



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

**Madison County
Commissioner Meeting Minutes
August 8, 2022**

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
Pledge of Allegiance: By all
Invocation: Commissioner Mendenhall

Calendar Items:

Next Commission Meeting: August 22, 2022
IAC Meetings the last week in September
County Fair begins next week Wednesday, August 17th-Saturday, August 20th
Horse pulls Thursday, Rodeo Friday, Motocross Saturday
Livestock sale Saturday morning at 9 a.m.

Discussion Items:

Discussion and decision on Snowmobile Board. Max Radford and Richard Roberson were in attendance for this agenda item.

The Commissioners asked for a copy of their minutes from the meeting on November 8, 2021, which were then reviewed. The reason was to review what had been determined for the board members. The minutes stated Doyle Barney's term would expire in 2022, Clint Hansen in 2023 and Ryan McBride was appointed to a three-year term. This was agreed upon by Doyle Barney and Clint Hansen. The month was not specified as to when Doyle Barney's term would end, but for planning purposes, a new board member should be appointed in July if not early fall, prior to the winter season beginning. The Commissioners stated Doyle's term will expire the end of August 2022. His work over the decades with the grooming program have been appreciated, and it would not be where it is today without his many volunteer hours of service over the years. Regarding new board members, anyone can suggest names and it's up to the commission to appoint.

Public Comment:

Richard Roberson suggests the Snowmobile Board members turn over in April so the new board will have time to prepare for the next season. This would also make a slower transition to be trained up for the busier season.

Review and sign: 2022 Nomination Form, Capital Crimes Defense Fund

After review and discussion, Commissioner Doug Smith made a motion to appoint Brent Mendenhall as the nominee for the Capital Crimes Defense Fund. Commissioner Todd Smith seconded and voting was unanimous. The motion passed.

Routine Matters:

Review and sign: Claims, as presented by the Clerk

After review and discussion, Commissioner Doug Smith made a motion to approve the claims presented by the Clerk. The grand total of claims was \$1,174,537.37. Commissioner Todd Smith seconded and voting was unanimous. The motion passed.

Review and sign: Commission meeting minutes: July 25, 2022

After review and discussion, Commissioner Mendenhall made a motion to approve the meeting minutes of July 25, 2022. 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.

Certificates of Residency:

After review and discussion, Commissioner Doug Smith made a motion to approve the Certificates of Residency for Leilani Belgarde, Sydney Bradshaw, Adison Maviano and Sarah Sterling. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Executive Session: Employee and indigent matters. Chairman Todd Smith made a motion to go into Executive Session at 9:10 a.m. Idaho Code §74-206. (1)(b) employee matters, Indigent Clerk and (f) litigation matters. 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 9:47 a.m.

City of Rexburg: Review & Approve Muir Glen Div1 Rezone

The property lies in the impact area. The owners are asking for a change from Trans Ag to Medium Density 1. They will have to bring in sewer and water. This would lead to annexing in the future and is the same proposal that was brought earlier, but was appealed. The vote from the City P & Z was not unanimous.

After review and discussion, Commissioner Mendenhall made a motion to approve Muir Glen Div1 Rezone, based upon the approval of the City P & Z. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

David Decker: Fee change proposal for Building Department

David stated the International Code Council (ICC) either increases or decreases fees annually. The State comes in and adopts the fee and we can follow or not follow. David is trying to present to the commission every time it comes into play for the year, if that is something commissioners are willing to do. Current evaluation would increase the fees based on a 1500 sq./ft. home \$536 which is a 38% increase. The home and industry market has increased the cost of homes by 38% and the fee schedule would do the same. Commissioner Doug Smith stated that maybe we don't increase the fees by 38% but maybe 10-12%. David said he has 50 permits more now than this time last year and wonders how long are we going to maintain where we are. Most of the county permits are for people building their own homes in the county. To increase the fees, a public hearing will need to take place. Commissioner Todd Smith suggests starting at a 38% fee increase which is the recommended industry increase and go down from there if needed. David wants to be proactive and make it workable for everybody. Surrounding counties and cities are all adopting the ICC fee change. It could lower at the next annual go around.

