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

Madison County
Commissioner Meeting Minutes
July 13, 2026

Attendees:
Todd Smith, Commissioner Chairman
Brent Mendenhall, Commissioner
Dustin Parkinson, Commissioner
Troy Evans, Deputy Prosecuting Attorney
Kim Muir, County Clerk
Karen Daniels, Deputy Clerk
Lori Hicks, Sr. Accountant

ACTION ITEMS

This meeting was streamed electronically.

Pledge of Allegiance: By all
Invocation: Commissioner Todd Smith

Calendar Discussion:
Next Commission Meetings: July 27, 2026, August 10 and 24, 2026.

Schedule of Commissioners:
Blackfoot Fair Meeting, Commissioner Smith attending, July 15, 2026.
Meeting at 5C, July 16, 2026, 12:00 p.m.
Budget Meetings, July 22, 2026.
District 6 Meeting, July 29, 2026, 12:00 p.m., in Lemhi County.

Discussion Items:
Power issue – Dan Roberts
The Board discussed a request for an easement within the County right-of-way to facilitate three-phase electrical service to a private residence owned by Dan Roberts. Legal counsel advised that use of County right-of-way for improvements primarily benefiting a private property owner could present legal and public policy concerns. The Board indicated that all private and utility-related alternatives should be fully exhausted before the County considers any involvement. No action was taken.

Hibbard Home
The HOA fee will need to be paid on the Hibbard property.

After review and discussion, Commissioner Parkinson made a motion to approve closing on the property in Hibbard and authorize the chairman to sign final documents. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Contracts/Documents:
After review and discussion, Commissioner Mendenhall made a motion to approve the Forest Service Cooperative Agreement. 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 in the amount of $1,842,822.97, pending further review of the questions Commissioner Parkinson had. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to approve the Commission meeting minutes for June 22, 24 and 29, 2026. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

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

No Certificates of Residency.

Public Comment: None.

Planning and Zoning
Findings of Facts:
Plat Amendment with increase, Joan Nelson & Lori Hicks
The Clements Acres Subdivision was initially platted in 2001. Block 1 Lot 5 is the largest lot in the subdivision at 7.82 acres. The area is zoned Transitional Agriculture 2.0. The applicant (Joan Nelson) wishes to split the lot in order to provide a building lot for her daughter, Loi Hicks. The lot is proposed to be split into one lot that is 4.53 acres and one lot that is 3.29 acres. The total subdivision is approximately 22.7 acres and is presently divided into 7 lots. Splitting this 7.82-acre lot will result in 8 total lots in the subdivision, and maintain the average density of at least 2 acres per lot.

After review and discussion, and having found that the application meets the requirements for Plat Amendment as outlined in Madison County Code 115-201 (a), Commissioner Mendenhall made a motion to approve the application from Joan Nelson and Lori Hicks to amend Clements Acres Subdivision, as proposed in application materials received May 12, 2026. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

Preliminary Plat, Rocking Horse Ranch LLC, Mitch Neibaur

The application is for a 29-Lot Subdivision of approximately 145.82 acres. The property is zoned Madison County – Agriculture-Recreation zoning. The subdivision will have approximately 103.79 acres of common open space. The development will be done in phases as indicated on the preliminary plat. The development will be used primarily as summer/vacation properties. It will be served by private wells. The subdivision is considered a "Medium Scale Development" as defined in Madison County Code. The PZC voted to table the application until the applicant could provide a copy of CCRs that demonstrate how the shared assets within the subdivision will be managed. The applicant has provided that and that document is attached to the application materials.

Mitch thanked the Commissioners for their support and expressed appreciation for Gary's professionalism, noting that he has been great to work with and very patient. Mitch also recognized Jeremy Johnson for his efforts in addressing the weed issue.

After review and discussion, and having found the application to be consistent with Madison County Code 115, Commissioner Parkinson made a motion to approve the application from Rocking Horse Ranch, LLC for the Preliminary Plat of the Rocking Horse Subdivision as proposed in application materials received April 20, 2026, and supplemented with the CCRs as submitted May 17, 2026. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Variance to Sensitive Land Setback, Scot Dye

The subject property is located at 758 E 7th N, Rexburg. It is a 1-acre parcel located on the side channel of the South Fork of the Teton River. This puts the parcel in the 200-foot buffer of the "Sensitive Lands Overlay." Buildings within this buffer are not allowed unless there is a variance of a 200-foot setback granted. Virtually all of this parcel is within the 200-foot buffer, rendering it unbuildable if the variance is not granted. Other parcels along this same side channel have homes constructed 134' (two lots to the west) and 100' (two lots to the east) from the edge of the river. Homes within the Quail Hallow upstream and east of the subject lot are as close as 45' from the river. The localized characteristics of this channel are a steep slope down to the river, so the potential building site has significant elevation difference from the river. Additionally, the riverbank has been reinforced with gravel and larger rocks to provide stabilization against erosion.

The request is to provide a reduction in the setback from the river from the required 200', and reduce it to 45' from the river. East Idaho Public Health has already approved the site plan for a potential septic system. Certificate from EIPH is included in the application materials.

