

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



**Madison County  
Commissioner Meeting Minutes  
September 14, 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 by Commissioner Smith

**ACTION ITEMS**

**Public Comment:** None.

**Calendar Items:**

The next Commission meeting will be September 28, 2020.

**Discussion Items:**

**Fair Board Report:**

The Madison County rodeo for next year is scheduled for June 25 & 26, 2021. The Fair Board is looking into sponsorship for fireworks. The parade will most likely be Saturday, July 3<sup>rd</sup> with the 4<sup>th</sup> of July being a Sunday. Brent will check with the Chamber of Commerce for guidance for the Board. The Madison County Fair is set for August 16 – 21, 2021.

**COVID-19 discussion and update:**

An email was sent at 9:20 a.m. stating Madison County is under a mask mandate with 53 active cases being reported. Teton County has been removed from the mask order. Commissioners advise county employees begin requiring a mask or proper social distancing of six feet or more. Signs will be on our buildings to alert the public of the mask mandate and/or social distancing.

**FY 2020-2021 Budget Discussion regarding L2 Submission:** This matter will be taken care of September 28, 2020. September value numbers are not yet available from the State Tax Commission to finalize.

**Review and Appoint P & Z Board member:** This matter will be rescheduled at a future meeting.

**Contracts/Documents:**

After review and discussion, Commissioner Mendenhall made a motion to sign and approve Resolution #451 to approve the Madison County FY 2020 budget. Commissioner Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to sign and approve Resolution #452 to budget the Ambulance forgone amount. Commissioner Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to sign and approve the polling locations for the November 3, 2020, Election. Commissioner Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to sign and approve the Letter of Engagement for Searle Hart & Associates for the county's audit. 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 September 1, 2020, and the budget hearing minutes of September 3, 2020. Commissioner Mendenhall 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 amount from the General Fund total \$17,774.21. Grand total of claims \$769,930.42. 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 Rose Brindy, Morgan Galbraith, Olivia Galbraith, Miguel Ibanez, Hanna Lester, Leslie Luna and Samuel Rumsey. 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. pursuant to Idaho Code § 74-206(1)(b) employee matters for the Sheriff's office and Ryan Brown 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 Smith 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. 2020008 regarding an indigent matter. Commissioner Smith seconded and voting was unanimous. The motion passed.

**Shawn Boice, Madison School District #321 tax cancellation:**

The Madison School District purchased a home to use as a parking lot next to the Kennedy School on 5<sup>th</sup> West.

After review and discussion, Commissioner Smith made a motion to approve the Madison School District #321 tax cancellation in the amount of \$989.60. Commissioner Weber seconded and voting was unanimous. The motion passed.

**Angie Moffat, Fat Cats interest cancellation:**

Angie stated the Commissioners approved the interest cancellation previously only if Fat Cats made the payments as agreed. Angie has received no payment.

After review and discussion, Commissioner Smith made a motion to approve charging interest on the past due property tax in reference to the July 27, 2020 decision of the Commissioners. The agreement previously made with Fat Cats during July 2020 was contingent upon them making the required payments. Where they have not, the Commissioner's moved to nullify and void their agreement as Fat Cats has made no attempt to pay the past due tax. Further, the Commissioners moved to include all interest and penalties. Commissioner Weber seconded and voting was unanimous. The motion passed.

**Review and sign Eric Olson's contract as Mental Health Coordinator:**

Eric has been the Mental Health Coordinator for 18 years and is under contract with the counties he serves. Madison is a review signature, but allows each county to have input. The Idaho Supreme Court pays 100% of the contract. Bonneville County is the fiscal agent.

After review and discussion, Commissioner Mendenhall made a motion to approve and sign Eric Olson's contract as Mental Health Coordinator. Commissioner Smith seconded and voting was unanimous. The motion passed.

**Sam Butikofer, State of Idaho Certification:**

The Idaho Association of Idaho Coroners would like County Coroners to be certified and accredited by 2024. Sam has started the task of being accredited. Sam presented a packet that will need to be submitted to the International Association of Medical Examiners and Coroners. Sam is asking if there is an opportunity to secure office space within the county to meet with families and for storage space for files the coroner is required to have. Sam would like to work with the hospital to have a secure space for evidence that is cooled and is also talking with the City Police Department for cooled storage space. There are grant opportunities through the Cares funding for cooled space. Commissioner Weber would like to enter into an agreement with the City Police Department ensuring the cooling space remains the property of the Coroner.

