



**Madison County
Commissioner Meeting Minutes
April 26, 2021**

Attendees:

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

ACTION ITEMS

This meeting was streamed electronically.

Calendar Items:

The next Commission meeting will be held Monday, May 10, 2021.

Commissioner Smith reported the deck to the golf clubhouse has turned out to be a much bigger project than anticipated. In the long run it will save the county and city money, but the deck will be close to \$200,000. This was engineered and has gone out for bid. David Decker, county inspector, will be heavily involved in the construction to save costs. This project is in the flood plain and they are obtaining elevation certificates.

Discussion Items:

COVID-19 discussion and update

Active cases are diminishing. Folks are wondering when face covering mandates will stop. The CDC now recommends allowing 3 feet social distancing, while others are saying it should remain 6 feet. It is believed we are in the pandemic exit, but there are conflicting opinions. Several doctors say Covid is here and its going to stay. We just have to get vaccinated and keep going. People around town aren't too worried about masks or social distancing. Students are back, and the numbers are looking better all the time.

Contracts/Documents:

Tawnya Grover from the City of Rexburg was present. The property being reviewed is in the impact area near Wilcox, Thompson Paving, and Valley Ag property. Thane was approached in the beginning, but did not want to be a part of it at that time. He would now like to have the property rezoned. The City of Rexburg held all public hearings on this case.

After review and discussion, Commissioner Mendenhall made a motion to sign and approve Ordinance #440, regarding the Thane Siddoway property zone change from Community Business Center to Light Industrial. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Doug Smith made a motion to sign and approve the Road and Bridge Negotiator Agreement for the West side frontage road. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Doug Smith made a motion to sign and approve the Public Defense grant application. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to sign and approve the Searle Hart and Associates representation letter. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Doug Smith made a motion to sign and approve the Stream Systems Design West credit card processing agreement for Ambulance. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Commissioner Todd Smith made a motion to amend the agenda to include the county's purchase of property near the fairgrounds from the Estate of Kathryn Beard. Commissioner Mendenhall seconded and voting was unanimous. The motion passed. The County has 15 days to complete due diligence. The purchase price is \$130,000, with \$1,000 earnest money and it will close on or before June 11, 2021.

Commissioner Todd Smith made a motion to approve and sign the Purchase and Sale Agreement on the property at 335 West 1st North, in Rexburg. Commissioner Doug Smith seconded and voting was unanimous. The motion passed. Funding will come from Commissioners reserve for this purchase.

Routine Matters:

After review and discussion, Commissioner Mendenhall made a motion to approve the Commissioners meeting minutes of April 12, 2021. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Doug Smith made a motion to approve the claims presented by the Clerk. The General Fund total claim amounts were \$183,788.10. The grand total of claims was \$431,992.24. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to sign and approve the Certificates of Residency for: Jamie Shakespeare and Braxton Pierce. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Personnel Actions :

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

Pledge of Allegiance: given by all. The invocation was given by Bradley Petersen.

Public Comment: Shane Ruebush has reviewed all permits sold from 2020 to the present. He states the development has to follow the base density that it is in and the County should make sure we are being consistent for those buying and selling property and that there is a fair exchange. If there is something extra they can get the seller needs to know, it should be disclosed. He is bothered by permits that have been sold over the last year and would like to put this on the agenda for a future meeting to discuss these items.

Executive Session:

Chairman Todd Smith made a motion to go into Executive Session at 9:17 a.m. Idaho Code §74-206(1)(d) exempt records. Commissioner seconded the motion. A roll call vote was taken as follows: Commissioner Todd Smith – yes, Commissioner Mendenhall – yes, Commissioner Doug Smith - yes. The motion passed. Commissioner Todd Smith returned to open session at 9:56 a.m.

Commissioner Mendenhall made a motion to sign and approve Indigent Case No's. 2021002 and 2021003. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Ryan Brown, Upper Valley Treatment Court update:

Ryan was present to give an update on the treatment courts in the Upper Valley. He reported that things have been quite different with the courts and all meetings have been on Zoom. If there have been jail sanctions or community service, the attention has not been paid to them as should have been. There have been a lot of jury trials just recently. Fremont, Jefferson and Teton also cost share with the treatment courts. Ryan presented budget paperwork and has funding from the state included in these numbers. Ryan will get back more often and asks what he can bring the commissioners to better serve the county. Commissioner Todd Smith comments that he would like to see numbers in treatment and success rates, both historic and present. Commissioner Doug Smith asks what a successful person looks like in this system. Ryan will get on the agenda to show the process with Treatment Courts and the number of cases and recidivism.