After review and discussion and having found that the application is consistent with the criteria for a variance as outlined in Madison County Code 101-VI, Commissioner Mendenhall made a motion to approve the application from Charles Micklesen and Scot Dye for a variance of setback requirements from the required 200-foot setback from the river, to 45 feet, to accommodate construction of a home, as submitted in application materials received May 9, 2026. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

Variance Permit, Sensitive Land Setback, Scott Dye

After review and discussion, Commissioner Mendenhall made a motion to approve a Variance Permit, Sensitive Land Setback for Scott Dye. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

Preliminary Plat, Spruce Creek – Stevens/Cardon
The application is for a 10-Lot Subdivision of approximately 16 acres located approximately at 2200 N and 2000 W, in the Hibbard area of Rexburg. The property is zoned Madison County – Rural Residential 1.5 zoning. The property is currently being farmed. Surrounding land uses include agriculture, and residential uses. The subdivision is considered a "Medium Scale Development" as defined in Madison County Code.

At the January 14, 2026, hearing, the PZC heard various comments and concerns from neighbors regarding the subdivision configuration and irrigation systems. PZC voted to table the application to allow the applicant a chance to make revisions based on the input received. The applicant agreed to make some modifications based on that input.

After review and discussion and having found the application to be consistent with Madison County Code 115-170, Commissioner Parkinson made a motion to approve the application from Creed Cardon and Parker Stevens for the Preliminary Plat of the Spruce Creek Subdivision as proposed in application materials received December 16, 2025, and supplemented with a revised design on March 31, 2026. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Zone Change, AG /TAG to TAG, Richard & Aubree Mason
The subject property is approximately 40 acres and is currently identified as both Agriculture (Approximately 32 acres) and Transitional Agriculture (approximately 18 acres on the east side of the property, fronting on 5000 W) on the Zoning Map. The application seeks to zone the entire parcel as Transitional Agriculture. Lands to the East, North and South are zoned Transitional Agriculture.

After review and discussion, and having found the application generally meets the hearing factors for a zone change as outlined in Madison County Code 102-1, therefore, Commissioner Mendenhall made a motion to approve the application from Twin Oaks Estates Co, LLC
to change the zoning from agriculture to transitional agriculture on the entire 40-acre parcel as proposed in application materials received May 21, 2026. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

Ordinance #529, Zone Change, AG /TAG to TAG, Richard & Aubree Mason
After review and discussion, Commissioner Mendenhall made a motion to approve Ordinance #529, Zone Change, AG /TAG to TAG, Richard & Aubree Mason. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

Troy/Amanda, Discussion regarding Twin Bridges jurisdiction and county boundary
The Board discussed jurisdictional concerns related to the Twin Bridges area, which is located along the boundary between Madison County and Jefferson County. Questions were raised regarding law enforcement authority and responsibility for patrol and enforcement activities within

the area, particularly in light of Madison County's ownership of certain property interests, restrictions on public access, and the collection of fees associated with use of the property.

The Board discussed potential next steps, including coordination between the GIS departments of Madison County and Jefferson County to verify and establish the precise location of the county boundary. Following completion of that review, the Board discussed the need for a professional land survey involving representatives from both counties to identify, establish, and mark the applicable boundary and property lines.

Gary recommended that Madison County work with Jefferson County to develop a Memorandum of Understanding (MOU) addressing law enforcement responsibilities, jurisdictional authority, and operational expectations at Twin Bridges. The Board further discussed that, if necessary, legislative action could be considered after the boundary issues have been fully evaluated and resolved.

Jared Arnold, Updates with the car show
Miriam and Kody were present to discuss plans for a suicide awareness car show scheduled for September. They explained that the event will include QR codes providing information and event registration to help educate participants and increase awareness.

They also shared their desire for the event to raise funds for The Center of Hope and Moving Toward Hope, with proceeds from the car show benefiting both organizations and supporting suicide prevention and mental health efforts in the community. Legal counsel has provided them a written liability waiver for this event to use.

James Krump, Disputing taxes late payment
After review and discussion, Commissioner Mendenhall made a motion to cancel the tax penalty and interest in the amount of $723.16 for Mr. Krump. Commissioner Parkinson seconded and voting was unanimous. The motion passed. Commissioner Parkinson thanked Mr. Krump for his good history and willingness to work with them.

ITD, Discussion on Sugar City/US 20 corner, Palmer's Corner
The Commissioners discussed closing the roadway sooner rather than later and agreed that it could be temporarily barricaded with concrete barriers, with the cul-de-sac infrastructure to be constructed at the later date already decided.

They emphasized the importance of communicating the closure to the public through social media. ITD expressed concern that while the road could be closed immediately, there would not initially be a turnaround for emergency vehicles, making additional coordination necessary.

The Commissioners agreed that Tyler should meet with ITD as soon as possible to discuss logistics and determine the best approach. Overall, the Commission was unanimous in its support for moving forward with the closure as soon as practical in the interest of public safety.