Commissioners asked what the benefits would be for Madison County becoming accredited. Sam states the State of Idaho is going to start mandating that all counties are accredited. He said the state will withhold funding for those not accredited. It brings up the standard. They want to classify Coroners as first responders. The Commissioners discussed with Sam at what point do we say he is doing a great job, but he is outpacing what the county really needs. Sam said the only cost is materials to have office space and to fly in the accreditors and he has to pay for the exams. Sam is working on a policy and procedure manual.

After review and discussion, Commissioner Mendenhall made a motion to approve the State of Idaho Certification. Commissioner Smith seconded and voting was unanimous. The motion passed.

**Kirk Mace, Review and sign: MOA with IDJC, update from Adult/Juvenile Probation:**

After review and discussion, Commissioner Smith made a motion to approve the MOA with Idaho Department of Juvenile Corrections. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Kirk reports that he had to lay off one employee in June as the work slowed down. They are COVID compliant in both Adult and Juvenile Probation. House visits on the juvenile side have slowed. They go to the door or pull up and see the kids, but they find there is mischievousness going on. Adult visits are

need only and are by appointment only. Normally they check bedrooms, shops, refrigerators and no appointments are made, but COVID has changed this.

**Bradley Petersen, Planning and Zoning:**

**EDK Properties Zone Change Public Hearing Findings of Facts.** Doug Kauer of EDK Properties was present. This was heard by Planning and Zoning on August 13, 2020, to change the zoning from Trans Ag to Commercial and is contiguous to Commercial property. The property is about 8 acres which is divided and has 2 designated access points to the property. Commissioner Smith asked for the location of the impact area and this was discussed.

After review and discussion, Commissioner Smith made a motion to approve the public hearing Findings of Fact for EDK Properties zone change. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

**Nordic Ridge Estates Subdivision Preliminary Plat Findings of Facts.** Matt Bloomquist was present for the discussion. Commissioner Smith recused himself from this discussion as he was conflicted. It is his family selling this parcel. This was not passed with a unanimous vote by the P & Z Commission.

This is a 40-acre parcel, with 30 acres being sold. The road is narrow and a portion is being donated to add 40 feet to the right of way which will allow the option of working with Rocky Mountain power to relocate lines. Road and Bridge had no problems with traffic projections and would give more than the 60-foot requirement. This was a preliminary plat hearing. The space appears to be a tighter space because the canal is right next to the roadway. Commissioner Weber suggests a guardrail between the roadway and the canal for safety reasons. Bradley states there are preliminary conference meetings held with Road and Bridge, the Fire Department and the Public Health Departments to discuss any issues that arise. There is a gravel pit owned by Edstrom in the vicinity, but Bradley does not see any issues moving forward. After review and discussion, Commissioner Mendenhall made a motion to approve the Nordic Ridge Estates Subdivision Preliminary Plat Findings of Fact. Commissioner Weber seconded and voting was unanimous. The motion passed.

**Homestead Estates Subdivision 1<sup>st</sup> Amended Plat Findings of Facts.**

Bradley recused himself from this discussion as this was his development and he owns property in this subdivision.

The request is to change two lots into three one acre lots. This fits within the scheme. All lot owners in the subdivision were notified. There was one complaint who would like to see the open space and objects to this change. Commissioner Smith asks for verification that all property owners in the subdivision were notified, which they were. All of these properties were posted properly.

After review and discussion, Commissioner Smith made a motion to approve the Homestead Estates Subdivision 1<sup>st</sup> Amended Plat Findings of Facts. Commissioner Mendenhall seconded and voting was unanimous. The motion passed

**Glen Muir plat (short plat City of Rexburg Impact Area):** Tonya Harrison with the City was present.

They are looking for the County's final approval as this is in the impact area. They are proposing 3 lots along the road and providing an easement to the rest of the property It is zoned Trans Ag 1. The lots will be on private septic and wells. Commissioner Smith states the lots are narrow, but DEQ has approved this split. The property is just a property away from the city limits.

After review and discussion, Commission Smith made a motion to approve the Glen Muir plat. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

There being no further business Commissioner Mendenhall made a motion to adjourn the meeting at 1:20 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