



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

**Madison County
Commissioner Meeting Minutes
November 22, 2021**

Attendees:

**Todd Smith, Commissioner Chairman
Brent Mendenhall, Commissioner
Douglas Smith, Commissioner
Troy Evans, Deputy Prosecuting Attorney
Kim Muir, County Clerk
Sue Bagley, Deputy Clerk**

ACTION ITEMS

This meeting was streamed electronically.

Pledge of Allegiance: By all

Invocation: Chairman Todd Smith offered the invocation

Public Comment: No one was present to offer comment.

Calendar Items: The next Commission meeting will be held Monday, December 6th, 2021. There will be a Legislators Breakfast at 8:00 a.m. then Commissioners Meeting will start at 10:00 a.m.

A work meeting with LHTAC will be held in conjunction with the December 13, 2021 Commission meeting with LTAC, Horrock's Engineering, City of Rexburg and Road & Bridge from 12:00-2:00 p.m.

Discussion Items:

Appoint Fair Board Member: After review and discussion, Commissioner Mendenhall made a motion to appoint Kacy Bradshaw to the Fair Board for a three-year term. Commissioner Doug Smith seconded and the voting was unanimous. The motion passed.

Contracts/Document:

After review and discussion, Commissioner Doug Smith made a motion to approve and sign the commuting authorization form for Evan Wise to use a county vehicle. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Resolution regarding the Opioid Settlement: This is still being reviewed and will be moved to the next meeting.

Ordinance No. 447, Re: Maintenance & Operation of Solid Waste Disposal

After review and discussion, a public hearing will be held on this matter.

Whoopee Day Contract with Austin Singley: After review and discussion, Commissioner Mendenhall made a motion to sign the contract with Austin Singley, the Green Hat Clown for the Whoopee Days 2022 rodeo for \$5,000. Commissioner Doug Smith seconded and the voting was unanimous. The motion passed.

Routine Matters:

After review and discussion, Commissioner Mendenhall made a motion to approve the claims presented by the Clerk. The General Fund total claim amounts were \$52,171.08. The grand total of claims was \$873,225.94. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Doug Smith made a motion to approve the Commissioners meeting minutes of November 8, 2021. Commissioner Mendenhall 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 the voting was unanimous. The motion passed.

Executive Session Idaho Code §74-206(1)(b) employee matters and (d) exempt records, Ann Marie Sorensen, Indigent Clerk. Chairman Todd Smith made a motion to go into Executive Session at 9:08 a.m. Idaho Code §74-206(1)(b) employee matters with Troy Evans, Jared Arnold and AnnMarie Sorensen. 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 10:05 a.m.

Roger Wiblin, BYU-I History Teacher and his students presented a short history of the Townsite of Herbert. The first male child born in the settlement is who the town was named after. There was a post office, church, and a store, as well as a 2-room school. By 1944 the school was closed. At its peak there were 150 residents. They feel this town should be celebrated and commemorated. They would like to put up a sign on 6200 E. with information about Herbert and let people know its history. They are hoping to mark the settlement with some signage, pictures and a QR code for those who would like more information. This property is currently used for four wheeling, skiing and a snowmobile parking area. They submitted a drawing of the sign they would like to have created at a cost of \$3,000 to \$3,500. The property to place the sign on was discussed belongs to the Clements family and several others. Commissioner's suggested several entities that might have an interest in donating and that permission would need to be obtained by the property owners. There is no further action for the Commissioners to take.

Isaiah Elias would like to have music/dance party at the Fair Grounds. Isaiah was ill and asked to be rescheduled.

Angie Moffat reported on excess funds and Home Owner exemption tax cancellations: Angie said that R.S. Peterson showed her a promissory note for \$25,000 and would be the most senior lien holder.