Brian McKellar, Samaritan Fund

A request was made for permission to distribute information to County employees about a voluntary marketplace program. Participation would be entirely at the discretion of each employee, and eligible employees would have the opportunity to enroll in the program if they qualify. The program would be paid for by the County, and the purpose of the communication is simply to make employees aware of the available benefit.

After review and discussion, Commissioner Mendenhall made a motion to approve introduction of the Samaritan Fund to county employees. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

Sheriff Ball, Holiday pay, Twin Bridges discussion
The Commissioners discussed the holiday pay changes that were approved recently. The Sheriff's Office has already implemented the changes and requested that they now be formally incorporated into County policy by October 1 to ensure the practice is officially documented and applied consistently.

Twin Bridges discussion was held earlier in the meeting.

Executive Session: Commissioner Smith made a motion to go into Executive Session at 11:10 a.m. Idaho Code § 74-206(1)(b) employee matters, (d) exempt records, Ann Marie Sorensen, Indigent Clerk and (f) legal and current litigation. 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 11:33 a.m.

Robert Kohler, Burn Ban Discussion
Robert Kohler presented current wildfire conditions and fire danger statistics, including drought data indicating that Madison County is experiencing extreme drought conditions. He reported that temperatures recently reached 101 degrees and are expected to remain in the 90s, with above-normal temperatures forecasted for the coming weeks. Mr. Kohler noted significant fire activity throughout the region, including within Madison County, and advised that August and September are expected to remain hot and dry, resulting in continued elevated fire danger.

Mr. Kohler reported that a 1,800-acre fire occurred on the desert west of town the previous week, requiring activation of the county's mutual aid agreement. Federal partners, neighboring counties, and aerial firefighting resources, including retardant-dropping aircraft, responded to the incident. He further advised that surrounding counties have implemented fire restrictions and noted several recent fires in neighboring Jefferson County. Concerns were also expressed regarding fireworks and the potential financial responsibility to Madison County for fires occurring on county property that require federal assistance.

Legal counsel discussed whether immediate implementation of a complete burn ban would be more appropriate than adopting a partial restriction at this time. Counsel noted that federal partners were expected to provide updated guidance later in the week and were anticipated to implement a burn ban. The Board further discussed whether adopting a partial restriction would likely result in the need for a full burn ban shortly thereafter, and whether a comprehensive approach would provide greater clarity and consistency for the public.

After review and discussion, Commissioner Mendenhall made a motion to approve Ordinance # 530, imposing a countywide burn ban effective July 15, 2026, through September 30, 2026, unless terminated earlier. The ordinance permits the use of barbecue grills at private residences but prohibits campfires. Commissioner Parkinson seconded and voting was unanimous. The motion passed.

Employee Recognition
The Commissioners recognized the following employees for their years of dedicated service to Madison County:

- Sonya Gardner – 10 Years
- Lori Hoover – 10 Years
- John Dunn – 5 Years
- Landry Davis – 5 Years
- Gary Armstrong – 5 Years
- Matthew Peterson – 5 Years
- Shay Muir – 5 Years
- Miranda Nye – 5 Years

Department Head Meeting
Topics discussed during the Department Head Meeting include:

- Departments were reminded to charge purchases to the appropriate budget line item, even if doing so results in exceeding the budgeted amount.
- Discussion regarding the impact of 27 pay periods during the current fiscal year.
- Guidance provided by the Commissioners on departmental operations and budget management.
- Department Heads were reminded that employee performance evaluations must be completed prior to awarding merit increases.
- Discussion regarding the appropriate use of county vehicles and limiting personal use.
- Hannah emphasized the importance of submitting receipts for all county credit card purchases.
- Windshield replacement claims should be submitted through ICRMP, as there is no deductible; a claim must be filed.
- Cell phone reimbursement policies should be applied consistently throughout the county. Department Heads were asked to provide the Commissioners with a list of employees receiving cell phone reimbursement, including the justification for each reimbursement.
- Departments were reminded to notify Ann Marie of any issues related to APTA.
- Employees were asked not to park in the front parking lot on Thursday morning and to move vehicles to the front lot in the afternoon.

Evan Wise – Fairgrounds Parking Lot Access
Evan Wise discussed ongoing issues involving the parking lot adjacent to the fairgrounds. Concerns included individuals damaging the parking lot by performing vehicle stunts, throwing rocks, and causing deterioration of the property. Mr. Wise also noted that several neighboring residents currently access their backyards through county-owned property.

The Commissioners discussed several potential solutions, including installing fencing, selling or leasing the property to the City for use as a public parking lot, or placing large rocks connected by cable to limit unauthorized vehicle access while maintaining necessary access for adjacent property owners.

Executive Session: Commissioner Smith made a motion to go into Executive Session at 1:22 p.m. Idaho Code § 74-206(1) (j) Contract 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 2:22 p.m.

After review and discussion. Commissioner Parkinson made a motion to sign an approval on Case No. N2026006. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Commissioner Smith adjourned the meeting at 2:38 p.m.

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

Attest:
Kim Muir, County Clerk