



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

Madison County
Commissioner Meeting Minutes
May 8, 2023

Attendees:

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

ACTION ITEMS

This meeting was streamed electronically.

Pledge of Allegiance: By all

Invocation: Commissioner Smith

Calendar Discussion:

Next Commission Meeting will be held on May 22, 2023.

A public hearing was going to be scheduled for May 30, 2023 regarding a change in fees for DMV and Solid Waste. The date is now moved to the June 12, 2023 regular meeting to allow for adequate notice.

Schedule of Commissioners:

- May 8, 2023 Budget and Levy Training at CEI in Idaho Falls.
- Commissioner Smith will be out of town June 9-19th, 2023.

Discussion Items:

-Intersection construction onto Highway 20 was discussed. The intersections will be closed during construction. The frontage road completion was also discussed.

-Ratify Quit-Claim Deed for interest in property in Sugar City Business Park for law enforcement building.

-Bill Squires approached Commissioner Smith regarding a piece of land showing Madison County as an interest in an abandoned roadway easement that was never realized. A quit claim was needed to be signed to deed away any interest the county may have had here.

After review and discussion Commissioner Mendenhall made the motion to ratify actions taken by the chairman regarding the Larsen Subdivision. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

-Capital Improvement projects for the county need to be prioritized and budgeted, Cameron Aerial, with Clearwater Financial will help analyze for the best use of funding.

Contracts/Documents:

After review and discussion, Commissioner Smith made a motion to accept and approve Warranty Deed for property in the Sugar City Business Park. The Commissioners signed the acceptance of the deed. The deed was from Sugar City to the County on this parcel. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to approve Right of Way Contract with LDS Church with a temporary easement construction amount of \$2056.00. Commissioner Parkinson seconded and 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 grand total of claims was \$469,375.04. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Parkinson made a motion to approve the meeting minutes of April 10, 17, 18 and 24, 2023. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Personnel Actions:

After review and discussion, Commissioner Parkinson 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 Parkinson made a motion to approve the Certificates of Residency as received for Elizabeth Lamoreaux, Dianne Eaton and Shandrie Henry. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Public Comment: None.

Executive Session: Commissioner Smith made a motion to go into executive session at 9: 05 a.m. Idaho Code § 74-206(1)(b) employee matters. A roll call was taken as follows: Commissioner Smith-yes, Commissioner Mendenhall-yes, Commissioner Parkinson-yes. The motion passed. Commissioner Smith returned to open session at 9:38 a.m.

Paul Sorensen, Discussion and decision of County software:

Paul was present to discuss the Computer Arts software upgrade. They have presented a contract with a 22.9% increase over what we paid last year. It's a high increase but still relatively cheap compared to other software. They are doing a complete rewrite of the software and will be updating to a cloud-based program as well as doing vital updates to the system. This option is still the least expensive and we pay individually for each module. The model looks appealing and we are hopeful that customer service and the updates will be a good fit for the county. They are currently looking at the property tax side of the software, but it is not the priority at this time.

After review and discussion, Commissioner Mendenhall made a motion to approve upgrade of County software for one year. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

Amanda, Assessor's office:

Discuss letter for Board of Tax Appeals Case Parcel #RPOINDE0020060.

A letter was sent in by Gary Wight requesting that the hearing with the Idaho Board of Tax Appeals be held in person rather than a Zoom conference call. He states there are extenuating circumstances causing the need to discuss in person. No details were given as to what these circumstances were, and the Tax Appeals Board asked for the Commissioner's thoughts on this. The Commissioner's feel that the meeting should continue to be over a Zoom conference call since the extenuating circumstances were not outlined in the letter. These hearings are now all being done by Zoom at the appellate level.

After review and discussion, Commissioner Parkinson made a motion to have a letter drafted in response stating the Commissioners agree that the meeting continue to be over Zoom. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Shawn Boice, DMV title fee discussion:

Due to new legislation passed, Commissioners are allowed to set DMV title fees. The internet-based system has taken a lot of our transactions away. Counties from around the state are having to lay off employees; we have been fortunate not to. Some of the online transactions that ITD does now end up coming back to us for name changes, death of spouse, etc. and we don't see a single cent from those to make up for employee's time spent. We need a public hearing to increase the fee for titles, looking at increasing to \$20. Recent meetings with surrounding counties concluded that we all want to be comparable.