David talked about people building without permits, and people moving into homes before completion. He was wondering about having backup so he can enforce charging fees for violations. There are safety issues of moving in before inspections are completed. Commissioner Mendenhall states that we may be liable if something happens if we "allowed it".

Adopt Language in Madison Code:

Commercial, Residential, Manufacturing and Energy code have been broken down to be more specific and will need to be presented in the same Public Hearing as the fee change proposal for approval.

Gary Armstrong: P & Z Matters Highfield Estates Subdivision-James West

The application is for the development of approximately 22.95 acres into 10 buildable lots, with lot sizes being approximately 1.98 acres at approximately 1500 W. 5100 S. The average density of the subdivision is approximately 2.295 acres per buildable lot. The property is zoned TRANS-AG. Lots will be serviced with private well and septic. Concerns by neighbors are traffic on 5000 South since it's too narrow to meet county standards right now.

After review and discussion, Commissioner Mendenhall made a motion to approve application for Highfield Estates Subdivision with provisions that the west road only be used for emergency purposes and that the first two lots are accessed off of the east-west side. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Findings of Fact for Misty Valley, LLC, The Preserve at Henry's Fork Phase 2:

The application is for the development of approximately 43.5 acres into 29 buildable lots, varying in size from .99 acres to 1.65 acres. The property is zoned TRANS-AG. Lots will be serviced with private well and septic. The Preserve Subdivision Master Plan went through preliminary plat in 2018. The total of all phases includes 145 lots in three phases. The first phase has been completed. This phase was approved as part of the preliminary plat at that time. While the number of lots in Phase II is the same as was previously approved in 2018, proposed access into Phase II has changed from what was originally platted. Changes were significant enough that the application for Phase II is being considered as a preliminary plat. Judicial rulings prohibit connection of Phase II to other phases. Commissioner Mendenhall asks if all issues for phase 1 have been legally completed. Gary anticipates there may be legal challenges on this no matter how it is configured. Two years were spent in court fighting over access for this parcel and Gary feels we need to honor legal action. Concerns by neighbors is traffic which was already analyzed in 2018. Other concerns were for those that bought in phase 1 with anticipation they could use the other access and it changed from what they anticipated when they bought in phase 1.

After review and discussion, Commissioner Mendenhall made a motion to approve the Findings of Fact for Misty Valley, LLC. Commissioner Todd Smith seconded and Commissioner Doug Smith was opposed. The motion passed.

Conditional Use Permit for Robert Tietjen, 1675 W 3000 S:

The applicant is applying for a Conditional Use Permit to construct an accessory building with living space on their 2.63 Acre lot at 1675 W 3000 S, Rexburg.

After review and discussion, Commissioner Doug Smith made a motion to approve the Conditional Use Permit for Robert Tietjen. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Public Hearing: Amendment to Ordinance #247 to allow for transfer of beer and wine licenses and provide for a fee.

Public hearing was opened at 11:08 a.m. There was no one present to comment. All notices were properly sent out. There were no conflicts of interest with the Commissioners. The public hearing was closed at 11:15 a.m.

After review and discussion, Commissioner Doug Smith made a motion to approve Ordinance #247 to allow for transfer of beer and wine license and provide for a \$200 fee. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Rachel Gonzales/ Troy Christensen: Madison Memorial budget presentation. This meeting was rescheduled to August 22, 2022.

Public Hearing: Road and Bridge for the Moody Bridge Project

The public hearing was opened at 11:15 a.m. All notices were properly sent out. There were no conflicts of interest with the Commissioners.

