

Amended 3/5/2009

**MADISON COUNTY COMMISSIONERS  
MEETING AGENDA  
March 9, 2009 8:00 a.m.  
COMMISSIONERS ROOM**

Madison County Commissioners  
Robert Hansen, Chairman

Kimber Ricks

Jon O. Weber

- 8:00 a.m. County Business:  
New Business:  
Commissioner Assignment Reports  
Commissioner Board and Committee Reports  
Claims  
Minutes: February 23, 2009  
General Courthouse Issues  
Approve Hospital By-Laws  
GIS Personnel Request  
Contract CRSA  
  
Old Business:  
Bldg Proposal and Equipment Update - Steve Hobley  
Review for approval Master Agreement of Schedule A  
For Forest Service
- 10:00 a.m. Joint Meeting with Jefferson Commissioners and Sheriff  
Re: BLM/Gun Range
- 12:00 Noon Homeland Security Re: Twin Bridges
- 1:40 p.m. Brent McFadden, Planning and Zoning Administrator  
(Executive Session (Idaho Code 67-2345-1 (a) Consider hiring employee)
- 2:00 p.m. Health and Welfare (Executive Session (Idaho Code 67-2345-1(d), exempt records)
- 2:30 p.m. Treasurer Sherry Arnold Re: Tax Deed Hearing  
County Investments  
Urban Renewal  
Budget Cash Flow
- 3:00 p.m. Planning and Zoning Business:  
Findings of Fact for the Following:  
Michael Bone Conditional Use Permit  
Paul Eddins Conditional Use Permit
- 3:30 p.m. Todd Tuckett, Keller & Associates  
Re: East Parkway Corridor Study Contracts
- 4:00 p.m. Coroner Rick Davis and Mikel Walker, EMS  
Re: EMS Ambulance transfer of use to Coroner
- 4:30 p.m. Mitch Neibaur Re: Country View Estates and Neibaur Acres
- 5:00 p.m. Mayor Dalling and Sugar City Council  
Re: 1000 East Bridge (7<sup>th</sup> West - Sugar City)

**NOTICE: Meeting is Open to the Public Except For Executive Sessions.**  
**NOTE: ANY PERSON NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THE ABOVE NOTICED MEETING SHOULD CONTACT THE MADISON COUNTY CLERK'S OFFICE 48 HOURS PRIOR TO THE MEETING. IT IS ASSUMED THESE SCHEDULED TIMES ARE CORRECT. THERE ARE TIMES WHEN THE SCHEDULE WILL BE ADJUSTED ACCORDINGLY.**

**MADISON COUNTY COMMISSIONERS  
MEETING MINUTES**

**March 9, 2009 8:00 a.m.**

**COMMISSIONERS ROOM**

Madison County Commissioners  
Robert Hansen, Chairman

Kimber Ricks

Jon O. Weber

**Present:** Commissioner Robert Hansen, Chairman, Jon Weber, Clerk Marilyn Rasmussen and Attorney Troy Evans  
(Commissioner Ricks was excused as he was attending a meeting for High Country RC&D in Boise, Idaho.)

Commissioner reports were given regarding:

Airport Board: Commissioner Weber reported that he had met with the Airport Board and was learning their by-laws and finances.

GIS Report to the community realtors - Commissioner Hansen and Craig Rindlisbacher met with some of the area realtors during the last week. Mr. Rindlisbacher explained research information that the Assessor's Office and GIS could provide and their role in providing legal descriptions.

**Craig Rindlisbacher, GIS Administrator**, reported that in August the County implemented the new Taxing software. This created a learning curve for both the Treasurer's and Assessor's Office. Because of the change in software, it created a situation where both offices relied on the institutional knowledge of Sandy Briggs to correct some of the errors that were found. This past year has been a challenge and more hours have been required from Mrs. Briggs than anticipated. In order to meet the State assessment deadlines by May, it was requested that some of Mrs. Briggs hours be paid out. Marilyn Rasmussen, Clerk indicated that there were funds available in her budget. Commissioner Weber asked that the offices be proactive in the future in having their employees use their vacation hours and this should be considered a one time request.