David Decker, review and sign document for changes in State inspections:

David is getting daily calls on one state inspector not getting things completed on time. He decided to keep things local by contracting with the City of Rexburg to perform these inspections. It is expected this change from the state to local will better serve Madison County residents. David will let the current inspector know the services are being transferred to the city and will send out an email to subcontractors informing them of the change.

After review and discussion, Commissioner Mendenhall made a motion to approve changes in State inspections. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

Bradley Petersen, review and discussion of the Teton pit flood mitigation/recharge update:

Commissioner Parkinson met with Bradley about putting together a committee for the Teton pit flood mitigation plan. The purpose of establishing this Madison County Teton Gravel Pit Mitigation Advisory Committee is to create a forum for primary Stakeholders to share thoughts, have input, share concerns and ideas, ask questions and receive answers regarding the project.

Items for possible discussion are project design, fees, construction, operations, recharge and flood mitigation opportunities at this location. The primary objective for this project is flood mitigation efforts in reducing the current FEMA flood plain affected area in Madison county and groundwater mitigation efforts through groundwater recharge. The meetings won't be noticed or published but minutes will be taken and available for review by the Board of County Commissioners. If someone is interested in joining, we will have them join. Eric Miller reached out to IDWR to be a part of it and they are pleased to be a part of it. Commissioner Parkinson will work with the Committee to get started.

After review and discussion, Commissioner Smith made a motion to move forward with the Madison county Teton Gravel Pit mitigation Advisory Committee. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Cole Hibbard, GIS Department Report:

We will put Cole on the next agenda for a GIS website demonstration.

The GIS Department does addressing for whole county for emergency medical services. We try to do what the County and Assessor's office needs us to. In 2022, the public view had 60,000 hits including staff, county and city. Sugar City has hired a GIS consultant to help them, but in the meantime, Cole would rather have nothing on the map for Sugar City vs. incorrect information. If they want the county to have accurate information, they need to update on their end. Commissioner Mendenhall will have a conversation with Sugar City.

Madison Concerned Citizens, potential issues at upcoming public event:

Samuel Edwards, 333 Shoshone Ave. An LGBTQ+ Pride in the Park event is scheduled in Porter Park in Rexburg on June 10, 2023. He has a petition with over 200 signatures and they will add more names as they go in order to prevent it from occurring. At last year's event, there were some activities that he believes were inappropriate for children and should only be viewed by consenting adults in areas that allow adult entertainment, i.e. drag queen performances, cross dressing or reading stories to children while dressed in drag. He believes this type of entertainment is predatory to children's vulnerabilities and innocence and inappropriate in a public space. He encouraged elected officials to put caveats on free expression in our parks and public spaces by making adult entertainment unavailable to children and conform to the spirit of Idaho Code 18-1501 that is meant to protect children and vulnerable adults from physical and emotional abuse. Images that children see can't be unseen. He is asking for possible future protection ordinances when pertaining to events in the public square.

Commissioner Mendenhall said the venue of Porter Park is too available for children but that the Commissioners don't have the authority to place restrictions there because it is a City of Rexburg property, and within the City's incorporated boundary, not the County's. Mayor Merrill is aware of this. Commissioner Smith is aware of free speech and stated it is hard to know where to draw the line. Commissioner Parkinson says that not asking for attention is one thing, but looking to entertain or draw attention should be in an adult approved entertaining location. Commissioner Smith points out that in the County, we have ordinance 109-201 that addresses adult book stores, cabarets, motion pictures, more like establishments rather than temporary venues and that

perhaps a slight change in wording to “temporary cabarets” might be needed for the future. Commissioner Mendenhall asks Mr. Edwards to bring this matter back to the County after they discuss it with the City if they want, but it really is a City of Rexburg property and issue for the City.

Commissioner Mendenhall made a motion to adjourn the meeting at 12:05 p.m. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

Approved:

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

Attest:

Kim Muir, County Clerk