Dana Izatt, Audit presentation:

Dana presented the 2020 audit. It was reviewed by the Commissioners and Dana. He discussed the difference between a trust account and special revenue funds. Dana replies that special revenue accounts are budgeted and are more transparent. The process of moving to special revenue accounts were discussed and reporting on the L2. Changes to be made were discussed for the upcoming budget year. Dana discussed the various reports and showed that none of the County funds went over budget, and cash flow is good.

There was discussion on the policy for booking property as fixed assets. Dana said other counties book vehicles over \$15,000, and buildings and infrastructure at anything over \$500,000. Roads and bridges are separate from this. Commissioners agree to move forward with these amounts.

After review and discussion, Commissioner Doug Smith made a motion to sign and accept the audit and sign the representation letter for Searle Hart and Associates. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Shawn Boice, Tax exemptions:

Shawn explained the exemptions for the Church of Jesus Christ of Latter-Day Saints. He specifically mentioned the abandoned development outside of Sugar City, the church was gifted. This would have to be used for religious reasons to be exempt – about a million dollars in value, but it has to be used for religious purpose.

After review and discussion, Commissioner Doug Smith made a motion to sign and approval the exemption request for the Church of Jesus Christ of Latter-Day Saints. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Shawn presented Kelton Larsen's request for property in the Sugar City Business Park and he feels this qualifies for exemption. Until the property sells, the exemption would take 75% off the tax burden while

he is selling. Commissioner Mendenhall a motion to approve the site development exemption for Larsen Holdings LLC. Commissioner Smith seconded and voting was unanimous. The motion passed.

Grant Peaks Medical. Lori Sessions, CEO and Brand Hathaway, CFO were present.

The Commissioners asked what percentage of their sales went to low income. They are a 501(C)(3), but that does not mean they are tax exempt. Lori states the revenues reflect 47% as Medicaid population and 21% is self-pay (those having no insurance). Behavioral health and dental numbers are extremely high. Dental numbers are 27% self-pay, but still qualify for discounts. Even insured population can qualify for a discount and this is tiered based on income. Medicaid payouts are going to be devastating with the new cost-sharing program they are working on (VCO). Medicaid population will increase significantly in upcoming years. They are projecting a 10-12% increase over the next year and healthcare providers can choose not to accept the new program, but Grand Peaks will. Doctors and dentists on staff are full-time. Grand Peaks also has an office in St. Anthony. They reinvest revenue into better services for the public and offer a pharmacy in St. Anthony. Lori states it is common to have an exemption for a health center and reports that others around the state have gone to court over the exemption matter and have prevailed. Revenues were discussed and additional Covid funding received as well as funding from the Federal Government. A Behavioral Health Center was added to provide services for the community.

Shawn suggests some part of an exemption. If there is an onslaught of Medicaid patients, this matter will need to be looked at year to year.

As a private dentist, Commissioner Doug Smith states he has worked very hard and has never received a penny from the U.S. government, but has always paid his property taxes without any exemption. His office also accepts Medicare and Medicaid patients.

Commissioner Mendenhall likes the idea of a partial exemption, but we don't want to create unfair business practices and would like to know what the federal government allows for an exemption. He feels there is a healthy revenue realized by Grand Peaks but there is an exemption that should be allowed for Medicare patients. Commissioners agree Grand Peaks is a benefit to the community. They had 13,000 patients last year.

After review and discussion, Commissioner Mendenhall made a motion to sign and approve Grand Peaks Medical for an exemption of 65% after discussion with the CEO and CFO regarding tax exemption. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Joyce Cromar, Sugar-Salem-Moody Cemetery report:

Joyce reports receiving nearly \$30,000 in donations for the irrigation at the cemetery. Budgetary restrictions were discussed in regards to expense for the Sexton and cemetery upkeep. Commissioner Mendenhall states It was wonderful that the community has stepped up to help the cemetery district raise funding for the irrigation system. Costs for the system were discussed. Commissioners agreed to help give the district \$25,000 to go toward repairs of the water system. Receipts of the expenditures need to be provided to the county regarding expenditures of these funds.

After review and discussion, Commissioner Mendenhall made a motion to approve \$25,000 in assistance for the irrigation system improvements for the Sugar Salem Moody Cemetery District and forward the invoices to the County Clerk. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Regional Directors, Amy Taylor for Senator Risch, Kathryn Hitch for Senator Crapo and Josh Sorensen for Representative Simpson to discuss legislative issues:

Amy presented a brochure for constituent services with Federal Agencies and mentions these offices can assist with getting tickets to visit Federal offices. The application period is currently open for students to apply for academy days. Their bosses like to hear from local officials and want to work with us and help with any issues. Commissioner Smith asked if we will have direction on the federal funding and what the restrictions will be for application and reporting. This is still a work in progress.

Kathryn asked if R C & D could assist with the Cemetery District in getting grants and that Covid funeral expenses might be available also. Each assistant explained the areas each congressman and senator are over and said they are more than willing to help.

