



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

**Madison County
Commissioner Meeting Minutes
March 14, 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 Discussion:

- Next Commission Meeting: March 28, 2022
- IAC Spring Institute Meetings May 25, 2022 in Idaho Falls
- Clerks and Commissioners June 7 – 9, 2022 in Burley
- April 7, 2022 BOE training in Rigby
- March 23, 2022 – Hospital Board meeting

Discussion Items:

Discuss meeting with Stakeholders in Madison County. This meeting will be held April 11, 2022.

Contracts/Documents:

After review and discussion, Commissioner Mendenhall made a motion to approve the MOU with the City of Rexburg for a joint broadband effort. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to approve the Canvass of votes for the March 8, 2022 Election. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to approve Resolution #476 To Destroy Old Records, Prosecutor's Office (#3). Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to approve the Letter of Support for Madison Soil and Water Conservation District. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Contract Off Duty Employment – Sheriff. This will be moved to the next agenda.

After review and discussion, Commissioner Mendenhall made a motion to approve the Contract with Eagle View for GIS flight. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Routine Matters:

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 \$72,925.52. The grand total of claims was \$964,595.56. Commissioner Mendenhall seconded and voting was unanimous including credit cards. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to approve the minutes of February 28, and March 3, 2022. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Personnel Actions :

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

Sam Butikofer, Purchase of trailer

Coroner Sam Butikofer was in to report final findings on the FEMA trailer he discussed at the last meeting. The trailer he would like to purchase would hold 14 additional bodies in the event of a mass casualty. The total cost would be \$73,2727.50. A scissor lift was also discussed and would be needed in the amount of \$34,280.10. FEMA would pay \$44,292.40. Commissioners would like to have several neighboring counties share in the purchase of the trailer and share the expense and use of the trailer. Commissioner Smith’s mentioned the need to maintain and keep the trailer ready for use at any time. The generators would have to be started up periodically to make sure everything stays in working order. Commissioners will visit with neighboring counties.

Gathering Permits

Bart Quayle from the Sheriff’s Department and Chief Corey Child were present. Chief Child reports the history of a permit whenever property or a building is used for a different use. The departments would like to be involved for insurance , traffic control, control crowds, provide bathroom facilities, keep EMS on standby and law enforcement backup. The City of Rexburg requires a gathering permit for events if there are 50 – 100 people attending an event. We would link the County and City websites to fill out the application and submissions forwarded to fire, EMS, Road and Bridge, Sheriff, City Police, Parks and Rec, IT and Homeland Security. These offices will get together to devise a plan.

Commissioner Todd Smith made a motion to amend the agenda to include signing the WHR Motorsports LLC contract for the Fair Board. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Commissioner Mendenhall made a motion to sign the contract with adjusted prices for WHR Motorsports LLC. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Public Comment: There were no public comments.

Paul Sorensen Broadband discussion and decision

Paul was present with a contract for Wide Open Networks to begin engineering the broadband project to be shovel ready to begin the 18.7 miles for broadband expansion. We will need to organize the project into phases. The cost is \$537,000 for the engineering , but does not include expenses The project includes the actual design, cost of fiber, and connections and would like to begin on April 1, 2022. The phasing was discussed. The City is ready to put lines in the ground and are about 6 months ahead of us. The MOU may give the experts a better way and order to spend the funding.

After review and discussion, Commissioner Douglas Smith made a motion to approve the contract with Wide Open Networks committing the \$537,000 to broadband expansion . Commissioner seconded and voting was unanimous. The motion passed.

Commissioner Mendenhall made a motion to sign the MOU between the City and the County to work together in all broadband efforts. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Madison County Legislators, Conference call regarding property tax legislation

Representative Ron Nate and Representative Jon Weber called into the meeting to discuss the Property Tax Legislation (House Bill 741). Representative Nate reports the bill was pulled by the Senate and will not be reintroduced this year. Legislators comment that this was a tax shift and did not offer a property tax reduction. Also discussed was House Bill 735 This has passed the Senate side and addresses defunding the charity levy while they try to provide a State-run public defense system using the Wayfair tax relief funding. They will work a bill to keep emergency services, hospital and other taxing districts held harmless. Representative Weber comments when they fund some services, the ripple effect impacts other taxing districts. Personal property tax exemption bills will be held today. There was a circuit breaker Bill that was passed through the House, but did not make it through the Senate. All property tax bills have been pulled.

Commissioners asked the Representatives to watch the following two items in the next few weeks.