After review and discussion, Commissioner Todd Smith made a motion to use excess funds from the October 4, 2021, tax deed sale to pay to R.S. Peterson in the amount of \$25,000. Commissioner Mendenhall seconded and the voting was unanimous. The motion passed. There will be approximately \$7,500.00 remaining. Angie is searching out the next lienholder and proof that the debt is still owed.

The homeowner exemptions law has changed and Angie presented the cancellations for those she has received since the tax notices came out. After review and discussion, Commissioner Mendenhall made a motion to accept the homeowner exemptions as presented. Commissioner Doug Smith seconded and voting was unanimous. The motion passed. Detail attached to this document.

Angie also brought a list of tax cancellation errors made by the Assessor's Office in the Homeowners Exemption changes made by the Legislature this year. After review and discussion, Commissioner Doug Smith made a motion to cancel the taxes as presented. Commissioner Mendenhall seconded and voting was unanimous. The motion passed. Detail attached to this document.

Jared Arnold: The commissioners received a letter recognizing Jeremy Johnson for his good work as weed supervisor. Commissioner Mendenhall said the State Weed Supervisor also impressed with the work he had done this year. Jared submitted a personnel action for a raise for Jeremy.

Jared Arnold reported his findings concerning the installation of a generator in the Administration Building. He received information on a 22kw generator from Brad Hill. It would be approximately \$7,700 to be hooked up to the servers. Covid money is being used to bring the AC up to standards he would then use leftover funds toward the generator upgrade. If he runs short, he would use some of the building and grounds budget to make up the difference. This will require technology installed to keep the power clean for the server that was not added into his estimation. This generator would run off natural gas and would allow the phone system to still work in a power outage.

Jared was instructed to obtain a definite bid, and two others, and bring it back to the Commissioners. They would like to know how much will be needed from the Building and Grounds budget before they give final consent.

Evans Wise: Evan submitted a proposal of the improvements he would like to make this year using his capital budget. They include:

- Lights in the grandstand: \$15,000
- Bleachers: \$54,000.00
- Sound System: he doesn't have the cost on it.
- Chain Link Fence repair and also a new fence dividing areas:
- Fencing panels for additional livestock to accommodate the High School Rodeo: approximately \$25,000.00

Commissioners instructed Evan to order the bleachers and finish the lights. He will be adding two more speakers to the grandstand area. He reported the double wide demolition and tree removal is complete.

A fence will need to be moved to include that area in the fair ground. The calendar is booked as the improvements have made the facility more useable.

Danny Miller: Shooting range discussion. He would like to request County help to improve their facility. The County owns the property and it is leased by the sportsman to run the range. It is used by law enforcement, youth programs, Idaho Fish and Game, ROTC programs, US Forest Service and BLM rangers. They have had approximately 12,000 visitors. Membership will be going up next year. They have incorporated an electronic payment system and run on a tight budget. They applied for an Idaho Fish and Game grant and were awarded \$55,000 with a match of \$11,000. Danny is asking for the following:

- The Club has made improvements over the last 30 years to cowboy town, but improvements are needed to improve the parking area making it safer in the summer for fire control.
- The Long-range road washes out every year. It had become concave and the gravel has disappeared. In May of 2019, Commissioners committed to improve the road then but they have not seen anyone. They haven't been able to hold schedule meets because of the road being wash out.
- Pistol base: The floor of the pistol base has sunk. He is asking for material brought in to alleviate the water that pools in there and makes it unusable. Also, more material is needed for the impact berms. Gravel to be put back on them.
- A break down was presented for additional dirt and gravel. Some of the dirt could be moved from other areas of the site, but would require county equipment and personnel and could pay the \$35,000 left from a grant they received to help with costs.

Commissioner Mendenhall will talk to Cindy at Road and Bridge and have her get back to him. The Commissioners are supportive of the project.

The Club will be putting a sign-up advertising that it is a public range, to pull people into the Range rather than just out shooting in the area for safety.