Mr. Rindlisbacher has a work-study intern that he would like to have continue working for the GIS Department. He has arranged with the City of Rexburg for the intern to work two semesters (Summer and Fall Term) at twenty hours per week. He is now asking that the County pay half of his salary. He noted that the funds for this position were in his budget.

**Commissioner Weber made a motion to approve the joint hire of the intern for the summer semester and pay out sixty (60) hours of personal and vacation leave for Sandra Briggs, Commissioner Hansen seconded and motion passed.**

**Steve Holey, Mosquito and Weed Department Administrator and Johnny Watson, JRW & Associates PLLC**

Mr. Holey and Mr. Watson reviewed plans for construction of a new weed and mosquito building. Mr. Watson stated that after the bids are reviewed, alternatives could be added or deducted according to funds the County wanted to spend. He also noted that after the bids are received and opened the County will still have the option to award or not award the bid. A Public Works License will be required from all of the bidders. Commissioner Weber expressed concern regarding building this structure due to the economic

conditions that are present. After discussion, **Commissioner Hansen made a motion to put the building out to bid to determine if this was an option to build, Commissioner Weber seconded and motion passed.**

**Commissioner Hansen made a motion to authorize Johnny Watson, JRW & Associates to prepare the bid for the Mosquito Building, Commissioner Weber seconded and motion passed.**

**Ron Dickemore and Web Stumbo, Caribou-Targhee National Forest**

**Representatives** reported they had funds allocated for Madison County from the Federal Stimulus Package. There is a short turnaround time for projects to be submitted so they would like to meet with the County representatives Wednesday, March 11, 2009 at 3:00 p.m. At this time they would sign the agreement for the funds and update the Schedule A Project List which has not been updated since 1997.

**Joint Meeting with Jefferson Commissioners and Sheriff and BLM to discuss BLM property and gun range:**

Present:

Madison County:

Misty Berger, Parks and Recreation Dept.

Wendell Roth, Solid Waste Dept.

Commissioner Jon Weber

Commissioner Robert Hansen

Captain Bruce Bowler

BLM:

Wendy Reynolds

Jan Parmenter

Becky Lazdanskas

Unified Sportsmen Club:

Keith Archibald

Ron Wilcox

Bruce Preheim

Jefferson County:

Commissioner Ron Baxter

Commissioner Tad Hegsted

Commissioner Debbie Karren

Sheriff Blair Olsen

Jim Boulter, Road & Bridge

Mel Leavitt, Road & Bridge

*Gun Range:* Bruce Preheim reported that they had done three project improvements at the gun range. They have 240 paid members and request a \$5.00 donation for using the range, but do not stop anyone if they cannot donate. All donated funds go back into projects on the range. They are looking at creating a combat pistol range, but are in the planning stages of options for a safe location.

The gun range is used by residents of all surrounding counties and over the last six years the usage has doubled. It was noted that this is a real asset to the residents of this area as there are no more gun range areas being approved by BLM and it is the only public 1000 foot range in Idaho.

The Cowboy Range hosts an event a month and their use of the range continues to increase.

Ron Wilcox, Unified Sportsmen President expressed his appreciation for the gun range patent and stated that it provides a fun, safe place to promote safe shooting sports.

*Wendell Roth, Solid Waste Department:*

The BLM property purchase should be ready to sign in approximately 60 days. All of the cultural resources have been inventoried and the process will now proceed as if it has authorization from the State Historic Preservation Office. An appraisal was done in 1999 and again in 2005. The County was asked if they wanted a new appraisal or if they would accept the appraisal done in 2005 for \$44,000 for the 140 acres. **Commissioner Hansen made a motion to accept the contract appraisal of \$44,000 for 140 acres for the BLM landfill property, Commissioner Weber seconded and motion passed.**

*Garbage on BLM property:* It was suggested that the Landfill Operation open at 7:00 a.m. and close at 6:00 p.m.