Department Head Meeting:

The following employees were recognized for their years of service: 30 years of service: Gracie Ferguson. 25 years of Service: Dianna Brown, Mark Backstein, Robert Weekes. 10 years: Boyd Clark, Julie Solomon, Blake Banta, Todd Smith, Kim Muir. 5 years: Blake Egbert, Whitney Gee, Jacob Hurst.

How often to hold this meeting was discussed. It was decided to remain a quarterly meeting.

Cindy reported that the Administration Building parking lot will be paved beginning May 17.

Ann Marie, HR Director explained the training available for county employee's on harassment issues. Troy discussed unlawful termination and sexual harassment, and court filings on these types of claims. ICRMP provides a 40-minute video that departments should watch together and view and then sign off.

County vehicle use: Department Heads should be careful what they are using county vehicles for. The public is watching.

Direction and checklist for terminating employees – Troy Evans:

Troy presented and discussed a termination checklist for county use. The County's legal department should always be involved in this process.

Insurance start date for new hires:

Kim Muir explained medical insurance is effective first of the month following 60 days of being hired. This is set policy in the county.

Budgets were discussed as well as the 5-Year capital improvement plan. The improvement plan is not set in stone, but is an estimate. Commissioner Todd Smith explained we can't plan if we don't know about it, but the plans will be fluid. Commissioner Mendenhall states the 2022 projections should match budgets as closely as possible.

An appraiser for ICRMP will be in all county buildings Monday through Wednesday, April 26th - April 28th.

The summer BBQ will be held at the fairgrounds in August 2021. Kirk will have more information at our July meeting.

Cindy reports they are working with Fish and Game to finish the road down to the river at the Teton Dam site. There will be 70 parking spaces.

Evan discussed his 5-year capital improvement plan, but needs direction on his current facility. There are structural issues currently and he is wondering if Commissioners want to put significant money into this facility. Evan will begin looking at other facilities and work up a plan, get appraisals and look at relocating the current fairgrounds. The outdoor arena holds 1800 people and he would like to have 5000 available seats. Commissioners discussed if they are happy with the fairgrounds currently or not. If we don't begin now, we will still be in the same predicament 5 years from now. Moving would take up to 5 years and we have outgrown the current location significantly. Commissioner Smith will be talking with the City and a property owner regarding a possible location.

Darby Pozenel, Solid Waste, bid opening for new scales:

Bids were opened and read:

1. Scales Unlimited, Inc. \$111,000 with trade-in and remove scales other than concrete
2. Covert Company Scales \$152,935 without removing old scale
3. JC Sales and Service, LLC \$106,852.42 without removing old scale

Bids will be further reviewed and will be awarded at the next meeting. If the county were to remove the old scale on our own, it would be between \$15,000 and \$30,000. No concrete work will be needed if we move ahead with a scale house. The low bid appears to be Scales Unlimited, but this is still being examined.

Bradley Petersen, Planning and Zoning:

Findings of Fact for March 24, 2021--Conditional Use Permit regarding Rick Hill for an automobile repair shop. Commissioner Smith has concerns that we may not be consistent. This came back from P & Z with no conditions, but a year ago we approved a mechanic shop with conditions. No one in opposition showed up at the public hearing. Commissioners asked what conditions were placed on the last mechanic shops that were approved. After review and discussion, Commissioner Mendenhall made a motion to table the decision so the Commissioners could think about this matter further and review the findings. Commissioner Smith seconded and voting was unanimous. The motion passed.

Findings of Fact for March 24, 2021 Zone Change Hearing--McKay Francis:

A zone change from Transitional Agriculture to a Residential Zone on property owned by McKay Francis. He can now do 1 house per acre which is consistent with the subdivision. After review and discussion, Commissioner Mendenhall made a motion to sign and approve the zone change for McKay Francis. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Ordinance No. 441 Zone Change for property at the intersection of 3000 W 2000 N, in Rexburg from TAG to Residential:

After review and discussion, Commissioner Doug Smith made a motion to sign and approve Ordinance No. 441 Zone change for property at the intersection of 3000 W 2000 N from TAG to Residential. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Cameron Stanford, COVID funding update:

Cameron presented a proposal for additional equipment for various Sheriff's Office funds for approval from Covid funding received. Commissioners thanked Cameron for his work on disbursement of the funding.

After review and discussion, Commissioner Mendenhall made a motion to sign and approve \$92,000 listed in yellow on Exhibit 1 attached. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

There being no further business Commissioner Mendenhall made a motion to adjourn the meeting at 3:33 p.m. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Approved:

Todd Smith, Commission Chairman

Brent Mendenhall, Commissioner

Douglas Smith, Commissioner

Attest:

Kim Muir, County Clerk