Commissioner Smith received a call from a citizen who reported that a citizen had a dog tied up outside on a cold night. They were worried about the dog. A deputy came knocking on the door in the middle of the night and woke up the owner. He checked and the dog was fine. He came again the next day and checked on the dog. Again, the dog was fine. Commissioner Todd Smith requested Deputy Quayle send a letter to let the neighbor know that the complaint has been checked out and the dog is ok. Deputy Quayle will send the letter.

Bradley Petersen reported the vehicles in the fleet are getting older. He is seeking direction. Lease and owned vehicles are what the county is driving. Should he sell and purchase new cars or continue leasing on a five-year lease and turning them back in and getting new cars? We have to provide tires, windshields and oil changes for the leased vehicles. Commissioners would like to see how much trade in would be and how much the new would be? He also inquired as to his budget for fleet management. A claim was

turned in that took nearly half his budget. He doesn't have enough left to pay the current lease agreements for the entire year. The lease cost is \$2,675.56, paid monthly.

Gary Armstrong, Planning & Zoning director presented the follow items:

Findings of Fact Re Amendment to the Comp Plan: Change from AG Land to Rural Cluster- Sam Stoddard & David Thueson. This proposal includes parcels located at 2738 N 4000 W, 2740 N 4000 W, 2780 N 4000 W for a total of 36.4 acres. This land currently zoned AG but land across the street is zoned Trans AG. They would like to separate the parcels. One parcel 10 acres, one parcel 12 acres and one parcel 14 acres. After review and discussion, Commissioner Mendenhall made a motion to accept the recommendations and the findings of fact from the Planning and Zoning Commission. Commissioner Doug Smith seconded and the voting was unanimous. The motion passed.

Zone Change from AG to TAG, Sam Stoddard & David Thueson: After review and discussion, Commissioner Doug Smith made a motion to change the parcels from AG to Trans AG on the comprehensive plan maps. Commissioner Mendenhall seconded and the voting was unanimous. The motion passed.

Amendment to the Comp Plan Change from AG Land to Rural Cluster- Dan Peterson by Lyman Church: This is 38.2 acres with three different classifications. Townsite, rural cluster, AG. This is located at approximately 1350 W. 6000 S. This action will help to settle a family estate, each want a piece of the property. It is consistent with other land uses in the area. After review and discussion, Commissioner Mendenhall made a motion to approve to accept the Findings of Fact from the Planning and Zoning Commission and change the comprehensive map to show the parcels from Townsite, Ag Land and Rural Cluster to rural cluster. Commissioner Doug Smith seconded and the voting was unanimous. The motion passed.

Zone Change from AG to TAG- Dan Peterson: After review and discussion, Commissioner Mendenhall made a motion to change the zoning on this parcel to Trans Ag. Commissioner Doug Smith seconded and the voting was unanimous. The motion passed.

Zone Change for AG/TAG to Commercial: Split zoning. It will not require a Comp Plan Amendment and is identified for commercial in the Comp Plan. It will result in split zoning. Commercial next to the highway corridor and the frontage road will be AG. The AG will act as a buffer, keeping the Texas Slough and forested area the same. Commissioner Doug Smith made a motion to change AG and Trans Ag to Commercial. Commissioner Mendenhall seconded and the voting was unanimous. The motion passed.

Resolution # 469: Commissioner Doug Smith made a motion to approve Resolution # 469 changing the land use map at approximately 2740 W. 4000 N. on property owned by Sam Stoddard and David Thueson, from AG Land use designation to Rural Cluster land use designation. Commissioner Mendenhall seconded and the voting was unanimous. The motion passed.

Resolution # 470: Commissioner Mendenhall made a motion to approve to amend the Comp Plan land use map at approximately 1727 W. 6000 S. from Townsite, Ag Land, and Rural Cluster to Rural Cluster on property owned by Alta Peterson with Dan Peterson as applicant. Commissioner Doug Smith seconded and the voting was unanimous. The motion passed. This Resolution contained incorrect information and will be presented at a later date.

