



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

**Madison County  
Commissioner Meeting Minutes  
March 27, 2023**

**Attendees:**

**Todd Smith, Commissioner Chairman  
Brent Mendenhall, Commissioner  
Dustin Parkinson, Commissioner  
Troy Evans, Deputy Prosecuting Attorney  
Kim Muir, County Clerk**

**ACTION ITEMS**

This meeting was streamed electronically.

Pledge of Allegiance: By all

Invocation: Kim Muir

**Calendar Discussion:**

Next Commission Meetings are: April 10 and 24, 2023.

**Schedule of Commissioners:**

Commissioner Mendenhall will be out of town April 10, 2023.

**Discussion Items:**

Review Comp Plan proposal. RFP's were received from Logan Simpson Design from Ft. Collins and Rural Community Consultants from Springville, UT. It was agreed that Logan Simpson Design has done the most work in Idaho and they are up to speed on Idaho's Planning Laws. They proposed a schedule that was going to take longer than planned. Gary discussed this with Logan Simpson. Gary would like the Plan complete by the end of 2023 and they have agreed. We anticipate the cost being \$50,000-\$55,000 and it will spread this project over two fiscal years. Commissioners would like briefings either with Logan Simpson Design, or through Gary every two weeks. Commissioner Smith and Gary have worked with them through the City and they have been great to work with. Their qualifications are great. Most of these endeavors have a steering committee and Gary suggest a committee be formed. The committee would be chosen by the Commissioners. They would like to have 1 or 2 members from the Rexburg and Sugar impact area, a farmer, member of the BOCC, developer, and a few from the Planning & Zoning Commission, as well as someone from an Irrigation District and Wastewater Management. There are no regulatory requirements for this committee. Names will be gathered and will be discussed at the next meeting.

After review and discussion, Commissioner Mendenhall made a motion to accept the RFP from Logan Simpson Design and authorize Gary to continue work on the Comprehensive plan. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

Gary let Commissioners know there will be public comment allowed on the Sunset Estates Public Hearing. The Public Hearing was moved to April 11, 2023, when Commissioner Mendenhall returns.

**Contracts/Documents:**

After review and discussion, Commissioner Mendenhall made a motion to approve Right of Way Contract for the Eastern Idaho Regional Solid Waste District. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

**Routine Matters:**

After review and discussion, Commissioner Parkinson made a motion to approve the claims presented by the Clerk. The grand total of claims was \$915,455.60. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Parkinson made a motion to approve the meeting minutes of March 13, 2023. Commissioner Mendenhall 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 Parkinson seconded and voting was unanimous. The motion passed.

**Certificates of Residency:** None.

**Public Comment:**

Darren Klingler has lived in Madison County all of his life. The Madison County Recreation District is another example of out of state folks coming in and wanting the recreation options they had in a larger city. The Provo Recreation District is what they are wanting. Provo has over 800,000 on their tax base and we have 30,000 established residents in Madison County. Darren is asking if they can pull Rexburg Rapids into the tax district if approved and make taxpayers pay for it? If someone comes from other areas and they want a hockey facility or a baseball facility, would the taxing district be required to pay the tax on this also? The taxing district is not the pool. It would only pay for the property and maintenance. The building would not be included in the Rec District currently. We need to fight the tax district. They have the right to get it on the ballot and they can encompass any area they want. There is a levy assigned to it just for the taxing district which can only be increased 3% annually. Darren went to a City Council meeting on February 9<sup>th</sup> where members of the Council were stating they are totally neutral on this issue. He had pages of texts from City Council instructing staff how to move forward. Voter education is critical. We are not getting a pool for \$8 a month, it will be much more.

Commissioner Mendenhall would love to explore the legal ramifications of adding on more if we have a Rec District established. If the District passes and they don't pass a bond, it will take them a long time to come up with funding to build a pool/building/rec area.

Dennis Summers has a committee to make citizens aware of these proposals. He has been collecting surveys regarding the Rec District. About  $\frac{3}{4}$  say they had no idea there was a push for the Rec District. The surveys also ask, are you aware that we have ten city parks? The Committee pushing for the Rec District need to have educational information out there. Dennis has a website, norexburgrec.com. We want the county/city roads to be better cared for rather than another taxing district.

**Executive Session:** Commissioner Smith made a motion to go into Executive Session at 9:08 a.m., Idaho Code §74-206(1) (b) employee matters and (d) exempt records, Ann Marie Sorensen, Indigent Clerk. A roll call vote was taken as follows: Commissioner Smith – yes, Commissioner Mendenhall – yes Commissioner Parkinson – yes. The motion passed. Commissioner Smith returned to open session at 10:10 a.m.

**Arlynn Jacobsen/Dick Dyer,** Lower speed limits S Railroad Ave/Hwy 33.

They are here regarding Old Farm Subdivision located at Highway 33. This was state highway until it was turned over to the county. They are going to abandon 7<sup>th</sup> and tie into 5<sup>th</sup> to straighten it out. The speed on this roadway needs to be discussed. Currently the speed is 50 mph and they are recommending decreasing the speed to 35 mph. Commissioners asked if moving this to 30 mph would be better. The speed limit would reduce from Moody Highway on Highway 33 through Sugar City to just past the highway is the roadway. There are many planned apartments and twin homes in this area in the near future. Commissioner Parkinson will talk to Tyler and Cindy at Road & Bridge to have signs put in place a month or so before the roadway is changed. Grants will be applied for to fund the project.