Aaron Swenson was present. Bradley Peterson was asked to be the hearing officer. The hearing is required as this involves federal funding. Aaron gave a recap of where they are at on the project: The bridge was built in 1950 and washed out in the 70's with the flood and was then rebuilt. There has been ongoing maintenance on the bridge, but it has fallen into a failed category by ITD. With federal funds, the plan is to build the bridge 44 feet wide to allow for future growth, with most expansion to the east. The road will stay two lanes, with a potential 3rd lane in the future. We are still several years away from construction. There is not enough traffic on the roadway to justify the cost but the plan will be to tear out the bridge and close the road with a detour for the better part of a year as the old bridge will be completely torn out. The depth of the river will not change.

Lunch Break

Paul Sorensen: Fiber project branding and website discussion

Paul presented information regarding the fiber project. They are about 38% through the project and are currently working near the McDonalds on 2nd East up to the University and then down by Rexburg Motor Sports and will be starting on 12th West soon; drilling through the ground and going under canals. They are working with Wide Open Networks to go into residents' homes, but have had to reroute in a few areas because of water issues. A marketing class at the University, has come up with a name and branding for the project. Sugar City has opted to take care of their own system.

After review and discussion, Commissioner Mendenhall made a motion to approve the branding name and applications as "Lightbridge". Commissioner Smith seconded and voting was unanimous.

Paul also discussed the current county website. He feels the best option is to pay for a company to host the website. This would also allow tighter security. The company they would like to go with is Revize. It would be \$8050 for the first year and then \$1800 per year for years two, three and four and they could begin work on it as soon as it is approved.

After review and discussion, Commissioner Mendenhall made a motion to approve the Agreement with Revize based on legal vetting from the County Prosecutor. Commissioner Doug Smith seconded and voting was unanimous.

Commissioner Todd Smith asked if a Google Drive or a Dropbox could be made for Agenda's and P & Z meeting information.

Ted Hendricks: Project updates

Expansion of the Fort Henry Business Center. Altura secured 1.25 mil from USDA in funding through a Rise grant and are the only one awarded in the Western U.S. Also received is funding

from the Department of Commerce. Ted has also applied for an Economic Development Administration grant and has sent a letter of intent. They are through the competition process and did indicate it is not a commitment, but looks promising as it goes through final processes. The funding is part of stimulus money and is currently going to Washington D.C for final approval. They hope to end up with about \$6.7 million. Ted would like to create a steering committee for design to give input for the design. The architect will come on board toward the end of the year. They would like to elevate the lot to get it out of the flood plain and have discussed this with Road and Bridge, but Road and Bridge does not want to be in charge of the testing. The best time to haul in fill would be this Fall. The commission is being asked to assign a member to the board design and review committee, wait until the funding is approved. CEI would like to expand their offerings in Madison County to help those interested in data analytics and cybersecurity and would like to see the facility identify with what the county needs and wants. Ted would like to see the college expand in the existing building. The new building would be focused on entrepreneur type new businesses as well as think tanks, etc.

Crisis Center: Request for repairs on facility

Megan Littlefield, Marie Harris and Naomi Aponte were present to discuss upgrades.

A new door is needed between the living space and garage to meet fire code and they would like a separate apartment downstairs, but an egress window is needed, as well as a separate driveway. The yard could be spruced up. Jared will talk to the City about the driveway and permits needed. He can also purchase the materials needed and get bids for coring to dig for the new window. Wilcox is willing to donate the sod and Jared will get a bid for a sprinkler system.

They have had 18 people housed in the recent past and the facility is a big help to those victims needing a place to live temporarily. Jared will come in with bids.

Kim Muir: Budget Review

The proposed budget was presented and discussed. Changes were made to a few of the budgets. The budget will be published 15 days prior to the budget hearing that will be held on September 6, 2022.

Commissioner Mendenhall made a motion to adjourn the meeting at 4:13 p.m. Commissioner Doug Smith seconded and voting was unanimous.

Approved:

Todd Smith, Commissioner
Brent Mendenhall, Commissioner
Doug Smith, Commissioner

Attest:
Kim Muir, County Clerk