*Wendy Reynolds* reported that the BLM Field Management Plan is being revised and they will be asking for input from the Commissioners as they inventory the trails. She stated that they would like to list new trails that have been created between Madison and Jefferson and which type of recreational vehicles will be allowed on designated trails. Some of the issues they will be addressing as they revise this plan will be new user created roads, Sage Grouse being listed on the endangered species list and off season usage. This Management Plan is scheduled to be done in the next two years.

*Twin Bridges:* Commissioner Hansen discussed the ongoing issues with Twin Bridges being compromised by the changing river channels. Hydrology changing of the river will need to be addressed as Madison County pursues engineering changes in this area.

*Sheriff Olsen* discussed his law enforcement contracts around the Menan Buttes with BLM. At present he is being allocated \$1995 to patrol this area which does not even cover the cost of the fuel. He asked if more contract funds would be available in the future as they are covering more acreage, issues with recreational vehicles, sportsmen and services. He sees the need for more law enforcement as more citizens use this area as a playground due to the economy. He was asked to make a request during the BLM budget cycle for more funding.

After discussion regarding the above listed items, all agencies committed to coordinate efforts for safer and improved use on our joint lands.

**County Business:**

**Madison Memorial Hospital By-Laws: After review of the revised By-Laws submitted by the Madison Memorial Hospital, Commissioner Hansen made a motion to approve, Commissioner Weber seconded and motion passed.** (Copy of file at the Hospital and the Clerk's Office)

**Claims: After review of the claims submitted by the Elected Officials and Department Heads in the amount of \$338,998.34, for March 12, 2009, Commissioner Hansen made a motion to approve with noted adjustments, Commissioner Weber seconded and motion passed.**

**Brent McFadden, Planning and Zoning Administrator - Executive Session. Robert Hansen made a motion to go into Executive Session at 1:15 p.m., pursuant to Idaho Code 67-2345-1(a), Personnel Issue, Purpose of Executive Session: Consider hiring personnel (Commissioner Hansen – yes,**

Commissioner Weber – yes) Commissioner Hansen returned to Open Meeting at 1:30. No decision was made.

**Health and Welfare: Robert Hansen made a motion to go into Executive Session at 1:32 p.m., pursuant to Idaho Code 67-2345-1(d), exempt records, Purpose of Executive Session:** Health and Welfare cases. (Commissioner Hansen – yes, Commissioner Weber – yes) Commissioner Hansen returned to Open Meeting at 1:36 p.m. **Commissioner Hansen made a motion to deny Case Number 2009018 and sign a lien for Case Number 2009017, Commissioner Weber seconded and motion passed.**

**Treasurer Sherry Arnold** presented the list of Tax Deeded properties (attached). She will proceed with legal council to handle these tax deeded properties.

**Brent McFadden, P & Z Administrator**, presented the following Conditional Use permits from the Planning and Zoning Commission for approval:

Commissioner Hansen entered the following Conditional Use Permit for Michael Bone into record:

MADISON COUNTY  
**CONDITIONAL USE PERMIT**

NAME: **Michael and Wendy Bone**  
ADDRESS: **3571 W. Highway 33, Rexburg**  
ZONE: **Transitional Agriculture Two**

DESCRIPTON OF NEED FOR CONDITIONAL USE PERMIT: **To operate a dance studio in a Transitional Agriculture Two Zone.**

CONDITIONS FOR CONDITIONAL USE PERMIT:

1. **This Conditional Use Permit will be good for one year from date approved, and must be reviewed thereafter annually by the Planning and Zoning Administrator.**
2. **Run business the way it presently is operated.**
3. **Business practices should be considerate of neighbors.**

**Commissioner Hansen made a motion to approve the Conditional Use Permit for Michael and Wendy Bone to operate a dance studio in a Transitional Agriculture Two Zone, with the above listed conditions, Commissioner Weber seconded and motion passed.**

Commissioner Hansen entered the following Conditional Use Permit for Paul Eddins to operate an auto body shop in a Transitional Agriculture Two Zone into record:

**NAME: Paul Eddins**  
**ADDRESS: 3920 W. 1000 N., Rexburg**  
**ZONE: Transitional Agriculture Two**

**DESCRIPTON OF NEED FOR CONDITIONAL USE PERMIT: To operate an auto body shop in a Transitional Agriculture Two Zone.**

**CONDITIONS FOR CONDITIONAL USE PERMIT:**

- 1. This Conditional Use Permit will be good for one year from date approved, and must be reviewed thereafter annually by the Planning and Zoning Administrator.**
- 2. All contaminates (oil, etc.) must be properly contained and disposed of.**
- 3. Un-operable vehicles must be removed within 6 months and no more than 20 can be stored at one time.**
- 4. Noise must be controlled as much as possible and not become a nuisance to the neighbors.**

**Commissioner Weber made a motion to approve the Conditional Use Permit for Paul Eddins to operate an auto body shop in a Transitional Agriculture Two Zone, with the above listed conditions, Commissioner Hansen seconded and motion passed.**

**CRSA Agreement: Commissioner Hansen made a motion to add to the Cooper, Roberts, Simonsen Associates Planning and Zoning contract from two years ago to rewrite the Zoning Ordinance, Commissioner Weber seconded and motion passed.**

**Todd Tuckett - Keller & Associates** reviewed the 1000 East Bridge billings Number 3 and 4. Madison County Commissioners will meet with Sugar City Mayor Dalling to determine the division of match costs.

**East Parkway Corridor Plan:** Keller and Associates has received the contracts from LHTAC for the East Parkway Corridor Study and they are now ready for the County to sign. The amount of the study is \$193,500 with a match from the County of \$14,202.40. He noted that since this study impacts the City of Rexburg, they have indicated that they would participate financially in the grant match. Alternates will be studied with public input as this is just the beginning of the study.

**Coroner Rick Davis and Mike Walker, EMS** requested approval for the 1989 ambulance that is being retired by EMS to be transferred to the Coroner to transport bodies for autopsy. The ambulance will be stored at the Archer Fire Station. After review of need for this type of a vehicle due to county growth, **Commissioner Weber made a motion to transfer the Ambulance and title from the Ambulance District to the Madison County Coroner, Commissioner Hansen seconded.**

**Mitch Neibaur - Neibaur Acres and Country View Estates:**

Mr. Neibaur has received a letter from Planning and Zoning Administrator Brent McFadden stating that the Country View Estates Plat would need to be amended as the property had more than four splits. Brent McFadden explained that the property was originally platted at four lots and then it was divided into 9 parcels that did not meet the minimum size. After review of the information presented and the Minutes for March 23, 1998, it was determined that the plat would be amended and all owners of the property would be required to sign the new plat.

Neibaur Acres: Mr. McFadden stated that he was not Administrator when these lots were approved, but it was his understanding that the property was to be platted and the lot sizes were too small to meet the County requirements. Mr. Neibaur referred the Commissioners to the May 23, 2005 Minutes where he was given approval to use a survey for lots 2, 3 and 4 and that building permits would be issued. The Commissioners agreed to follow the agreement made in the May 23, 2005 Minutes.

**Sugar City Mayor Dalling and Council Person Harold Harris:**

Mayor Dalling expressed appreciation to the County for their help constructing the Madison County/Sugar City Bike Path.

Madison County applied for the 1000 East Bridge grant and has been overseeing it since the project began. It was pointed out that the bridge is in the annexed area of Sugar City, but is still in the County. Mayor Dalling stated that it would be difficult for Sugar City to pay a share of the LHTAC grant because they have not budgeted for it and they have had unexpected expenses for the bike path and the business park. He asked that the County continue to pay the match at this time. The Commissioners stated that they would take this request under consideration.

**Personnel Actions: Commissioner Weber made a motion for D7 Treatment to hire a new Counselor, Craig Ward, Commissioner Hansen seconded and motion passed.**

Commissioner Weber made a motion to adjourn at 6:00 p.m., Commissioner Hansen seconded.

Approved:

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Robert Hansen, Chairman

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Jon O. Weber