**Joel Jenkins, Thornton Frontage Road/Property taxes**

Joel would like his property next to the location of the future frontage road to be zoned Ag. He has 4 acres that will be used for the roadway and he can't do anything with the property. There is a LHTAC grant, but in the last 4-5 years, costs have doubled and the road is on hold for now. The property is currently Ag zoned, but it has not been the past 2 years. He is in arrears about \$7,500, but has not been in to discuss with the Assessor before now.

Shawn Boice and Angie Moffat came in to discuss the matter. Commissioner Mendenhall would like on the record that Shawn and Angie have worked well with the commissioners on this issue. Shawn proposed cutting what he owes in half. Angie will calculate new amount owed leaving penalties.

After review and discussion, Commissioner Parkinson made a motion to cut the tax owed by Joel Jenkins in half based on the county eventually taking over the 4 acres for a frontage road, but

leaving penalties. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

**Shawn Boice, Not for Profit Exemption, Ag Exemption, Hospital Tax Cancellation, Road Right of Way Cancellation RPR6N40E191802.**

Trespassing signs on properties are becoming an issue, Shawn and his team are being yelled at times. The Assessor's office respects trespassing signs, but if they can't get in, they will assess the property as best they can and it is up to the owner to come in and defend their value. Shawn sends letter/permission slips. A representative of Madison County can enter for inspection purposes only based on the signed document, but it does not say "assessor" specifically. The county is looking to amend the document to add "assessor" possibly.

Shawn is going to meet with other counties here in Madison County on April 13<sup>th</sup> to discuss a possible fee increase for registrations at the DMV. If a fee increase is decided, a public hearing will have to take place. Shawn will report to the Commissioner's after April 13<sup>th</sup>.

**Madison Memorial Hospital/Rexburg Medical Center**

After review and discussion, Commissioner Parkinson made a motion to approve tax cancellation for Rexburg Medical Center recently purchased by Madison Memorial Hospital through 2022 minus part that has been rented out but tax will be owed in 2023 and moving forward based on new value assessment. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

**Rexburg Property North**

After review and discussion, Commissioner Mendenhall made a motion to approve road right-of-way tax cancellation for Parcel # RPR6N40E191802 for 2023 and moving forward. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

**Calvary Chapel of Rexburg**

After review and discussion, Commissioner Parkinson made a motion to approve a tax exemption for Calvary Chapel of Rexburg on 104 College Avenue. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

**The Corporation of the Presiding Bishop**

After review and discussion, Commissioner Mendenhall made a motion to approve tax exemption for The Corporation of the Presiding Bishop of the Jesus Christ of Latter-Day-Saints for county property in this name. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

**Laine Parkinson.** Laine qualifies for Site Improvement Exemption as 51% owner. Market value will be set on all lots and 75% can be deducted. After review and discussion, Commissioner Mendenhall made a motion to approve the Site Improvement exemption associated with the land for Laine Parkinson at Debbie Lane Estates. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

**Michael Jenkins.** He is applying for exemption on multiple properties. He has a home on a portion, but runs cows on most of it. The residence will be excluded. After review and discussion, Commissioner Parkinson made a motion to approve an Ag Exemption for Michael Jenkins at 741 S 5500 W. for parcel #'s 96606, 94807 and 94806 excluding areas being used for residential use. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

**Geoffrey L. Beausoleil.** He is the new owner applying for Ag exemption. After review and discussion, Commissioner Mendenhall made a motion to approve Ag Exemption for Geoffrey L Beausoleil for parcel number 50340 in Hartcrest Estates. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

**Prime Investments, South Fork Circle.** It has applied for Ag exemption for many years. After review and discussion, Commissioner Parkinson made a motion to approve the Ag Exemption for Prime Investments 5.02 acres with parcel #00100. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

**Jeff Lerwill, Old Farm Estates.** After review and discussion, Commissioner Mendenhall made a motion to approve the Ag Exemption for Jeff Lerwill on lots that are not sold yet in Old Farm Estates. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

**Sam Butikofer.** Coroner building discussion. Sam is asking about the property donated from Sugar City, what he can do to propose utilizing some of that space for a coroner's office and/or a morgue. The Commissioners suggested he come up with some preliminary plans with possible square footage and talk with the Sheriff's office since the Commissioners are leaving those decisions up to the Sheriff's office. Sam wants to know if he can use part of the LATCF grant since he's hoping to use grants, either current or those applied for in the future for funding.

Commissioner Mendenhall reported the Sugar City Council meeting held March 23<sup>rd</sup>, they approved ordinance #381-2023 authorizing transfer for law enforcement presence and gave us 10 years to construct a building on the property. It was given at no cost because the increased police patrol is a value to Sugar City.

Commissioner Smith made a motion to adjourn the meeting at 12:29. Commissioner Mendenhall seconded and voting was unanimous.

Approved:

Todd Smith, Commissioner  
Brent Mendenhall, Commissioner  
Dustin Parkinson, Commissioner

Attest:

Kim Muir, County Clerk