contribute at least ½ of that if the deal doesn’t go through. Bonneville would like to be held harmless on this deal as they already have 2 landfills. The main players are Fremont and Madison. Teton and Clark are still

deciding whether to participate. A suggestion from the financial players preparing the bond typically say in a waste district like this Madison County Solid Waste would become part of the district. If something happened the Waste District would revert back to the counties. Employees would most likely be considered Madison County employees. If the counties are uncomfortable, the waste district would purchase the landfill. This puts the Waste District further in debt and this is a concern. According to Stephanie Bonney, Bonneville County, Bonneville and Clark Counties cannot sit on the fence, they will need to decide to be in or out.

Moving forward, we would need to sign the Purchase and Sale Agreement and put earnest money down. The long-term vision is that Madison and Fremont would be in control of what happens for many years. The 5-acre cell we are opening will last for 10 – 15 years. The risk is minimal compared to what we pay Jefferson County now. The big haulers are very interested. Everything Madison and Fremont county put into this will be reimbursed when the District papers are finalized.

Commissioner Weber made a motion to approve moving forward to prepare the Purchase and Sale Agreement for the land purchase of the Parkinson property and the Department of Lands. Commissioner Mendenhall seconded and voting was unanimous. The motion passed. Attorney fees will also need to be approved for Parkinson's attorney as part of this deal. Setting the county garbage rates was also discussed.

Contracts/Documents:

Departmental merit increases sheets.

After review and discussion, Commissioner Smith made a motion to sign and approve the Madison County merit increases. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Intergovernmental Agreement with the City of Rexburg.

The matter was discussed with Richard Horner. The Commissioners confirmed the amount listed as estimated costs for the Fairgrounds purchase from Madison County (\$6 million dollars) is not an agreed upon amount. Richard comments this is an estimate and the Commissioners are not agreeing on an amount or to sell the Fairgrounds and this contract is not stating there has been an agreement. Also, Commissioner Smith asked about keeping the ambulance and fire districts whole. The projects show an estimated \$1,000,000 to purchase an ambulance and Sheriff capital improvements. Richard states any projects not in the city limits, the county will have a say as to what happens with the funding. This Urban Renewal District is slated for a 20-year life.

One County Commissioner would like to sit on this board in the future. This was discussed and Richard thought it was a good idea.

After review and discussion, Commissioner Mendenhall made a motion to sign and approve the Intergovernmental Agreement with the City of Rexburg. Commissioner Smith seconded and voting was unanimous. The motion passed.

Ordinance No. 432, Transfer of Powers to Urban Renewal for this district.

This ordinance would give Urban Renewal the power to administer the District. The North end of the East Parkway Corridor has been dropped from the list because the property owners would not sign from 7th north to the Moody Road. This will come up later as opinions change, but we need to move forward. The projected revenue of this district is about \$30 million over the next 20 years. The Commissioners voice that the County has never been included on the discussion of priority of projects. The Commissioners

hesitate to relinquish priority decisions because they would like to be in on the priority of projects. The City would like to see the 7th North intersection finished, as it is a major safety problem right now.

After review and discussion, Commissioner Mendenhall made a motion to sign and approve Ordinance No. 432, Transfer of Powers to Urban Renewal with a stipulation that a County Commissioner be appointed as a voting member to the Board at the next opening. Commissioner Smith seconded and voting was unanimous. The motion passed.

Routine Matters:

After review and discussion, Commissioner Mendenhall made a motion to approve the Commission meeting minutes of October 13, 2020. 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. The General Fund total \$83,204.49. The grand total of claims was \$270,068.22. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Personnel Matters:

Full-time employees were given the 1% merit increase other than those noted above.

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

Executive Session:

Commissioner Weber made a motion to go into Executive Session at 9:38 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 9:45.

After review and discussion, Commissioner Mendenhall made a motion to approve signing an Approval on Case No. 2021001. Commissioner Smith seconded and voting was unanimous. The motion passed.

Cindy Roberson, Precision Engineering, Safety audit findings and facts, Archer Highway.

Kevin with Precision Engineering and Joel Ground with LHTACT joined the meeting. Kevin first met with the School District and Sheriff's Office and other county officials when beginning the formal audit to review safety on the Archer Highway and improvements that could be made. They reported on various vehicle accidents that have occurred over the past 5 years, including 108 accidents, 1 fatality with 19 possible injuries. Kevin reports higher traffic volumes than expected, especially in the evening hours. There were suggestions made at a few of the intersections the agency felt could be improved for safety. Curve suggestions were made, and changes to the asphalt mix that would be costly, but would also serve as a chip seal and would add traction to the road. Many accidents are single car accidents with icy conditions. Commissioner Weber asks the possibility of liability issues that could come back on the county suggesting the road was in ill repair. Cindy said that normally the Sheriff's office indicates on the report – traveling too fast for the conditions, but litigation is always possible.

Coming from a small town, all incidents are not reported and sometimes the locals know more about the details on that road where neighbors have pulled out neighbors when they have run off the road. It was

reported the speed limit on the road is the result of a speed study and is in line for the roadway, but comments were made that it drives very different during the day than at night.

The County will need to provide a matrix of responses to the improvements for acceptance to LHTACT and the sooner the better. Commissioner Mendenhall asks if our responses are reviewed when we apply for an LHTACT grant. The answer was yes.

Bradley Petersen, discussion to set date for public hearings for Nordic Ridge Estates and Thornton Townsite Right of Way abatement final plat. Commissioner Smith recused himself from this discussion because of a conflict in that this is his family's ground being sold. This may not have been advertised correctly. Changes will be made and re-set for another public hearing.

A Thornton townsite right of way was also discussed. Research went back to 1993 and has been a mystery. The Thompson's have it broken out in a map and it shows the cabin was placed on the right of way. The question will be who that right of way goes to? It appears Val Moss will want all of it. Troy cautioned the Commissioners that this matter could lead to a lawsuit if the county gets involved. He suggests letting the two parties settle the dispute and come to the Commissioners with a request. Val will need to work out what to do with the cabin.

Val Moss has paid for a public hearing in order to vacate the right-of-way, but there is no record in minutes or deeds from 1993. The county vacated the north side and gave it to Chester Marsh and his wife, but there seems to be something missing. Bradley will talk with the neighbor. She will not communicate with Val. This is .06 acres and is problematic as the two landowners will not talk to each other. The Commissioners will listen to the proposed request and decide whether to do something or not.

Kirk Mace/Shane Boyle Review and sign: DJC Annual Reports

Shane and Kirk presented the financial reports for the last fiscal year for Juvenile Corrections. There is no money paid in restitution, but there have been no kids where restitution was ordered except for 1 case and that one will be collected. Shane is reporting the State numbers are beginning to increase. The 5-C detention center numbers are also down significantly.

After review and discussion, Commissioner Smith made a motion to sign and approve the Dept. of Juvenile Correction annual reports. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

There being no further business Commissioner Weber made a motion to adjourn the meeting at 12:45 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