1. Madison County and the eastern side of the state which has less population than the western and northern areas with the distribution funds.
2. Commissioner Mendenhall asked Representatives to keep an eye on the Wayfair funds. He said everyone wants a chunk and it will only stretch so far. Representative Nate on the Indigent fund and Representative Weber is on track for the Wayfair funding. As interim committees are formed, please make sure Assessor and Commissioners or someone representing counties and cities are included on the committee.

Executive Session: Employee and indigent matters. Chairman Todd Smith made a motion to go into Executive Session at 9:15 a.m. Idaho Code §74-206 (1)(b) employee matters and (d) AnnMarie Sorensen, Indigent Clerk. 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 10:00 a.m.

After review and discussion, a motion was made by Commissioner Mendenhall to sign an Approval on Case No. 2022005. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Road and Bridge, Hibbard Speed Limit

The study that was ordered a month ago from Horrock’s Engineering is complete and was made available. Paul Weekes wanted to point out the section north of the Hibbard School on 3000 West was not studied, but he agreed with the rest of the study. Cindy, with Road and Bridge suggests the Commissioners leave everything in the Hibbard area at 35 mph because there are many residential areas. Paul would like to follow the study that was completed by Horrock’s. Mr. Purser comments the measurement of the road are not wide enough to increase the speed limit. Cindy comments more traffic, more pollution, and more business on the roads than in the past and that summer will bring more traffic to the area.

Commissioner Doug Smith comments that at 50 mph we are fine, at 60 we are not fine, so we have a compromise to make. The median is still 54 mph. We can’t take all risks out of it, but we need to make it safe. It falls on responsibility of drivers to drive where they are safe. Doug would like to keep the speed limit where the study recommends.

There were comments from many citizens present in the room about where they feel the speed limit should be set.

Commissioner Mendenhall believes the curve and the school speed limit needs to be slowed down and with the results shown on the study he can’t agree with 50 mph, but would compromise at 45 in areas other than the school, church and curve. If it is lowered too much, we will have slow drivers that can be as dangerous as fast drivers. He suggests we take the recommendations from the study, and drop it 5 MPH lower than suggested based on the growth and all areas the study covered.

After review and discussion, Commissioner Mendenhall made a motion to approve the traffic study ordered and lower the speed limit 5 mph below what was suggested, except in the 35 mph areas in front of the school, church and curve. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Sonnie Haws, Scale house bid award. Ryan with JRW Engineering was present with Sonnie. Sonnie reported the bids received are double what was planned in the beginning. Commissioners discussed putting the scale in now and build a shell for now and put off building, but continue looking for less expensive ways to build and spread the project into two budget years.

Bids received were:	3D Decker Construction	\$523,587
	Harold Harris Construction	\$367,772
	Blu-D Construction	\$621,500

After review and discussion, Commissioner Mendenhall made a motion to reject the current bids and submit an RFO for a steel building for a shell. Commissioner seconded and voting was unanimous. The motion passed.

Commissioner Mendenhall withdrew the motion. Commissioner Doug Smith seconded. The motion passed

Commissioner Doug Smith motioned to table the issue for no more than 2 weeks. Commissioner Mendenhall seconded the motion. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to accept the bid from Harrold Hill and proceed. Commissioner Smith seconded and voting was unanimous.

Commissioners asked the Clerk to review past years revenue.

P & Z Matters

Brent Barrus & Jared Chappell Findings of Fact Comp Plan Change from Ag Land to Rural Cluster

After review and discussion, Commissioner Mendenhall made a motion to approve the Findings of Fact Comp Plan Change from Ag Land to Rural Cluster for Brent Barrus and Jared Chappell. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Zone Change from AG to TAG

After review and discussion, Commissioner Mendenhall made a motion to approve the application from Brent Barrus and Jared Chappell to change the Comprehensive Plan Future Land Use Map, applying Rural Cluster classification to the 207.64-acre parcel as proposed in application materials received January 21, 2022. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Doug Smith made a motion to approve Ordinance #457 to approve Zone Change from AG to TAG in the Chappell/Barrus request. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Resolution #477 to approve Comp Plan Change from Ag Land to Rural Cluster

After review and discussion, Commissioner Doug Smith made a motion to approve Resolution #477 Comp Plan Change from Ag Land to Rural Cluster in the Chappell/Barrus request. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Madison Co, Unified Develop. Code Fee Schedule Update Proposal This will be on the next agenda.