Ordinance # 453: Commissioner Mendenhall made a motion to approve Ordinance # 453 changing the zone from Ag to Trans Ag on properties owned by Sam Stoddard and David Thueson located at approximately 2740 W. 4000 N. consisting of approximately 36 acres. Commissioner Doug Smith seconded and the voting was unanimous. The motion passed.

Ordinance # 448: Commissioner Doug Smith made a motion to approve Ordinance # 448 changing the zone from Ag and Trans Ag to Rural Cluster on property owned by Alta Peterson with Dan Peterson as applicant located at approximately 1727 W. 6000 S. consisting of approximately 38.23 acres. Commissioner Mendenhall seconded and the voting was unanimous. The motion passed.

Ordinance # 449—Commissioner Mendenhall made a motion to approve Ordinance # 449 to change the zone from Transitional Ag and Ag to Commercial zone on properties by John Bagley and Brent Lyman at approximately 4511 S. 3300 W. consisting of 118 acres. Commissioner Doug Smith seconded and the voting was unanimous. The motion passed.

Amended Resolution # 468 Updating the legal description for S4 Ranch, LLC. Commissioner Mendenhall made a motion to approve Resolution #468 changing the zoning map from AG to Trans Ag and update the legal description on property owned by S4 Ranch, LLC located at approximately 3778 N. 200 W. Commissioner Doug Smith seconded and the voting was unanimous. The motion passed.

Ordinance # 446: Commissioners missed passing the ordinance for the S4 Ranch LLC in a previous meeting. Commissioner Mendenhall moved to amend the comp plan future land use map from Ag to Rural Cluster on property owned by S Ranch LLC located at approximately 3778 N. 2000 W. Commissioner Doug Smith seconded and the voting was unanimous. The motion passed.

Discuss road, street and development design: Doug would like to look at requirements for new subdivisions to include curb and gutters. He asks what the City of Rexburg is requiring. Gary said the Commissioners will see many design changes coming from the Planning and Zoning Commission. Roads will be one of the items to be discussed in the upcoming Work Meeting between the Commissioners and the Planning & Zoning Commissioner December 1, 2021.

Board members on the P & Z Commissioner need to be reviewed and some replaced or reappointed. A member from the Impact area is needed for the City of Rexburg P & Z Board.

The Sugar City and Rexburg impact area was discussed. Sugar City has sent a letter to the Commissioners regarding the encroachment of City of Rexburg. Commissioners are not sure if the City of Sugar is

prepared to take on the Salem area or if Salem should incorporate. Commissioner's will need to form a counsel of nine to make decisions in this matter. Gary will reach out to both cities to check the status.

Megan Littlefield and Charlotte Erikson were present with Rachel Whoolery to discuss enlarging the Crisis Center to include mental health. Rachel would create the design for the building to bring people together to provide this great service. She proposed selling the current property near Walmart to build a facility to help with advocacy and a place for those suffering from mental health issues. The current Crisis Center has outgrown their space. They inquired about the fair grounds but were informed the City of Rexburg has already expressed an interest in that property if the fair grounds were to relocate. At this point, the Crisis Center will continue to look for more options.

Commissioner Mendenhall mentioned that Urban Renewal properties should be looked into. The Cities, BYU-I, the County, and the hospital should all be involved in the process of increasing mental health services. He also committed to learn more about the Bonneville County Crisis Center. The ladies will come up with a plan and a budget. Grants, COVID and ARPA funds should be researched for possible funding sources.

Chairman Todd Smith made a motion to adjourn. Commissioner Mendenhall seconded and the voting was unanimous. The motion passed. The meeting adjourned at 2:12p.m.

Approved:

Todd Smith, Commissioner
Brent Mendenhall, Commissioner
Douglas Smith, Commissioner

Attest:
Kim Muir, County Clerk