Hill Ranch Estates, Plat Amendment The property is located at 6800 S 3800 W and a request was received to move the open space on the subdivision plat to use the 2 lots that were not suitable to build on. Commissioner Todd Smith comments test holes are normally dug before plat approval and should have been complete before the plat was approved. Gary states this is defined as a minor change i.e. swapping locations and is not a change to the number of lots.

After review and discussion, Commissioner Doug Smith made a motion to approve the application for plat amendment with minor changes of the Hill Ranch Estates Subdivision as presented in the application received February 1, 2022. Commissioner seconded and voting was unanimous. The motion passed.

City of Rexburg Notice for a rezone in the Muir Glen subdivision for final consideration. This matter will be on the March 28, 2022 agenda.

Angie Moffat, Leavitt tax credit

The property is owned by ITD, but Leavitt's have inadvertently been paying the taxes.

After review and discussion, Commissioner Doug Smith made a motion to approve the tax credit for the Leavitt's of \$200. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Shawn Boice Tax exemptions: Ag Land: Clay, Boice, Stoddard, Cruz, Goodman, Hepworth, Berger, Kauer, Rothwell, Hammond.

Shawn explained the parcels indicated and the reason for the exemption.

After review and discussion, Commissioner Mendenhall made a motion to approve the Ag exemption for Clay, Boice, Stoddard, Goodman, Hepworth, Berger, Kauer, Rothwell and the Cruz property will be inspected throughout the year. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

The Hammond property was discussed on Barney Dairy road. They have 4-H animals (3 cows). Shawn is not confident in the fence lines.

After review and discussion, Commissioner Doug Smith made a motion to deny the Hammond property, but Shawn will inspect fence lines for Mike Hammond. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Tax exempt properties: BYUI, Grace Baptist Church, Development Workshop, Shumway Academy, Calvary Chapel, Church of Jesus Christ of Latter-Day Saints, Twin Pines Apts.

After review and discussion, Commissioner Doug Smith made a motion to approve the tax-exempt properties listed above. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

A letter from a citizen was noted on the Shumway property regarding traffic backing up on the county road. This matter will be addressed at a later date.

Shawn explained the site Improvement exemption Code 63-602(w) for Thunderbird Business Park and the Leatham Development. This exemption can only apply to the original developer.

After review and discussion, Commissioner Mendenhall made a motion to approve the site improvement exemptions for Leatham Development and Thunderbird Business Park Code 63-602(w) stating that 75% of market value is deleted until the property is developed. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Department Head Work Meetings:

D7 Treatment

Jess Hymas reported her office has begun providing treatment for Butte County. She has staff in the office 2 or 3 days per month. Building leases were discussed in all counties. There are some questions with the Bonneville County lease that will be further explored. Employee changes in the department were reviewed.

Tri County

Kirk gave budget updates for the department. They have done considerably more drug testing, but have found a way to do instant tests less expensively. Vehicle needs and current prices were discussed.

After review and discussion Commissioner Mendenhall made a motion to authorize the purchase of a vehicle from Taylor's Chevrolet for Tri County Probation. Commissioner Smith seconded and voting was unanimous. The motion passed.

Juvenile Probation

Kirk presented budget updates for Juvenile Probation. He reports the travel budget will be used this year. Trainings have been cancelled for the past two years due to Covid, but are now resuming. Many improvements have been made in to the interior, as well as exterior office in the past year and cameras will be installed. His staff will be painting the office in the next few months.

Road and Bridge

Cindy, reviewed budget needs in the next 5 years. Bridges and roadways throughout the county were reviewed. Cindy is asking for the following in the next three years:

- A 5% increase per year for all employees.
- A new shaker box.
- A new shop for Road & Bridge.

Gary Armstrong, Update to The Preserve fire code

Gary presented information showing 2 exits are required to meet code and any new subdivisions need to comply with the 2015 International Fire Code. The developer and property owner clearly saw the need to improve the access and are willing to work with P & Z and the Fire Department and a suitable 2nd entrance will be built. The developer wants to make changes to current the design. As soon as the ground is dry he will begin work on the temporary road. This is all related to Phase I. Phase II will not go over 30 lots and will not require a 2nd exit.

Executive Session: Employee and indigent matters. Chairman Todd Smith made a motion to go into Executive Session at p.m. Idaho Code §74-206 (c,) to acquire an interest in real property not now owned by the County, Evan Wise. 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 3:25 p.m.

Commissioner Todd Smith made a motion to adjourn after executive session at 3:25 p.m. Commissioner Doug Smith seconded and voting was unanimous. The motion passed.

Approved:

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

Attest:
Kim Muir, County Clerk

